

**Dorothy Menasco**

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**From:** Scobie, Teresa A (TERRY) [terry.scobie@verizon.com]  
**Sent:** Wednesday, March 18, 2009 2:56 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Angela Collins; App, Frank (FRANK); Kimberly Caswell; Cherie Kiser; David Christian; De O'Roark; Demetria Clark; Floyd Self; Intrado; Lee Eng Tan; Townsley, Darrell S  
**Subject:** Docket No. 080134-TP - Verizon Florida LLC's Notice of Supplemental Authority  
**Attachments:** 080134 VZ FL Notice of Supp Auth 3-18-09.pdf



The attached is submitted for filing in Docket No. 080134-TP on behalf of Verizon Florida LLC by

Dulaney L. O'Roark III  
P. O. Box 110, MC FLTC0007  
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(678) 259-1449  
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The document consists of a total of 4 pages - cover letter (1 page), Notice (2 pages), and Certificate of Service (1 page).

**Terry Scobie**  
**Legal Secretary II**  
**Verizon Legal Department**  
**8800 E. Adamo Drive - MC FLTC0007**  
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DOCUMENT NUMBER-DATE

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3/18/2009

Dulaney L. O'Roark III  
Vice President & General Counsel, Southeast Region  
Legal Department



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March 18, 2009 – VIA ELECTRONIC MAIL

Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 080134-TP  
Petition by Intrado Communications, Inc. for arbitration to establish an  
interconnection agreement with Verizon Florida LLC, pursuant to Section 252(b)  
of the Communications Act of 1934, as amended, and Section 364.162, F.S.

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter is Verizon Florida LLC's Notice of Supplemental Authority. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (678) 259-1449.

Sincerely,

s/ Dulaney L. O'Roark III

Dulaney L. O'Roark III

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Enclosures

DOCUMENT NUMBER-DATE

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Intrado Communications Inc. )  
for arbitration to establish an interconnection )  
agreement with Verizon Florida LLC, pursuant )  
to Section 252(b) of the Communications Act )  
of 1934, as amended, and Section 364.12, )  
F.S. )  
\_\_\_\_\_ )

Docket No. 080134-TP  
Filed: March 18, 2009

**VERIZON FLORIDA LLC'S NOTICE OF SUPPLEMENTAL AUTHORITY**

On February 27, 2009, Verizon Florida LLC ("Verizon") submitted a notice of supplemental authority to bring to the Commission's attention a Proposed Arbitration Decision ("PAD") in Intrado's arbitration with AT&T in Illinois. *Intrado, Inc. Petition for Arbitration Pursuant to Section 252(b) of the Communications Act of 1934 as Amended, to Establish an Interconnection Agreement with Illinois Bell Telephone Company*, Case No. 08-0545 (Ill. Comm. Comm'n). On March 17, 2009, the Illinois Commerce Commission issued its Arbitration Decision adopting the PAD. The Illinois Arbitration Decision is directly relevant to Verizon's Motion for Summary Final Order, filed December 16, 2008, because it addresses the threshold jurisdictional issue of whether Intrado is entitled to seek section 251(c) interconnection for its planned 911 services. The Illinois Commission explicitly followed the Florida Commission in finding that Intrado is not entitled to section 251(c) interconnection with incumbent local exchange carriers for the 911 services Intrado seeks to provide.<sup>1</sup>

<sup>1</sup> See Illinois Arbitration Decision at 8 ("we will reach the same conclusion as the Florida Commission"), 20 ("we believe that, like the Florida Commission, we have correctly interpreted and applied the Federal Act by concluding that Intrado's proposed 911 service is not telephone exchange service within the meaning of the federal definition"), referencing *Petition for Intrado Comm., Inc. for Arbitration with BellSouth Telecomm., Inc. d/b/a AT&T Florida*, Final Order, Docket 070736-TP (Dec. 3, 2008); *Petition by Intrado Comm., Inc. for Arbitration with Embarq Florida*, Final Order, Docket No. 070699-TP (Dec. 3, 2008).

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Respectfully submitted on March 18, 2009.

By: s/ Dulaney L. O'Roark III  
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Attorney for Verizon Florida LLC

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail on  
March 18, 2009 to:

Theresa Tan, Staff Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Floyd R. Self  
Messer Caparello & Self, P.A.  
2618 Centennial Place  
Tallahassee, FL 32308

Intrado Communications Inc.  
Attention: Manager, Regulatory Compliance  
1601 Dry Creek Drive  
Longmont, CO 80503-6493

Chérie R. Kiser  
Angela F. Collins  
Cahill Gordon & Reindel LLP  
1990 K Street N.W., Suite 950  
Washington, DC 20006

s/ Dulaney L. O'Roark III