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March 23, 2007

VIA HAND DELIVERY

Ms. Ann Cole
Office of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED FPSC
07 MAR 23 PM 4:28
COMMISSION
CLERK

Re: Docket No. 060581 - TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located partially in Alltel's licensed area and for redefinition of those study areas.

Docket No. 060582-TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located entirely in Alltel's licensed area.

Dear Ms. Cole:

Alltel finds it necessary to provide a brief response to Embarq's letter filed in this Docket on March 22, 2007 to remedy any unfortunate misconception that might occur as a result of the statements in Footnote 1 to Embarq's letter.

We would like to clarify that neither local counsel, Ms. Keating, nor Alltel, had any nefarious intent in submitting the letters filed in both of the above referenced Dockets on March 12, 2007. To the contrary, the letters were filed in the Docket in an abundance of caution to avoid any appearance of impropriety with regard to submission of these letters. Any failure to serve Embarq with copies of these letters was based on local counsel's interpretation of the

posture of these Dockets, as well as local counsel's misunderstanding that Embarq had withdrawn its petition for intervention in both Docket Nos. 060581 and 060582.¹

We must emphasize that the referenced letters do not meet the definition of "ex parte communication" as implied by Embarq's reference to Section 350.042(4), F.S. These letters were directed to specific members of the Commission's staff, including the Chief Advisors to the Commissioners. The letters were not sent to individual Commissioners. Furthermore, the posture of this case on the date the referenced letters were submitted was Proposed Agency Action, and in accordance with Rule 25-22.033(1), F.A.C., the provisions of Rule 25-22.033(2) and (4), F.A.C., were, therefore, inapplicable.²

While we certainly disagree with the comments in Embarq's letter, as well as the implications of Footnote 1 thereto, we nonetheless value communications with all parties to this proceeding and apologize for any misunderstanding that may have arisen as a result of not serving Embarq. We will certainly make sure that this and all further written documents regarding this matter are served on both Embarq and TDS Telecom and will be copying both parties with copies of the referenced letters along with this letter. We hope that should any similar such misunderstandings arise in the future, that counsel will bring them our attention directly.

Sincerely,



Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
Phone: (850) 521-8002
Fax: (850) 222-0103

cc: Susan Masterton (Embarq) w/enclosure
Tom McCabe (TDS) w/enclosure
Peter Healy (TDS) w/o enclosure

¹ By way of explanation, local counsel was retained to assist in this matter after the Order Approving Intervention for Embarq was issued in Docket No. 060581, and thus did not receive a copy of that Order upon its issuance.

² While Alltel does not quibble with the Commission's Order granting Embarq intervention, it is certainly arguable that Commission Rules do not even contemplate formal intervention when a case is in the posture of a Proposed Agency Action. Specifically, Rule 25-22.029(3), F.A.C., (titled: Point of Entry Into Proposed Agency Action Proceedings) contemplates that anyone whose substantial interests will be affected by the Commission's issued Proposed Agency Action decision will file a protest in the form provided in Rule 28-106.201, F.A.C. However, the Intervention rule, Rule 25-22.039, F.A.C., is situated in the section of the Commission's rules under the subheading "Prehearing Procedures," and, as worded, appears to contemplate formal intervention in the context of a matter already set for a Section 120.57, F.S. hearing.

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March 12, 2007

VIA HAND DELIVERY

Ann Cole
Office of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
07 MAR 12 PM 2:18
COMMISSION
CLERK

Re: Docket No. 060581 - TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located partially in Alltel's licensed area and for redefinition of those study areas.
Docket No. 060582-TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located entirely in Alltel's licensed area.

Dear Ms. Cole:

CMP _____ Enclosed for filing in the above referenced Dockets on behalf of Alltel Communications, Inc.,
COM 5 please find two enclosed letters. Please don't hesitate to let me know if you have any questions.

CTR _____
ECR _____
GCL _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH _____

{TL120033;1}

Sincerely,



Beth Keating
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DOCUMENT NUMBER-DATE
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March 12, 2007

Patrick Wiggins, Attorney Supervisor
Beth Salak, Director/Competitive Markets and Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 060581 - TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located partially in Alltel's licensed area and for redefinition of those study areas.
Docket No. 060582-TP - Petition of Alltel Communications, Inc. for designation as eligible telecommunications carrier (ETC) in certain rural telephone company study areas located entirely in Alltel's licensed area.

