



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.bpu.state.nj.us](http://www.bpu.state.nj.us)**

**TELECOMMUNICATIONS**

IN THE MATTER OF THE PETITION OF EMBARQ	)	ORDER OF APPROVAL
FOR REVISION OF TARIFF NJBPU NO. 3 TO CLARIFY	)	
OBLIGATIONS OF EMBARQ AND ITS CUSTOMERS	)	
WITH REGARD TO E-RATE FUNDING	)	DOCKET NO. TT05040324

(SERVICE LIST ATTACHED)

**BY THE BOARD:**

On April 1, 2005, Embarq formerly known as United Telephone Company of New Jersey, Inc. (Petitioner or Embarq filed a petition with the Board of Public Utilities (Board) to make non-rate affecting tariff clarifications that clarify the obligations of Embarq and its customers with regard to the federal E-Rate Funding program for schools and libraries.

This federal program pays from 20% to 90% of the applicant's bill for both interstate and intrastate services. The proposed clarifications are to document Embarq's current processes for handling of the E-Rate program (a part of the Schools and Libraries Universal Service Support Mechanism) and to make it clear that Embarq will apply discounts to the customer's invoice or reimburse the customer once Embarq has received notification that the customer has received its Funding Commitment Decision Letter. The proposed language does not in any way change the manner in which either the services are provided or the discounts provided today, but merely document the processes.

Customers are required to abide by all E-Rate program rules for receipt of support and must apply to E-Rate program administrator (currently the Universal Service Administrative Company) each year in which they are eligible for support and must notify Embarq within 30 days of their receipt to the Funding Commitment Decision Letter. The customer must also inform Embarq in writing within 30 days of receipt of a Support Commitment from the Universal Service Administration Company or any other funding source. The customer must also pay in full all invoices issued by Embarq prior to the receipt of notification of Funding from the E-Rate program or other funding sources. The proposed tariff changes also clarify that it is the responsibility of a customer who loses their E-Rate Funding to pay the full tariff rates for their services.

No rates will be changed and no existing customer will be affected by these tariff clarifications which serve only to improve tariff usefulness. Therefore, the proposal will have no adverse affect on Petitioner's ability to provide safe, adequate, or proper service.

The Board FINDS that the proposed changes will not affect the company's ability to provide safe, adequate and proper service. The Board therefore ORDERS that Embarras's petition be APPROVED as filed.

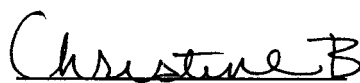
DATED: 7/12/07

BOARD OF PUBLIC UTILITIES  
By:

  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

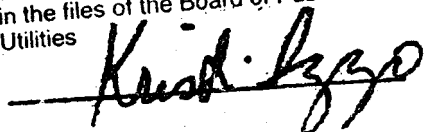
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
CHRISTINE V. BATOR  
COMMISSIONER

ATTEST:

  
CARMEN DIAZ  
ACTING SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities



IN THE MATTER OF THE PETITION OF EMBARQ FOR REVISION OF TARIFF N.J.B.U. NO.  
3 TO CLARIFY OBLIGATIONS OF EMBARQ AND ITS CUSTOMERS WITH REGARD TO E-  
RATE FUNDING

DOCKET NO. TT05040324

SERVICE LIST

Russell R. Gutshall  
Sprint  
1201 Walnut Bottom Road  
Carlisle, PA 17013

Ronald K. Chen  
Department of the Public Advocate  
Division of Rate Counsel  
31 Clinton Street, 11<sup>th</sup> Floor  
P.O. Box 46005  
Newark, NJ 07101

Bruce W. Gallagher  
Division of Telecommunications  
Board of Public Utilities  
Two Gateway Center  
Newark, NJ 07102

Babette Tenzer, D.A.G.  
Department of Law & Public Safety  
124 Halsey Street, 5<sup>th</sup> Floor  
Newark, NJ 07102

Glenda Munson  
5454 West 110<sup>th</sup> Street  
KSOPKJ 0502-5014  
Overland Park, KS 66211