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May 23, 2008

Chairman Eddie Roberson
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

filed electronically in docket office on 05/23/08

Re: United Telephone Southeast LLC's Supplemental Responses to the Consumer Advocate and Protection Division Office of the Attorney General's First Set of Interrogatories and Requests for Production of Documents

Docket No. 07-00269

Dear Chairman Roberson:

Please find enclosed for filing in the above-referenced docket the original and four (4) copies of United Telephone Southeast LLC's Supplemental Responses to the Consumer Advocate and Protection Division Office of the Attorney General's First Set of Interrogatories and Requests for Production of Documents. Information marked as **confidential** is being filed under seal in a separate envelope and should be afforded the usual protections. Under cover of this letter, a copy of this filing is being served upon the representative of the Consumer Advocate and Protection Division. Embarq has already filed its responses electronically (without the confidential information) and this letter is the required follow-up to that filing.

An extra copy of this letter and the responses are enclosed. Please stamp those documents as "Filed" and return them to me in the enclosed self-addressed stamped envelope. Finally, please do not hesitate to contact me if you have any questions.

Sincerely yours,


Edward Phillips

HEP:sm

Enclosures

cc: Consumer Advocate and Protection Division

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BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

In Re:)	
)	
United Telephone-Southeast, Inc. d/b/a Embarq)	Docket No. 07-00269
Tariff Filing to Increase Rates in Conjunction With)	
the Approved 2007 Annual Price Cap Filing)	
)	

**UNITED TELEPHONE SOUTHEAST LLC'S SUPPLEMENTAL RESPONSES
TO THE CONSUMER ADVOCATE AND PROTECTION DIVISION OFFICE
OF THE ATTORNEY GENERAL'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rules 26, 33, 34 and 36 of the Tennessee Rules of Civil Procedure and Tenn. Comp. R. & Reg. 1220-1-2-.11 and the Hearing Officer's *Order Setting Procedural Schedule* entered on March 26, 2008, United Telephone Southeast LLC d/b/a Embarq ("Embarq") supplements its responses to the first set of discovery served on Embarq by the Office of the Tennessee Attorney General and Reporter, Consumer Advocate and Protection Division ("Consumer Advocate") on April 2, 2008. Embarq filed its initial responses to the Consumer Advocate's discovery on April 24, 2008. Embarq now files these supplemental responses in an effort to work with the Consumer Advocate concerning discovery issues it has raised since the filing of the initial responses by Embarq.

GENERAL OBJECTIONS

Embarq makes the following general objections. These general objections apply to each of the interrogatories and requests and are incorporated by reference into Embarq's responses.

1. Embarq objects to the interrogatories and requests to the extent they seek to impose obligations on Embarq to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. Embarq will interpret the interrogatories and requests to apply to Embarq's regulated intrastate operations in Tennessee and will limit responses accordingly.

3. Embarq objects to each and every interrogatory, request, and instruction to the extent that such interrogatory, request, or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. Embarq objects to each and every interrogatory and request insofar as the interrogatory or request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations, but are not properly defined or explained for purposes of these interrogatories or requests.

5. Embarq objects to each and every interrogatory or request insofar as the interrogatory or request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.

6. Embarq objects to the interrogatories, requests, instructions and definitions to the extent they seek to impose obligations on Embarq that exceed the requirements of the Tennessee Rules of Civil Procedure or other Tennessee law. Specifically, Embarq objects to the

interrogatories, requests, instructions and definitions to the extent they require supplementation of responses in excess of the requirements of the Tennessee Regulatory Authority's ("Authority's") Rules and Regulations or the Tennessee Rules of Civil Procedure. (See TNRCPC Rule 26). Embarq will comply fully with the Authority's Rules and Regulations and the Tennessee Rules of Civil Procedure if supplementation to discovery responses is necessary.

7. Embarq objects to providing information to the extent that such information is already in the public record before the Authority or elsewhere.

8. Embarq objects to each and every interrogatory and request to the extent responding would be unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. Embarq objects to each and every interrogatory and request to the extent the information requested constitutes "trade secrets" which are privileged pursuant to Tennessee law. To the extent the interrogatories or requests seek proprietary confidential business information which is not subject to the "trade secrets" privilege, Embarq will make such information available pursuant to an appropriate protective agreement, subject to any other general or specific objections contained herein.

