

ORIGINAL

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IN THE
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

05 APR 29 AM 7:35

No. 05-11682-D

NATIONAL ASSOCIATION OF STATE
UTILITY CONSUMER ADVOCATES

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COMMISSION
CLERK

Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION
AND THE UNITED STATES OF AMERICA

Respondents.

**MOTION OF SPRINT CORPORATION
FOR LEAVE TO INTERVENE**

MP _____
DM _____ Luisa L. Lancetti
TR _____ H. Richard Juhnke
CR _____ Charles W. McKee
SL _____ Michael B. Fingerhut
CL _____ SPRINT CORPORATION
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A _____ 202-585-1949
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Lockaw April 25, 2005.

DOCUMENT NUMBER-DATE

04156 APR 29 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT**

Interested parties. Appendix D to the order under review lists “industry, consumer advocacy groups and governmental entities” that filed comments and/or reply comments in the proceeding below. That appendix omits the names of several thousand individual consumers who filed comments, however. The following list of interested parties has been compiled from Appendix D:

American Association of Retired Persons

AT&T Corporation

AT&T Wireless Services, Inc.

BellSouth Corporation

California Public Utilities Commission

Cash Depot

Cingular Wireless LLC

Coalition for a Competitive Telecommunications Market

Consumers Union

CTIA – The Wireless Association

David Charles

District of Columbia, Office of the People’s Counsel

Florida Public Service Commission

Global Crossing North America, Inc.

IDT America, Corp.

Indiana Office of Utility Consumer Counselor

Indiana Utility Regulatory Commission

Iowa Utilities Board

Leap Wireless International, Inc.

Massachusetts Office of the Attorney General

Massachusetts Union of Public Housing Tenants

MCI, Inc.

Minnesota Department of Commerce

National Association of Regulatory Utility Commissioners

National Association of State Utility Consumer Advocates

National Consumers League

National Consumers Law Center Inc.

National Telecommunications Cooperative Association

New Jersey Division of the Ratepayer Advocate

Nextel Communications, Inc.

Nextel Partners, Inc.

Public Utilities Commission of Ohio

Rural Cellular Association

Rural Telecommunications Group, Inc.
Rural Wireline Carriers
Satellite Receivers
SBC Communications, Inc.
Sprint Corporation
Telecommunications Research and Action Center
Teletruth
Tennessee Emergency Communications Board
Texas, State of (Office of the Attorney General of Texas)
The Utility Consumers Action Network
The Utility Reform Network
T-Mobile USA, Inc.
TracFone Wireless, Inc.
United States Cellular Corporation
United States Communications Association
United States Telecommunications Association
Verizon Communications Inc.
Verizon Wireless

Corporate Disclosure. Sprint is a holding company organized for the purpose of engaging in telecommunications and related businesses through its

subsidiaries. Its stock is publicly traded. No person or corporate entity owns more than 10% of Sprint. In December 2004, Sprint announced an agreement to merge with Nextel Communications, Inc., subject to approval by various agencies. Sprint anticipates that the merger will close during 2005.

**MOTION OF SPRINT CORPORATION
FOR LEAVE TO INTERVENE**

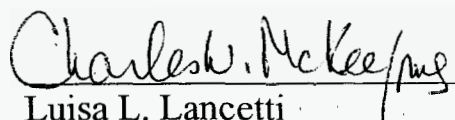
Sprint Corporation (“Sprint”),¹ by its attorneys, respectfully moves for leave to intervene as a matter of right in the above-captioned review proceeding pursuant to F.R.A.P. 15(d), 11th Circuit Rule 15-4 and 28 U.S.C. § 2348. Petitioner, the National Association of State Utility Consumer Advocates (“NASUCA”), seeks review of the *Second Report and Order, Declaratory Ruling, and Second Further Notice of Proposed Rulemaking* of the Federal Communications Commission (“FCC” or “Commission”) in the matter of *Truth-in-Billing and Billing Format and the National Association of State Utility Consumer Advocates’ Petition for Declaratory Ruling Regarding Truth-in-Billing*, CC Docket Nos. 98-170 and 04-208, FCC 05-55 (rel. Mar. 18, 2005). The *Declaratory Ruling* denied NASUCA’s request seeking to prohibit telecommunications carriers, including Sprint, from imposing any separate line item or surcharge on customers’ bills that was not mandated or authorized by federal, state or local law.

Sprint moves to intervene on the side of the Respondents, the FCC and the United States of America, in support of certain findings and conclusions of law in the *Declaratory Ruling* that are under challenge.

¹ Sprint, through various subsidiaries and affiliates, is a commercial mobile radio services (“CMRS”) provider, incumbent local exchange carrier, competitive local exchange carrier and interexchange carrier.


Sprint participated in the proceeding below. Sprint is directly affected by the FCC's ruling dealing with the manner in which telecommunications carriers charge their customers and will be adversely affected if the *Declaratory Ruling* "is ... enjoined, set aside, or suspended." 28 U.S.C. § 2348. Therefore, as a "party in interest in the proceeding before the agency whose interests will be affected" by this review proceeding, Sprint is entitled to intervene "as [a matter] of right." 28 U.S.C. § 2348.

Respectfully submitted,



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April 25, 2005.

CERTIFICATE OF SERVICE

I, Donna M. Crichlow, hereby certify that on this 25th day of April, 2005, copies of the foregoing "Motion for Leave to Intervene" were served via first class U.S. Mail, postage prepaid, on the following:

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