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March 6, 2009

Ms. Christi Shewman
Ms. Stephanie Weiner
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC-Docket Nos. 08-33 and 08-185 – Sixth Consolidated Status Report

Dear Ms. Shewman and Ms. Weiner:

Central Telephone Company of Virginia d/b/a Embarq and United Telephone Southeast LLC d/b/a Embarq (collectively, “Embarq”) submit this letter to provide further information to you and the Commission following the Sixth Consolidated Status Report filed by Intrado Communications of Virginia Inc. (“Intrado”). Having reviewed that report, Embarq believes it appropriate to file this letter.

Embarq agrees with Verizon’s March 3, 2009 response that Intrado’s report misstates the basis for the February 13, 2009 Proposed Arbitration Decision issued by the administrative law judges in Intrado’s arbitration with Illinois Bell Telephone Company before the Illinois Commerce Commission. In particular, the ALJs’ decision does not suggest that they found any lack of guidance from the FCC or federal courts about the issue underlying Intrado’s various state arbitrations. On the contrary, the ALJs decision was based on analysis of the statute, as well as of FCC precedent concerning the statutory definition of “telephone exchange service” under 47 USC § 153(47) and how that definition applies to Intrado’s proposed E-911 services.

To date, the ALJs’ decision in Illinois is the most thorough and detailed analysis yet provided by any state commission reviewing these arbitration cases, including in particular whether the services Intrado intends to provide fall within the statutory definition of telephone exchange service. Embarq encourages the Commission and the Bureau staff to review the ALJs’ decision attached to Intrado’s Sixth Consolidated Status Report, to judge for itself.

Edward Phillips
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Intrado's report also states that its request for reconsideration of the Florida arbitration decision was to be addressed by the Florida Public Service Commission at its March 3, 2009 agenda meeting. Embarq notes that the Florida Public Service Commission has in fact voted to deny Intrado's request for reconsideration. It approved, without further comment, the staff's recommendation that Intrado's request be denied. A copy of the commission's voting sheet is attached.

Sincerely,

A handwritten signature in black ink that reads "Edward Phillips". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward Phillips

HEP:sm

Attachment

cc: Service List

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of March, 2009, I caused to be served a copy of the foregoing by the method indicated below to the following individuals:

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
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via ECFS

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Central Telephone Company of Virginia and
United Telephone Southeast LLC
Virginia State Bar No. 73770

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

March 3, 2009

Docket No. 070699-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with Embarq Florida, Inc., pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

(Motion for Reconsideration - Oral Argument Requested)

Issue 1: Should the Commission grant Intrado Comm’s Request for Oral Argument?

Recommendation: No. The Commission should deny Intrado Comm’s Request for Oral Argument.

APPROVED

Issue 2: Should the Commission grant Intrado Comm’s Motion for Reconsideration of Order No. PSC-08-0799-FOF-TP?

Recommendation: No. The Commission should deny Intrado Comm’s Motion for Reconsideration of Order No. PSC-08-0799-FOF-TP.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including one that appears to read 'Katrina J. McMullan'.

Empty lines in the dissenting column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01720 MAR-3 8

FPSC-COMMISSION CLERK

- Vote Sheet

March 3, 2009

Docket No. 070699-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with Embarq Florida, Inc., pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

(Continued from previous page)

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendations in Issues 1 and 2, this Docket should be closed.

APPROVED