

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Sprint Communications Company )  
Limited Partnership and Sprint Spectrum Limited )  
Partnership d/b/a Sprint PCS for arbitration of rates, )  
terms and conditions of interconnection with )  
BellSouth Telecommunications, Inc. d/b/a AT&T )  
Florida d/b/a AT&T Southeast )  
\_\_\_\_\_ )

Docket No. 070249-TP  
Filed: August 9, 2007

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**SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP  
AND SPRINT SPECTRUM LIMITED PARTNERSHIP'S  
REQUEST FOR ORAL ARGUMENT ON  
MOTION FOR LEAVE TO FILE AMENDED PETITION**

Sprint Communications Company Limited Partnership and Sprint Spectrum Limited Partnership d/b/a Sprint PCS<sup>1</sup> (collectively, "Sprint"), pursuant to Rule 25-22.0022, Florida Administrative Code, hereby requests, to the extent necessary, that the Prehearing Officer grant oral argument in connection with his consideration of Sprint's Motion for Leave to File Amended Petition. In support Sprint states as follows:

1. On April 6, 2007, Sprint filed its Petition for Arbitration in this docket, seeking arbitration under 47 U.S.C. Sections 252(b)(1), 252(b)(4)(c), and 252(c)(3) of certain terms and conditions of interconnection with BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast ("AT&T") for the State of Florida. AT&T filed its Motion to Dismiss

and Answer on May 1, 2007, arguing that the specific issue raised in Sprint's arbitration petition \_\_\_\_\_ was not subject to Commission arbitration.

2. On July 19, 2007, Commission Staff filed its Recommendation that the \_\_\_\_\_ Commission dismiss Sprint's Petition for failure to state a claim for which relief may be granted \_\_\_\_\_ by the Commission. The Recommendation did not, however, state that the issue for which Sprint \_\_\_\_\_ sought arbitration was beyond the Commission's jurisdiction per se, but instead Staff \_\_\_\_\_

<sup>1</sup> Sprint Communications Company Limited Partnership and Sprint Spectrum Limited Partnership are also respectively known as "Sprint Communications Company L.P." and "Sprint Spectrum L.P."

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA \_\_\_\_\_  
SEC \_\_\_\_\_  
OTH \_\_\_\_\_

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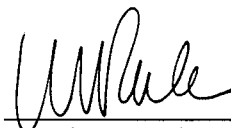
recommended that “as pled by Sprint,” the petition did not properly invoke the Commission’s jurisdiction. The Commission voted to adopt the Recommendation without amendment during its July 31, 2007 Agenda Conference. No order has yet been issued. Thereafter, Sprint filed the Motion for Leave to File Amended Petition upon which it seeks oral argument.

3. Denial of Sprint’s Motion for Leave to File Amended Petition would, for all practical purposes, operate as a dismissal of Sprint’s arbitration request. Oral argument will aid the Prehearing Officer in understanding and evaluating the factual and legal differences between Sprint’s Petition and its Amended Petition, including but not limited to the factual background of the parties’ negotiation and the legal basis for the Amended Petition; as well as the policy issues associated with denial of the Motion.

4. Sprint requests that each side (Sprint and AT&T) be granted 10 minutes for oral argument.

WHEREFORE, Sprint respectfully requests that the Prehearing Officer grant this Request for Oral Argument.

Respectfully submitted this 9<sup>th</sup> day of August, 2007.



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### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion has been furnished by U.S. Mail and email to the following parties on this 9<sup>th</sup> day of August, 2007:

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