

ORIGINAL

BEFORE  
THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by Wireless One Network, L.P., )  
for Arbitration of Certain Terms and Conditions )  
of a Proposed Agreement with Sprint Florida, ) Docket No. 971194-TP  
Incorporated Pursuant to Section 252 of the )  
Telecommunications Act of 1996. )

***WIRELESS ONE'S MEMORANDUM IN OPPOSITION TO SPRINT'S MOTION TO  
STRIKE WIRELESS ONE'S RESPONSE TO SPRINT'S OCTOBER 20, 1997 MOTION  
FOR DETERMINATION OF ISSUES AND REQUEST FOR ORAL ARGUMENT***

On October 20, 1997, Sprint Florida, Incorporated ("Sprint") filed a pleading styled "Motion for Determination of Issues and Request for Oral Argument." Wireless One Network, L.P. ("Wireless One") exercised its clear right under Rule 25-22.037, Fla. Admin. Code, and filed a memorandum opposing the motion on October 31, 1997. Incredibly, after styling its pleading as a motion, Sprint now argues that the bulk of the pleading actually was a "brief" and that Wireless One's response must be limited to addressing the request for oral argument.

Having electing to file a motion, Sprint extended to Wireless One the opportunity to exercise its procedural right to file a response as to the issues that Sprint believed should or should not be decided in this case. Sprint cites no authority that would restrict this absolute right for Wireless One to oppose Sprint's motion and, thus, no basis exists upon which the Commission may strike the portions of Wireless One's memorandum which address these issues.

Moreover, it was necessary for Wireless One to substantively address the issues contained in Sprint's motion to support its position that the issues in this proceeding are clear and do not require oral argument. Wireless One submits that its memorandum opposing Sprint's motions

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was procedurally and legally correct and respectfully requests that Sprint's motion to strike be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William A. Adams". The signature is written in a cursive style and is positioned above a horizontal line.

William A. Adams

Dane Stinson

Laura A. Hauser (Florida Reg. No. 0782114)

ARTER & HADDEN

10 West Broad Street

Columbus, Ohio 43215

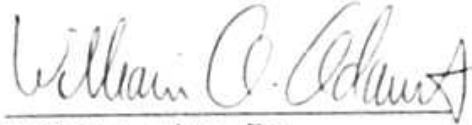
614/221-3155 (phone)

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*CERTIFICATE OF SERVICE*

I hereby certify that a copy of the foregoing Memorandum in Opposition was served upon the following persons by regular U.S. Mail or overnight delivery, postage prepaid on this 13<sup>th</sup> day of November, 1997.



William A. Adams, Esq.

Beth Culpepper, Esq.  
William Cox, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Charles J. Rehwinkel, Esq.  
Sprint Florida, Inc.  
1313 Blair Stone Road  
MC FLTLHO0107  
Tallahassee, Florida 32301