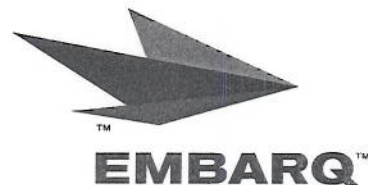


Voice | Data | Internet | Wireless | Entertainment



Embarq  
Mailstop: NCWKFR0313  
14111 Capital Boulevard  
Wake Forest, NC 27587-5900  
embarq.com

October 29, 2007

filed electronically in docket office 10/29/2007

Chairman Eddie Roberson  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: Docket No. 04-00284. Rulemaking for the Purpose of Addressing the Provisions of Public Chapter 545 Enacted in 2004, Public Chapter 173 and 270 Enacted in 2005, and the Authority's Decisions Rendered in Docket 03-00391.

Dear Chairman Roberson:

United Telephone-Southeast, Inc. d/b/a Embarq ("Embarq") appreciates the opportunity to file comments in the above-referenced docket. Enclosed are an original and four (4) copies of Comments of United Telephone-Southeast, Inc. d/b/a Embarq ("Embarq"). Embarq has already filed these comments electronically and this letter is the required follow-up to that filing.

An extra copy of this letter is enclosed. Please stamp it "Filed" and return to me in the enclosed self-addressed stamped envelope.

Please do not hesitate to contact me if you have any questions concerning this filing.

Sincerely yours,

Edward Phillips

HEP:sm

Enclosures

cc: Parties of Record

**Edward Phillips**  
ATTORNEY  
Voice: (919) 554-7870  
Fax: (919) 554-7913  
edward.phillips@embarq.com

In Re:

Docket No. 04-00284

Proposed Rule 1220-4-2-.59 is potentially inconsistent with the clear language of Tenn. Code Ann. § 65-37-101. Section 65-37-101(a) expressly states a policy of encouraging promotional incentives for telecommunications services throughout the state. Tenn. Code Ann. § 65-37-101(b) permits unlimited promotional offerings for telecommunications services, subject to certain restrictions on free service offerings. In contrast proposed Rule 1220-4-2-.59, by adding formatting not included in the statute, potentially requires that all promotions not extend more than six months.

Embarq respectfully requests that the Authority either delete proposed Rule 1220-4-2-.59 or revise the language of the rule to track Tenn. Code Ann. § 65-37-101 so as to avoid any potential confusion.

Respectfully submitted this 29<sup>th</sup> day of October, 2007.

  
\_\_\_\_\_  
Edward Phillips  
Attorney  
United Telephone-Southeast, Inc. d/b/a Embarq  
Mailstop: NCWKFR0313  
14111 Capital Boulevard  
Wake Forest, North Carolina 27587-5900  
Telephone: 919-554-7870  
FAX: 919-554-7913  
Email: [edward.phillips@embarq.com](mailto:edward.phillips@embarq.com)  
Tennessee B.P.R. No. 016850

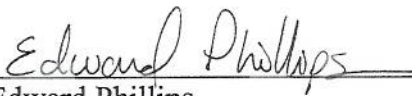
## CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Comments of United Telephone-Southeast, Inc. upon all parties of record to this Docket by depositing a copy addressed to each in the United States Mail, first-class postage prepaid.

This 29<sup>th</sup> day of October, 2007.

Guy M. Hicks, General Counsel  
AT&T Tennessee  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

Charles B. Welch, Esquire  
Farris, Mathews, et al.  
618 Church Street, Suite 300  
Nashville, TN 37219

  
\_\_\_\_\_  
Edward Phillips  
United Telephone-Southeast, Inc. d/b/a Embarq