10. Embarq is a large corporation with employees located in numerous locations in Tennessee and in other states. In the course of business, these companies create countless documents that are not subject to Authority or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document will be provided in response to these requests. Rather, Embarq's responses will provide, subject to any applicable objections, all of the information obtained by Embarq after a

reasonable and diligent search conducted in connection with these requests. Embarq shall conduct a search of those files that are reasonably expected to contain the requested information. To the extent the discovery requests purport to require more, Embarq objects on the grounds that compliance would impose an undue burden or expense.

11. To the extent documents requested herein have previously been produced to other parties in response to previous discovery, then without limiting any of the foregoing objections, Embarq incorporates herein by reference their objections to that previous discovery.

12. Any responses will be provided subject to, and without waiver of, the foregoing objections. Embarq will make full or partial responses to the extent reasonably possible and consistent with these objections.

EMBARQ'S SUPPLEMENTAL RESPONSES

Discovery Request No. 12:

Provide the annual projections for 2008 and 2009 for the increase in revenue resulting from a decrease in the free directory assistance call allowance from three (3) to one (1) as proposed in the tariff filed in this case.

Response:

Embarq objects to this request as Embarq is a price regulated company and any inquiry concerning an increase in Embarq's revenues is irrelevant and will not likely lead to the production of admissible evidence. Without waiving its objection and with the understanding as set forth in Embarq's initial responses of April 24, 2008, that Embarq does not have this information, Embarq is providing, as requested by the Consumer Advocate, Embarq's 2007 annual price regulation filing made in Authority Docket No. 07-00220. Embarq's 2007 annual

price regulation filing is confidential and is attached under seal. Access is provided to this material under the terms and conditions of the non-disclosure agreement entered into between the parties on May 19, 2008. The terms and conditions of the non-disclosure agreement will remain in effect until a protective order has been entered in this docket with the understanding that all previously filed confidential material will be afforded continued protection from disclosure under the terms of any such order.

Discovery Request No. 13:

Provide annual projections for 2008 and 2009 for the increase in revenue resulting from a decrease in the free directory assistance call allowance from three (3) to two (2).

Response:

Please see Embark's response and objection to Discovery Request No. 12.

Discovery Request No. 14:

Provide a projection for the annual decrease in revenue in 2008 and 2009 resulting from an increase in the free directory assistance call allowance from three (3) to four (4).

Response:

Please see Embark's response and objection to Discovery Request No. 12.

Discovery Request No. 15:

Please explain how Embarq determined its responses to the three previous discovery requests, including the method employed in the calculation.

Response:

Please see Embarq's response and objection to Discovery Request No. 12.

Discovery Request No. 18:

Provide the number of existing or new Embarq residential and business customers that obtained a new or different telephone number(s) in Tennessee in the calendar year 2007 by month and by specific published directory.

Response:

In Embarq's initial response to the Consumer Advocate's discovery request Embarq stated the information was not readily available and would, in fact require creation of a burdensome special study. However, in an attempt to address discovery issues raised by the Consumer Advocate – Embarq is researching its internal databases in an effort to compile the information requested. The information as requested should contain data for residential and business customers that have obtained a new or different telephone number for the calendar year 2007 and will be sorted by month and by published directory. Embarq is still attempting to compile the report.


Discovery Request No. 19:

Provide a listing of the total number of changes, including edits, additions, and deletions of telephone numbers and listing information, that were made on behalf of the company to update the most recently distributed published telephone directory for the entire Embarq service area by month and specific directory.

Response:

In its initial response filed on April 24, 2008, Embarq stated that the information was not available, however, in an effort to address discovery issues raised by the Consumer Advocate Embarq has re-examined this request. As a result of additional investigation it has been re-affirmed that neither Embarq nor its publisher compiles or houses any of the information requested herein.

Respectfully submitted this 23rd day of May, 2008.



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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Supplemental Responses to the Consumer Advocate and Protection Division and the Office of the Tennessee Attorney General's First Set of Interrogatories and Requests for Production of Documents of United Telephone Southeast LLC d/b/a Embarq ("Embarq") to the Consumer Advocate and Protection Division by depositing a copy in the United States Mail, first-class postage prepaid.

This 23rd day of May, 2008.

Ryan L. McGehee
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate and Protection Division
P. O. Box 20207
Nashville, TN 37202-0207



Edward Phillips
United Telephone Southeast LLC