Dear Mr. Wiggins and Ms. Salak:

As you know, currently pending before the Florida Public Service Commission is an application for designation as eligible telecommunications carrier ("ETC") filed by Alltel Communications, Inc. ("Alltel") for purposes of expanding its eligibility for receipt of federal universal service support to serve rural areas of the state and to provide low-income consumers with affordable telephone service. This application is of critical importance to rural consumers and communities and to low-income consumers because: (1) the cost of serving rural areas of the state is a barrier to providing wireless service that can only be overcome by designating Alltel to be eligible for universal service support, which support is currently available to the incumbent local exchange carrier; (2) low-income consumers are denied the benefits of affordable wireless service unless Alltel is an ETC providing Lifeline service; and (3) rural communities will be able to make available to consumers comparable telecommunications services to those offered in urban areas, which will spur economic development. These benefits are being realized in several states that have exercised jurisdiction over the designation of wireless carriers as ETCs.

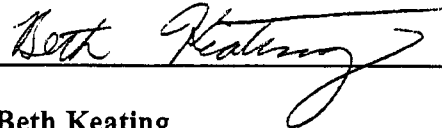
Patrick Wiggins, Attorney Supervisor
Beth Salak, Director/Competitive Markets and Enforcement
March 12, 2007
Page 2

Florida consumers deserve the same benefits and Alltel stands ready to deliver these benefits to Florida consumers.

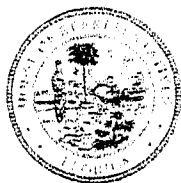
By exercising jurisdiction over the designation of wireless carriers for the limited purpose of eligibility for federal universal service support, the Commission will be taking a pro-competitive marketplace approach to enabling wireless carriers to compete and fully serve rural areas and low-income consumers without assuming jurisdiction over wireless carriers any more broadly than necessary to achieve the Commission's universal service goals.

We look forward to continued discussions regarding Alltel's application and appreciate the opportunity to address any concerns that may arise.

Sincerely,

A handwritten signature in cursive script, appearing to read "Beth Keating", is written over a horizontal line.

Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
Phone: (850) 521-8002
Fax: (850) 222-0103



Florida House of Representatives

Representative Curtis Richardson
District 8

Council:

Jobs & Entrepreneurship, Democrat Ranking Member
Policy & Budget

Committees:

Courts
K-12
Collective Bargaining

March 12, 2007

Commissioner's Offices
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

To Whom It May Concern:

It is my sincere pleasure to offer this open letter to the Commission expressing my opinion on a matter of statewide importance that I understand will be considered by the Commission tomorrow, March 13. That issue pertains to Alltel Communications, Inc.'s request that the Commission exercise its authority to consider Alltel's application for designation as an eligible telecommunications carrier, or ETC, in certain rural areas in the State of Florida.

As you well know, the number of eligible consumers in Florida that actually sign up for the Lifeline and Linkup service is low; in fact, dramatically low in comparison with other States. In spite of the efforts of all current stakeholders to increase the number of citizens that take advantage of these services, the number of eligible consumers signing up for Lifeline and Linkup has actually declined in the past few years. By considering applications for ETC status by wireless carriers, like Alltel, the Commission will be fulfilling its public interest responsibilities, which could ultimately lead to an expansion of Lifeline service to consumers. Given the current low wireline Lifeline penetration rates, the Commission has a duty to consider a new approach to solving an age-old problem. Lifeline and Linkup services can be extremely beneficial for some of this State's most needy citizens, and can help people stay connected with family, friends and medical professionals. Telephone service is, in fact, an important lifeline, so to speak, for many of our citizens, and we must make sure that they have every opportunity to access that service on an affordable basis.

As such, I am excited to see that a wireless carrier of Alltel's caliber has expressed interest in becoming an ETC in Florida.

Tomorrow, the Commission has an opportunity to bring new opportunities and ideas to help serve Florida's most needy citizens. I respect the Commission's thoughtful approach to the issue before it, and I look forward to the dawning of a new day in Florida for Lifeline and Linkup consumers.

Sincerely,

Curtis Richardson