

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

February 4, 2009

Re : Joint Application of Embarq Corporation)
and Century Tel, Inc. Regarding Transfers of) Docket No. 08-00219
Control of United Telephone Southeast LLC)
d/b/a Embarq, Embarq Communications, Inc.
and Embarq Payphone Services, Inc.

PETITION TO INTERVENE OF DELTACOM COMMUNICATIONS, INC.

DeltaCom Communications, Inc. ("DeltaCom") petitions the Authority to intervene in the above-captioned proceeding pursuant to T.C.A. § 4-5-310(a).

DeltaCom is a competitive local exchange carrier certified by the Tennessee Regulatory Authority ("TRA"). As a CLEC, DeltaCom maintains local interconnection agreements with both CenturyTel and Embarq pursuant to Section 252 of the federal Telecommunications Act, 47 U.S.C. § 252. DeltaCom's ability to compete and to exercise its rights under those agreements may be directly affected by the proposed merger of CenturyTel and Embarq. Therefore, the legal rights, duties, privileges, immunities, or other legal interests of DeltaCom may be affected or determined by the outcome of this proceeding. Since there have been no substantive developments in this docket and since this petition is being filed prior to the deadline set forth in the January 30, 2009 "Notice of Filing" issued by the Hearing Officer, granting this petition will not impair the interests of justice or the orderly and prompt conduct of these proceedings.

DeltaCom, therefore, asks that this Petition to Intervene be granted.

Respectfully submitted,

By: 

Henry Walker

1600 Division Street, Suite 700

Nashville, Tennessee 37203

(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to:

Edward Phillips
14111 Capital Boulevard
Mailstop: NCWKFR0313
Wake Forest, NC 27587-5900
Edward.phillips@embarq.com

William C. Bovender
Hunter, Smith & Davis
1212 N. Eastman Road
P.O. Box 3740
Kingsport, TN 37664
bovender@hstdlaw.com

R. Dale Grimes
Bass, Berry & Simms PLC
315 Deadrick Street, Suite 2700
Nashville, Tennessee 37238
dgrimes@bassberry.com

H. LaDon Baltimore
Farrar & Bates, L.L.P.
211 7th Avenue North, Suite 500
Nashville, TN 37219
don.baltimore@farrar-bates.com

Charles B. Welch
Farris Mathews Bobango, PLC
618 Church Street, Suite 300
Nashville, Tennessee 37219
cwelch@farrismathews.com

on this the 4th day of February, 2009


Henry M. Walker