

ORIGINAL

Matilda Sanders

From: Whitt, Chrystal [REG] [Chrystal.Whitt@sprint.com]
Sent: Tuesday, November 29, 2005 9:52 AM
To: Filings@psc.state.fl.us
Cc: Atkinson, Bill R [REG]
Subject: 050119-050125 Sprint Nextel Petition to Intervene
Attachments: 050119 11-29-05 Petition to Intervene.doc

Filed on behalf of:

William R. Atkinson

Attorney

Sprint Spectrum Limited Partnership, Nextel South Corporation, and Sprint Communications Company Limited Partnership

3065 Cumberland Cir Se

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Docket No. 050119-050125

Title of filing: Peition to Intervene

Filed on behalf of: Sprint Nextel

No. of pages: 5

- CMP
- COM
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- GCL
- OPC
- RCA
- SCR
- SGA
- SEC 1
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FPSC-COMMISSION CLERK



Sprint Nextel – Regulatory/legislative
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William R. Atkinson
Attorney

ORIGINAL

November 29, 2005

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. 050119/050125-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint Spectrum Limited Partnership, Nextel South Corporation, and Sprint Communications Company Limited Partnership is Sprint's Petition to Intervene in the above revered docket.

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 404-649-4882

Sincerely,

S/ William R. Atkinson

William R. Atkinson

Enclosure

DOCUMENT NUMBER-DATE

11267 NOV 29 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 050119/050125-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. Mail this 29th day of November, 2005 to the following:

Florida Public Service Commission
Jason Rojas
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Suite 300
Washington, DC 20037

Florida Public Service Commission
Laura King/ Paul Vickery
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Frontier Communications of the South, Inc.
Ms. Angie McCall
300 Bland Street
Bluefield, WV 24701-3020

ALLTEL
Stephen B. Rowell/Betty Willis
One Allied Drive, B5F11
Little Rock, AR 72202

GT Com
Mr. Mark Beightol
P. O. Box 220
Port St. Joe, FL 32457-0220

ALLTEL Florida, Inc.
Mr. James White
6867 Southpoint Drive, N., Suite 103
Jacksonville, FL 32216-8005

ITS Telecommunications Systems, Inc.
Mr. Robert M. Post, Jr.
P. O. Box 277
Indiantown, FL 34956-0277

AT&T Communications of the Southern
States, LLC
Tracy Hatch
101 North Monroe Street, Suite 700
Tallahassee, FL 32301-1549

NEFCOM
Ms. Deborah Nobles
505 Plaza Circle, Suite 200
Orange Park, FL 32073-9409

Ausley Law Firm
J. Jeffery Wahlen
P.O. Box 391
Tallahassee, FL 32302

Rutledge Law Firm
Ken Hoffman/Martin McDonnell/M. Rule
P.O. Box 551
Tallahassee, FL 32302-0551

BellSouth Telecommunications, Inc.
Nancy B. White/R. D. Lackey/M. Mays
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

Smart City Telecom
P. O. Box 22555
Lake Buena Vista, FL 32830-2555

Blooston Law Firm
Benjamin H. Dickens, Esq.
2120 L Street, NW

TDS Telecom/Quincy Telephone
Mr. Thomas M. McCabe
P. O. Box 189
Quincy, FL 32353-0189

S/ William R. Atkinson
William R. Atkinson

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition of TDS Telecom d/b/a)	
TDS Telecom/Quincy Telephone,)	
ALLTEL Florida, Inc., Northeast Florida)	Docket No. 050119-TP
Telephone Company d/b/a NEFCOM,)	
GTC, Inc. d/b/a GT Com, Smart City)	
Telecommunications, LLC d/b/a Smart)	
City Telecom, ITS Telecommunications)	
Systems, Inc. and Frontier Communications)	
Of the South, LLC, concerning BellSouth)	
Telecommunications, Inc.'s Transit Service)	
Tariff)	
)	
Petition and Complaint of AT&T Communications)	
Of the Southern States, LLC for suspension and)	Docket No. 050125-TP
Cancellation of Transit Traffic Service Tariff)	
No. FL2004-284 filed by BellSouth)	
Telecommunications, Inc.)	Filed November 29, 2005

SPRINT NEXTEL'S PETITION TO INTERVENE

Pursuant to rules 25-22.039 and 28-106.205, Florida Administrative Code, Sprint Spectrum Limited Partnership, Nextel South Corporation, and Sprint Communications Company Limited Partnership (collectively, "Sprint Nextel"), through its undersigned counsel, files its Petition to Intervene in this proceeding. In support of its Petition, Sprint Nextel respectfully states as follows:

1. The affected agency is the Florida Public Service Commission, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

2. The name and address of the Petitioner is as follows:

Sprint Nextel
 2001 Edmund Halley Drive
 Reston, VA 20191

3. Copies of all pleadings, notices and orders in these consolidated dockets should be provided to the following:

William R. Atkinson
Sprint Nextel
3065 Cumberland Circle, SE
Mailstop GAATLD0602
Atlanta, Georgia 30339
404-649-4882 (o)
404-649-1652 (f)

4. Sprint Spectrum Limited Partnership and Nextel South Corporation are licensed by the Federal Communications Commission to provide Commercial Mobile Radio Service (“CMRS”) services in Florida.

5. Sprint Communications Company Limited Partnership is a competitive local exchange company operating in Florida.

6. In these consolidated dockets, the Commission will consider BellSouth Telecommunications, Inc.’s (“BellSouth”) Transit Traffic Service Tariff. The Commission’s actions in these dockets will directly affect Sprint Nextel’s substantial interests. Sprint Nextel’s interests are of the type that this consolidated proceeding is designed to protect.

7. No other party can adequately represent Sprint Nextel’s substantial interests in this proceeding.

8. Disputed issues of material fact include, but are not limited to: the scope of the tariff’s application; and whether the Commission should approve, modify or deny BellSouth’s Transit Traffic Service. A disputed issue that is a mixed issue of fact and law is the appropriate amount of compensation, if any, to be charged under the proposed tariff for transiting traffic to third-party carriers. Disputed issues of law include but are not limited to, who is responsible for

compensating BellSouth when it provides transit services. Sprint Nextel anticipates that additional disputed issues of material fact and issues of law will be identified during the discovery conducted in these consolidated proceedings.

9. Ultimate facts alleged include, but are not limited to: the transit rate adopted in this proceeding must be cost-based and competitively neutral; and the tariff, if any, that should be approved by the Commission.

WHEREFORE, Sprint Nextel respectfully requests that the Commission enter an Order allowing it to intervene as a full party of record in this docket.

S/ William R. Atkinson

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Attorney for Sprint Nextel
Corporation