

ORIGINAL

**Timolyn Henry**

**From:** Whitt, Chrystal [CC] [Chrystal.Whitt@mail.sprint.com]  
**Sent:** Tuesday, January 11, 2005 4:53 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** 040156-TL Sprint's Response in Support of Joint Motion to Modify Procedural Schedule

**Filed on behalf of:**

**Susan S. Masterton**

**Attorney**

**Law/External Affairs**

**Sprint**

**1313 Blairstone Rd.**

**Tallahassee, FL 32301**

**M/S FLTLHO0103**

**Voice (850)-599-1560**

**Fax (850)-878-0777**

**susan.masterton@mail.sprint.com**

**Docket No. 040156-TL**

**Title of filing:** Sprint's Response in Support of Joint Motion to Modify Procedural Schedule

**Filed on behalf of:** Sprint

**No. of pages:** 5

**Description:** Sprint's Response in Support of Joint Motion to Modify Procedural Schedule

CMP \_\_\_\_\_

COM   3  

CTR \_\_\_\_\_

ECR \_\_\_\_\_

GCL \_\_\_\_\_

OPC \_\_\_\_\_

MMS \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC   1  

OTH \_\_\_\_\_

1/11/2005

DOCUMENT NUMBER-DATE

00422 JAN 11 05

FPSC-COMMISSION CLERK

ORIGINAL



Susan S. Masterton  
Attorney

**Law/External Affairs**  
FTLH00103  
1313 Blair Stone Rd.  
Tallahassee, FL 32301  
Voice 850 599 1560  
Fax 850 878 0777  
susan.masterton@mail.sprint.com

January 11, 2005

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
& Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 040156-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated is Sprint's Response in Support of Joint Motion to Modify Procedural Schedule.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

A handwritten signature in black ink that reads "Susan S. Masterton".

Susan S. Masterton

Enclosure

DOCUMENT NUMBER-DATE

00422 JAN 11 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 040156-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. Mail this 11<sup>th</sup> day January, 2005 to the following:

Felicia Banks/Carris (Lee) Fordham  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Kellogg Huber Law Firm  
Aaron Panner/Scott Angstreich  
1615 M Street, N.W., Suite 400  
Washington, DC 20036

Verizon Florida Inc.  
Mr. Richard Chapkis  
201 N. Franklin Street, FLTC0007  
Tampa, FL 33602

AT&T  
Tracy Hatch  
101 North Monroe Street, Suite 700  
Tallahassee, FL 32301-1549

McWhirter Law Firm  
Vicki Kaufman  
117 S. Gadsden St.  
Tallahassee, FL 32301

LecStar Telecom, Inc.  
Mr. Michael Britt  
4500 Circle 75 Parkway  
Suite D-4200  
Atlanta, GA 30339-3025

MCI WorldCom Communications, Inc.  
(GA)  
Dulaney O'Roark, III  
6 Concourse Parkway, Suite 600  
Atlanta, GA 30328

Verizon Wireless  
c/o Wiggins Law Firm  
Patrick Wiggins  
P.O. Drawer 1657  
Tallahassee, FL 32302

Supra Telecommunications and  
Information Systems, Inc.  
2620 S.W. 27th Avenue  
Miami, FL 33133

USA Telephone, Inc.  
d/b/a CHOICE ONE Telecom  
1510 NE 162<sup>nd</sup> St.  
N. Miami Beach, FL 33162

Local Line America, Inc.  
c/o CT Corporation  
1200 S. Pine Island Rd.  
Plantation, FL 33324

ALEC, Inc.  
3640 Valley Hill Rd.  
Kennesaw, GA 30152-3238

Stephen D. Klein, President  
Ganoco, Inc.  
802 2nd Street North, Unit A  
Safety Harbor, FL 34695

Director-Interconnection Services  
Level 3 Communications, LLC  
1025 Eldorado Blvd.  
Broomfield, CO 80021-8869

Eric Larsen  
Tallahassee Telephone Exchange, Inc.  
1367 Mahan Dr.  
Tallahassee, FL 32308

Mario J. Yerak, President  
Saluda Networks Incorporated  
782 NW 42<sup>nd</sup> Ave., Ste 210  
Miami, FL 33126

Lisa Sapper  
TCG South Florida  
1200 Peachtree St. NE Ste. 8100  
Atlanta, GA 30809-3579

