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

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Chairman Sara Kyle  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: Comments of United Telephone-Southeast, Inc. d/b/a Embarq  
Docket No. 2005-00237

Dear Chairman Kyle:

Please find enclosed an original and four (4) copies of United Telephone-Southeast, Inc. d/b/a Embarq's Comments in the above-referenced Docket.

An extra copy of this letter is enclosed. Please stamp it "Filed" and return to me in the enclosed self-addressed stamped envelope. Finally, please do not hesitate to contact me if you have any questions concerning this request.

Sincerely yours,

Edward Phillips

HEP:sm

Enclosures

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

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

In Re:	)	
	)	
Rulemaking to Establish Requirements and	)	
Funding Mechanism to Support Telecommunications	)	Docket No. 05-00237
Services for Individuals with Hearing Loss and	)	
Speech Disabilities	)	
	)	

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Comments of United Telephone-Southeast, Inc. d/b/a Embarq

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United Telephone-Southeast, Inc. d/b/a Embarq ("Embarq") respectfully submits its comments to the Tennessee Regulatory Authority ("Authority") concerning the Authority's proposed rules to establish requirements and a funding mechanism to support telecommunications services for individuals with hearing loss and speech disabilities in the above-captioned docket.

Embarq appreciates the opportunity to provide comments in this important rulemaking proceeding. In addition, Embarq supports the establishment of a funding mechanism for the Tennessee Relay Services that is competitively neutral.

While there are some reporting and implementation issues with a numbers-based funding mechanism, Embarq believes that this method makes significant progress toward competitive neutrality. This is true because the Authority's Proposed Rule broadens the base of local service providers that support the Tennessee Relay Service. However, there is merit to a continuing level of support from interexchange carriers, since toll services as well as local service are provided by the Relay Center. To address some of the issues related to the implementation of a

numbers-based funding mechanism and to determine the basis for interexchange carrier support, Embarq suggests that the Authority conduct a workshop prior to finalizing these rules.

In addition to these general comments, Embarq offers for the Authority's consideration the following specific comments regarding several sections of the Proposed Rule.

**Proposed Rule 1220-4-14-.01(12):**

To ensure consistent and accurate reporting, the definition of "Working telephone number" should be expanded or clarified regarding the phrase "or its equivalent."

**Proposed Rule 1220-4-14-.03(2):**

In accordance with Proposed Rule 1220-4-14-.03(2), Embarq understands that the funds collected to support TRS will be deposited in the TRS Fund and that excess funds collected over the actual expense will be deposited in the TRS Reserve Fund. Embarq recommends that the TRS Reserve Fund be capped at an amount equal to six months of operating expenses based on a monthly average over the past three years.

**Proposed Rule 1220-4-14-.04(1):**


For clarification, Embarq recommends that a reference be made to the statutory requirement for a Request for Proposal (RFP) process in the Proposed Rule regarding the Authority's appointment of a TRS Operation Administrator. Specifically, Embarq proposes that Section 1220-4-14-.04(1) be modified as follows:

**"The Authority shall appoint, consistent with the requirements for contracts for state services (Tenn. Code Ann. § 12-4-109), and shall contract with a qualified person or persons to operate the Tennessee Relay Service (TRS Operation Administrator) in accordance with state and federal law."**

## CONCLUSION

Embarq supports the Tennessee Regulatory Authority's Proposed Rule and expresses appreciation to the Authority for establishing a TRS funding mechanism that is competitively neutral. By accepting Embarq's recommendations for a workshop on the funding method and for the specific clarifications mentioned earlier, the Proposed Rule will even better support the competitive environment in Tennessee.

Respectfully submitted this 26<sup>th</sup> day of October, 2006.

  
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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