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November 7, 2008 – **VIA ELECTRONIC MAIL**

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

Re: Docket No. 070691-TP  
Complaint and request for emergency relief against Verizon Florida LLC for  
anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and  
364.10, F.S., and for failure to facilitate transfer of customers’ numbers to Bright  
House Networks Information Services (Florida), LLC and its affiliate, Bright  
House Networks, LLC

Docket No. 080036-TP  
Complaint and request for emergency relief against Verizon Florida LLC for  
anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and  
364.10, F.S., and for failure to facilitate transfer of customers’ numbers to  
Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone

Dear Ms. Cole:

Enclosed for filing in the above-referenced matters is Verizon Florida LLC’s Status  
Report. 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

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint and request for emergency relief ) Docket No. 070691-TP  
against Verizon Florida LLC for anticompetitive ) Filed: November 7, 2008  
behavior in violation of Sections 364.01(4), 364.3381, )  
and 364.10, F.S., and for failure to facilitate transfer )  
of customers' numbers to Bright House Networks )  
Information Services (Florida), LLC and its affiliate, )  
Bright House Networks, LLC )

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In re: Complaint and request for emergency relief ) Docket No. 080036-TP  
against Verizon Florida LLC for anticompetitive )  
behavior in violation of Sections 364.01(4), 364.3381, )  
and 364.10, F.S., and for failure to facilitate transfer )  
of customers' numbers to Comcast Phone )  
of Florida, LLC d/b/a Comcast Digital Phone )

**STATUS REPORT**

Verizon Florida LLC ("Verizon") provides this status report in accordance with the Fourth Order Modifying Procedure issued on August 20, 2008. That Order directed all parties to file a report by November 7, 2008 concerning the status of the federal retention marketing case pending before the United States Court of Appeals for the District of Columbia Circuit and the status of the issues in this case. With respect to the federal case, the proceedings remain on track. The last round of briefs was filed on October 2 and the court has scheduled oral argument for December 5, 2008. Because the D.C. Circuit has not yet ruled, there has been no change in the status of the issues in this case. Verizon further notes that it continues to comply with the FCC's June 23, 2008 order directing it to cease its retention marketing program.<sup>1</sup>

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<sup>1</sup> Memorandum Opinion and Order, *Bright House Networks, LLC v. Verizon California Inc.*, File No. EB-08-MD-002, FCC 08-159 (rel. June 23, 2008).

Respectfully submitted on November 7, 2008.

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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  
November 7, 2008 to:

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s/ Dulaney L. O'Roark III