

LAW OFFICES
ROSE, SUNDBSTROM & BENTLEY, LLP
2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

ORIGINAL

FREDERICK L. ASCHAUER, JR.
CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
DAVID F. CHESTER
F. MARSHALL DETERDING
JOHN R. JENKINS, P.A.
STEVEN T. MINDLIN, P.A.
CHASITY H. O'STEEN
DAREN L. SHIPPY
WILLIAM E. SUNDBSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON
ROBERT M. C. ROSE, OF COUNSEL
WAYNE L. SCHIEFELBEIN, OF COUNSEL

(850) 877-6555
FAX (850) 656-4029
www.rsbatorneys.com

REPLY TO CENTRAL FLORIDA OFFICE

October 27, 2005

HAND DELIVERY

CENTRAL FLORIDA OFFICE
SANLANDO CENTER
2180 W. STATE ROAD 434, SUITE 2118
LONGWOOD, FLORIDA 32779
(407) 830-6331
FAX (407) 830-8522

MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD

RECEIVED - FPSC
OCT 27 AM 10:29
COMMISSION
CLERK

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No.: 050551-TP; Joint Application for Approval of transfer of control of
Sprint-Florida Incorporated
Our File No.: 40054.01

Dear Clerk:

Enclosed you will find for filing in the above-referenced docket an original and fifteen (15) copies of the Petition of Communications Workers of America for Formal Administrative Hearing.

CMP _____ Please do not hesitate to give me a call should you have any questions regarding this
DOM 5 filing.

CTR _____

ECR _____

GCL _____

OPC _____

TCA _____

SCR _____ MSF/mp

SGA _____ Enclosure

SEC 1 cc: Ms. Debbie Goldman, Research Economist (w/enclosure)

OTH Lockard Paul Donnelley, Esquire (w/enclosure)

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

M:\1 ALTAMONTE\CWA (Communications Workers of America)\PSC Clerk 01.ltr.wpd

DOCUMENT NUMBER - DATE

10428 OCT 27 05

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint Application for approval of transfer of control of Sprint-Florida Incorporated, holder of ILEC Certificate No. 22, and Sprint Payphone Services, Inc., holder of PATS Certificate of No. 3822, from Sprint Nextel Corporation to LTD Holding Company, and for acknowledgment of transfer of control of Sprint Long Distance, Inc., holder of IXC Registration No. TK001, from Sprint Nextel Corporation to LTD Holding Company.

DOCKET NO.: 050551-TP

PETITION OF COMMUNICATIONS WORKERS OF AMERICA
FOR A FORMAL ADMINISTRATIVE HEARING

Petitioner, COMMUNICATIONS WORKERS OF AMERICA (“CWA”), by and through its undersigned attorneys and pursuant to Rule 28-106-201, Florida Administrative Code, files this Petition for Formal Administrative Hearing with regard to Order No. PSC-05-0985-PAA-TP issued October 13, 2005 (“PAA Order”), and in support thereof states:

1. CWA is an international labor union with its principal place of business at 501 Third Street, N.W., Washington DC 20001; telephone: (202) 434-1100. CWA also maintains an office in Florida located at 2180 W. State Road 434, Suite 2100, Longwood, FL 32779; telephone: (407) 772-0266.

2. The name, address and telephone number of the person authorized to receive notices and communications on behalf of CWA is:

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
2180 W. State Road 434, Suite 2118
Longwood, FL 32779
PHONE: (407) 830-6331
FAX: (407) 830-8522
mfriedman@rsbattorneys.com

DOCUMENT NUMBER-DATE

10428 OCT 27 03

FPSC-COMMISSION CLERK

Debbie Goldman
Communication Workers of America
501 Third Street, N.W.
Washington D. C. 20016
PHONE: (202) 434-1194
FAX: (202) 434-1201
dgoldman@cwa-union.org

3. CWA's substantial interests are affected as a customer of Sprint-Florida. The proposed spin-off of Sprint-Florida will result in a degradation in the quality of local telecommunication services it currently receives. CWA receives local exchange telecommunications services from Sprint at its offices in Longwood, Florida. In addition, the spin-off will result in loss of jobs by CWA workers in Florida.

4. CWA received notice of the Commissioners' PAA Order on October 19, 2005, when it was downloaded from the Commission's website.

5. The following issues of fact in this proceeding are disputed:

- (1) Whether after the spin-off, Sprint-Florida will be able to provide efficient and reliable communications service.
- (2) Whether after the spin-off, Sprint-Florida will have the ability to raise capital to invest in networks, employees and systems to continue providing high quality service.
- (3) Whether the newly created holding company, LTD Holding Company, will possess the financial capability to assist Sprint-Florida to provide quality service to its customers in Florida.
- (4) Whether sufficient assets not owned, but jointly used by Sprint-Florida, will be transferred to Sprint-Florida.

(5) Whether the level of debt and equity is such that LTD Holding Company will obtain investment grade debt ratings.

6. CWA contends the following facts warrant reversing the Commissioners' PAA

Order:

(1) The spin-off will result in a financially weaker Sprint-Florida with fewer resources to invest in local telephone infrastructure and operations.

(2) The quality of service provided by Sprint-Florida to its local exchange customers, including CWA, after the spin-off will suffer.

(3) The spin-off will result in LTD Holding Company being saddled with \$7.25 billion in debt, which is greatly in excess of the debt attributable to Sprint Corp.'s FON Division before the spin-off.

(4) The spin-off does not represent an equitable allocation of assets and debts to ensure a viable entity. Sprint Nextel intends to disproportionately allocate debt to its regulated businesses, resulting in a stronger capital structure for Sprint Nextel's non-regulated competitive businesses.


7. Section 364.33, Florida Statutes, and this Commission's various decisions interpreting that law, require reversal of this Commission's PAA Order.

WHEREFORE, Petitioner, COMMUNICATION WORKERS OF AMERICA, requests this

Commission deny the Joint Application for Approval of the Transfer of Control of Sprint-Florida, Incorporated.

Respectfully submitted on this 27 day of October, 2005, by:

ROSE, SUNDSTROM & BENTLEY, LLP
2180 W. State Road 434, Suite 2118
Longwood, FL 32779
PHONE: (407) 830-6331
FAX: (407) 830-8522
mfriedman@rsbattorneys.com

BY: 
MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

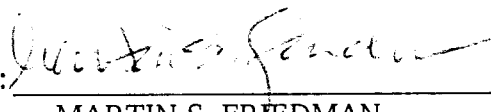
by U.S. Mail this 17 day of October, 2005, to:

Daniel Waggoner, Esquire
Davis Wright Law Firm
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

Sprint Long Distance, Inc.
KSOPHFO302
6200 Sprint Parkway
Overland Park, KS 66251

Mr. F. B. Poag
Sprint Payphone Services, Inc.
c/o Sprint-Florida, Incorporated
Post Office Box 2214 (MC FLTLHO0107)
Tallahassee, FL 32316-2214

Ms. Susan Masterton
Sprint-Florida, Incorporated
Post Office Box 2214
Tallahassee, FL 32316-2214

BY: 

MARTIN S. FRIEDMAN
For the Firm