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May 6, 2005

**VIA ELECTRONIC MAIL**

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

RE: Docket No. 041269-TP

Dear Ms. Bayo':

At the issue identification for this docket held on April 29, 2005, Commission staff asked the parties to submit comments identifying which of the proposed issues (using the April 18 staff version of the issues) are legal in nature and which of the issues are factual and, therefore, would require testimony and an evidentiary hearing to resolve. In addition, the staff asked the parties to identify issues they believe to be "threshold issues" which should be resolved prior to establishing a procedure to resolve the remaining issues.

Sprint believes that the majority of the issues set forth on the issues list for this docket are legal issues, involving the appropriate interpretation of the governing federal rules and decisions, for which only briefing is necessary. Issues 11, 12, 17 and 28 as they relate to rates could require factual testimony to the extent the Commission intends to set actual rates rather than just resolve the issue as to whether TELRIC or some other pricing principle applies.

As far as threshold issues, Sprint believes that Issue 33 (How should the determinations made in this proceeding be incorporated into § 252 interconnection agreements?) is a threshold issue that should be resolved prior to addressing the remaining issues. Sprint strongly suggests that the parties should be given an opportunity to put forward their positions on this issue, such as through briefs and/or oral argument, before the Commission renders a decision on this threshold issue.

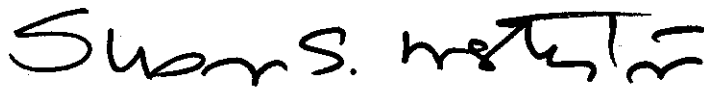
Ms. Blanca Bayó

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Copies have been served on the parties of record pursuant to the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Susan S. Masterton". The signature is written in a cursive, slightly slanted style.

Susan S. Masterton

Cc: Adam Teitzman, Esq.  
Joe Cowin, Esq.  
Parties of Record

**CERTIFICATE OF SERVICE  
DOCKET NO. 041269**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 6<sup>th</sup> day of May, 2005 to the following:

Adam Teitzman  
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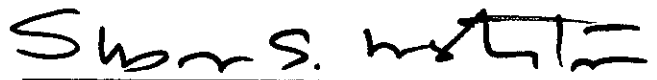
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