

ORIGINAL

Timolyn Henry

From: Whitt, Chrystal [CC] [Chrystal.Whitt@mail.sprint.com]
Sent: Tuesday, August 24, 2004 4:21 PM
To: Filings@psc.state.fl.us
Subject: 040326 Sprint's Petition to Intervene

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. 040326****Title of filing: Sprint's Petition to Intervene****Filed on behalf of: Sprint****No. of pages: 5****Description: 040326 Sprint's Petition to Intervene**

GMP _____

COM _____

CTR _____

ECR _____

GCL _____

OPC _____

MMS _____

RCA _____

SCR _____

SEC 1OTH Kim P

8/24/2004

DOCUMENT NUMBER-DATE

09268 AUG 24 04

FPSC-COMMISSION CLERK

ORIGINAL



Susan S. Masterton
Attorney

Law/External Affairs
RTLH00103
1313 Blair Stone Rd.
Tallahassee, FL 32301
Voice 850 599 1560
Fax 850 878 0777
susan.masterton@mail.sprint.com

August 24, 2004

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. 040326-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated is Sprint's Petition to Intervene.

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

If you have any questions regarding this electronic filing, 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
09268 AUG 24 04
FPSC-COMMISSION CLERK

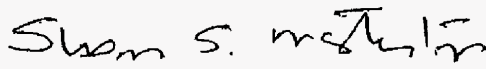
CERTIFICATE OF SERVICE
DOCKET NO. 040326-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. mail on this 24th day of August, 2004 to the following:

Blooston Law Firm
Benjamin Dickens/Mary J. Sisak, Esq.
2120 L Street, NW, Suite 300
Washington, DC 20037

NEFCOM
Ms. Deborah Nobles
505 Plaza Circle, Suite 200
Orange Park, FL 32073

Rutledge Law Firm
Ken Hoffman/Martin McDonnell
P.O. Box 551
Tallahassee, FL 32302



Susan S. Masterton

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Docket No. 040326
Of Northeast Florida Telephone)
Company d/b/a NEFCOM for)
Suspension or Modification of)
Section 251(b)(2) of the)
Communications Act of 1934 as)
Amended.)
_____) Filed: August 24, 2004

PETITION TO INTERVENE

Pursuant to Rule 28-106.205, Florida Administrative Code, Sprint Spectrum, L.P. d/b/a Sprint PCS (hereinafter "Sprint") respectfully requests the Commission to allow it to intervene in this proceeding. In support thereof Sprint states as follows:

1. Petitioners' name and address are:

Sprint Spectrum, L.P. d/b/a Sprint PCS
6200 Sprint Parkway
Overland Park, KS 66251-6117

2. Sprint is a commercial mobile services provider under section 332 of the Telecommunications Act of 1996, and provides wireless communications services in Florida.

3. The instant proceeding involves the petition in protest of Commission Order No. PSC-04-0691-PAA-TL, filed by Northeast Florida Telephone Company d/b/a NEFCOM ("NEFCOM"). The Order granted NEFCOM a temporary waiver of the FCC's wireline to wireless number portability requirements¹ until January 6, 2005. The Commission's action on NEFCOM's petition will affect when and whether

DOCUMENT NUMBER-DATE

09268 AUG 24 3

FPSC-COMMISSION CLERK

NEFCOM is required to comply with the FCC's orders and provide intermodal local number portability to wireless carriers.

4. Pursuant to the FCC orders, Sprint submitted a bona fide request for local number portability to NEFCOM on May 16, 2003. Because the Commission's action on NEFCOM's petition will affect NEFCOM's compliance with Sprint's request, any determination in this matter by the Commission will affect the substantial interests of Sprint.
5. No other party will adequately represent Sprint's rights and interests in this matter.
6. All notices, pleadings, orders and documents in this proceeding should be provided to:

Susan S. Masterton, Esq.
Sprint
1313 Blair Stone Road
P.O. Box 2214
Tallahassee, FL 32316-2214
(850) 599-1560 (phone)
(850) 878-0777 (fax)
susan.masterton@mail.sprint.com

Wherefore, Sprint respectfully requests that the Commission grant this Petition and allow Sprint to become a full party of record in this docket.

¹ *In the Matter of Telephone Number Portability*, CC Docket No. 95-116, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, FCC 03-284, released November 10, 2003; *In the Matter of Telephone Number Portability*, CC Docket No. 95-116, Order, Released January 16, 2004.

Respectfully submitted this 24th day of August 2004.



Susan S. Masterton
1313 Blair Stone Road
P.O. Box 2214
Tallahassee, FL 32316-2214
850-599-1560 (voice)
850-878-0777 (fax)
susan.masterton@mail.sprint.com

ATTORNEY FOR SPRINT