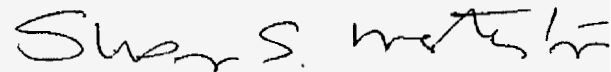
NewSouth Comm. Corp.  
c/o Jon C. Moyle, Jr.  
Moyle, Flanigan, Katz, Raymond &  
Sheehan, P.A.  
118 N. Gadsden St.  
Tallahassee, FL 32301

The Ultimate Connection L.C.  
d/b/a DayStar Comm.  
18215 Paulson Dr.  
Port Charlotte, FL 33954

James C. Falvey  
Xspedius Management Co.  
7125 Columbia Gateway Dr.  
Ste. 200  
Columbia, MD 21046

The Ultimate Connection  
c/o Andrew M. Klein  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> St. NW 5<sup>th</sup> Floor  
Washington, DC 20036

Norman Horton/Floyd Self  
Messer, Caparello & Self  
215 S. Monroe Street Ste. 701  
Tallahassee, FL 32302



Susan S. Masterton

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of ) Docket No. 040156-TP  
Amendment to Interconnection Agreements )  
With Certain Competitive Local Exchange )  
Carriers and Commercial Mobile Radio )  
Service Providers in Florida by ) Filed: January 11, 2005  
Verizon Florida, Inc. )  
\_\_\_\_\_ )

**SPRINT'S RESPONSE IN SUPPORT OF JOINT MOTION  
TO MODIFY PROCEDURAL SCHEDULE**

Sprint hereby files this Response in Support of the Joint Motion to Modify Procedural Schedule filed by AT&T Communications of the Southern States, LLC, TCG South Florida, Inc., and Competitive Carriers Group ("Joint Movants") on January 4, 2005. In support thereof Sprint states as follows:

1. On December 15, 2004, the FCC adopted new permanent unbundling rules to respond to the District of Columbia District Court of Appeals opinion<sup>1</sup> vacating certain portions of the TRO.<sup>2</sup> A written order reflecting this decision has not yet been issued and is not anticipated until the end of January.<sup>3</sup> Based on the FCC's representation of the contents of the Order contained in press releases announcing the ruling, the Order will substantially affect the majority of the issues in this docket, as set forth in the Order Establishing Procedure issued on December 13, 2004 (Order No. PSC-04-1236-PCO-TP). Until the written order reflecting the FCC's decision is issued and the parties have had a

<sup>1</sup> *United States Telecom Ass'n v. FCC*, 359 F. 3d 554 (D.C. Circuit 2004) ("*USTA II*")

<sup>2</sup> Report and Order on Remand and Further Notice of Proposed Rulemaking, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338 (August 21, 2003)

<sup>3</sup> See, FCC's Motion to Dismiss Petition for Writ of Mandamus filed January 4, 2005 in *United States Telecom Association v. FCC*, Case No. 00-1012, in the U.S. Court of Appeal, D.C. Circuit, in which the FCC states on page 3, "The Commission expects to release its order promulgating new rules within approximately one month."

DOCUMENT NUMBER-DATE

00422 JAN 11 05

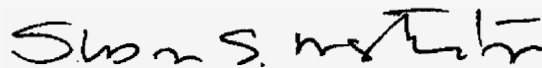
FPSC-COMMISSION CLERK

chance to review it, the parties cannot adequately represent their positions on the issues set forth in the procedural order consistent with the current status of the federal law.

2. Sprint agrees with the revisions to the procedural schedule set forth in paragraph 2 of the Joint Motion.
3. As stated by the Joint Movants, the requested modifications to the procedural schedule will provide time for the parties to review the FCC's order, engage in negotiations with Verizon to identify areas of agreement or dispute, if any, and incorporate the provisions of the Order in their testimony concerning the disputed issues.

WHEREFORE Sprint concurs in the request that the Prehearing Officer modify the procedural schedule in this proceeding as set forth in the Joint Motion.

RESPECTFULLY submitted this 11<sup>th</sup> day of January 2005.



---

Susan S. Masterton  
P.O. Box 2214  
Tallahassee, FL 32316-2214  
(850) 599-1560 (phone)  
(850) 878-0777 (fax)  
[susan.masterton@mail.sprint.com](mailto:susan.masterton@mail.sprint.com)

ATTORNEY FOR SPRINT  
COMMUNICATIONS COMPANY  
LIMITED PARTNERSHIP