

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
EMBARQ CORPORATION,)	
Transferor,)	
)	
and)	
)	WC Docket No. 08-238
CENTURYTEL, INC.)	
Transferee.)	DA 08-2681
)	
Application for Transfer of Control of)	
Domestic Authorizations Under Section 214)	
of the Communications Act, as Amended)	

REPLY COMMENTS OF DELTACOM, INC.

DeltaCom, Inc.

January 23, 2009

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REPLY COMMENTS OF DELTACOM, INC.

DeltaCom, Inc. (“Deltacom”) submits these Reply Comments in response to comments filed with the Federal Communications Commission (“Commission” or “FCC”) in the above-captioned proceeding regarding the proposed merger of CenturyTel, Inc. (“CenturyTel”) and Embarq Corporation (“Embarq”) (jointly the “Applicants”). As one of the largest competitive telecommunications carriers in many of the states at issue in the merger, Deltacom provides a unique perspective, based on its firsthand experience with CenturyTel and Embarq, on the likely negative effects of the proposed merger. Further, Deltacom files these Reply Comments generally in support of the Comments of CompTel and the Joint Comments filed by NuVox and Socket Telecom, LLC (“Socket”), and in particular, in support of their proposed merger

conditions -- to the extent the Commission does not deny the CenturyTel-Embarq merger application outright.¹

Deltacom is a leading provider of integrated telecommunications and technology services to small- and medium-sized businesses in the southeastern states. The company offers a variety of services - both voice and data - including local, long distance, Internet connectivity and broadband data communications. Deltacom is one of the largest competitive telecommunications service providers within its primary eight-state region of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee and has extensive experience with both CenturyTel and Embarq.

Based on its experience with both of the Applicants, Deltacom believes the proposed merger will have a negative impact on the state of competition in the Applicants' combined operating territory.² Accordingly, Deltacom supports the comments of CompTel and NuVox and Socket and, in particular, the conditions they propose be applied to any grant of the proposed merger between the Applicants.³ Deltacom agrees with the commenters that the proposed merger is not in the public interest and will hinder the continued development of competition in the Applicants' combined operating territory.⁴ Deltacom supports the merger conditions proposed by NuVox and Socket and files these Reply Comments both to provide the Commission with information about its experiences with the Applicants, which echo and bolster

¹ See Comments of CompTel in Opposition to Merger of Embarq Corporation and CenturyTel, Inc. (filed Jan. 8, 2009) ("CompTel Comments") and the Joint Comments of NuVox, Inc. and Socket Telecom LLC in Opposition to Merger of Embarq Corporation and CenturyTel, Inc. (filed Jan. 8, 2009) ("Joint Comments").

² See, e.g., Declaration of D. Anthony Mastando and Kim Sharp at 3-7..

³ See CompTel Comments at Appendix A; Joint Comments at 21-40.

⁴ See CompTel Comments at 2-5; Joint Comments at 8-15.

the need for the conditions proposed, and also to urge the Commission adopt additional conditions.

Specifically, Deltacom attaches the Declarations of D. Anthony Mastando and Kim Sharp to highlight the need for the conditions regarding the wholesale obligations of the Applicants.⁵ For example, Deltacom also agrees with NuVox and Socket⁶ that Embarq's OSS is superior in almost every respect to that of CenturyTel and that the grant of the merger should be conditioned upon the use of Embarq's OSS throughout the Applicants' combined operating territory, post-merger.⁷ Further, as a competitive service provider, Deltacom needs to interconnect with CenturyTel and Embarq in order to reach its customers, and thus the proposed conditions addressing interconnection are critically important.⁸ Similarly, the condition that the combined entity offer cost-based hot cuts for the migration of customers between carriers is key to the development of a competitive environment in the Applicant's service territories.⁹

WHEREFORE, Deltacom agrees with those commenters, such as CompTel and NuVox and Socket, asserting that the proposed merger of CenturyTel and Embarq is not in the public interest and, if granted, must be subject to conditions as a way to mitigate the competition harms that will result from the merger. For the foregoing reasons, including those provided in the CompTel Comments and the Joint Comments and in the attached Deltacom Declarations,

⁵ See Declaration of D. Anthony Mastando and Kim Sharp, *passim*, and Joint Comments, *passim*.

⁶ See Joint Comments at 27-30.

⁷ Declaration of D. Anthony Mastando and Kim Sharp at 3-5.

⁸ See CompTel Comments at 6-7, Appendix A, items 1-4; Joint Comments at 21-24.

⁹ See, e.g., Declaration of D. Anthony Mastando and Kim Sharp at 6-7.

Deltacom urges the Commission to adopt the conditions proposed by Deltacom, CompTel, and NuVox and Socket as well as other commenters in the above-captioned proceeding.

Respectfully Submitted,

/-s-/

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