

Matilda Sanders			
From:	Marsha Rule [Marsha@reuphlaw.com]		
Sent:	Wednesday, January 04, 2006 3:55 PM		
To:	Filings@psc.state.fl.us		
Cc:	jmclau@kmctelecom.com; marva.johnson@kmctelecom.com; fself@lawfla.com; Susan Masterton; Anne Marsh; Lee Fordham; Kira Scott; Nancy Pruitt; Bill.Atkinson@sprint.com		
Subject:	Docket No. 050581-TP; KMC Complaint Against Sprint		
Attachmen	ts: Dkt 050581 Sprint IXC Issues.pdf		
Filed on behalf	of:		
Sprint Communi	ications Company Limited Partnership		
by			
Rutledge, Eceni P.O. Box 551 Tallahassee, FL 850.681.6788 marsha@ruephi			
Limited Partners	581-TP MC Telecom III LLC and KMC Telecom V, Inc. against Sprint-Florida, Incorporated and Sprint Communications Company ship for alleged failure to pay intrastate access charges pursuant to interconnection agreement and Sprint's tariffs, and for a of Section 364.16(3)(a), F.S.		
Total number of Confidentiality Nentity to which it priveleged, conf Dissemination, wherein by anyon agent responsible is prohibited. If the receptionist 681-6788, and of Marsha E. Rule Rutledge, Eceni	Note: This e-mail is intended only for the person or this addressed and may contain information that is idential or otherwise protected from disclosure. Idistribution, or copying of this email or the information the other than the intended recipient, or an employee or oble for delivering the message to the intended recipient, you have received this email in error, please call at Rutledge, Ecenia, Purnell & Hoffman, P.A. at (850) destroy the original message and all copies. J. Esq. Ja, Purnell & Hoffman, P.A. rose Street, Suite 420 rorda 32301 (office) (fax)		
MP			
OM			
TR			
CR			

DOCUMENT NUMBER - DATE

00079 JAN-48

OTH/<u>4/2006</u>

SCR

SGA ____

SEC ___

GCL ____ OPC ____ RCA ____

RUTLEDGE, ECENIA, PURNELL & HOFFMAN ORIGINAL

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA RICHARD M. ELLIS KENNETH A. HOFFMAN LORENA A. HOLLEY MICHAEL G. MAIDA MARTIN P. McDONNELL J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515

R. DAVID PRESCOTT
HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ

GOVERNMENTAL CONSULTANTS
MARGARET A. MENDUNI.
M. LANE STEPHENS

January 4, 2006

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

By electronic filing only

RE:

Docket No. 040581-TP

Complaint of KMC Telecom III LLC and KMC Telecom V, Inc. against Sprint-Florida Incorporated, and Sprint Communications Company Limited Partnership

Dear Ms. Bayo:

Enclosed please find the following for filing on behalf of Sprint Communications Limited Partnership ("Sprint LP"):

Sprint Communications Limited Partnership's Proposed Issues

Copies are being served on the parties to this docket as shown in the attached Certificate of Service. Please feel free to call upon me if you have any questions regarding this filing.

Sincerely,

/s/ Marsha E. Rule

Marsha E. Rule

Encl.

DOCUMENT NUMBER-DATE

00079 JAN-48

FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of KMC Telecom III LLC and		Docket No. 050581-TP
KMC Telecom V, Inc. against Sprint-Florida,		
Incorporated and Sprint Communications)	
Company Limited Partnership for alleged)	
failure to pay intrastate access charges pursuant to)	
interconnection agreement and Sprint's tariffs, and)	
for alleged violation of Section 364.16(3)(a), F.S.)	
)	

SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP'S PROPOSED ISSUES

ISSUE 1: Did Sprint Communications Company Limited Partnership ("Sprint IXC") knowingly and improperly misroute intrastate interexchange traffic to KMC as local traffic?

- a. If so, did KMC provide access services to Sprint IXC for such traffic?
- b. If so, what is the appropriate compensation and amount, if any, due to KMC for such traffic pursuant to KMC's tariffs?

Respectfully submitted this 4th day of January, 2005.

1s/ Marsha E. Rule

MARSHA E. RULE Rutledge, Ecenia, Purnell & Hoffman, P.A. Post Office Box 551 Tallahassee, Florida 32301-0551 (850) 681-6788 (850) 681.6515 facsimile marsha@reuphlaw.com

William R. Atkinson, Esq. Sprint Nextel 3065 Cumberland Circle Atlanta, GA 30339 (404) 649-4882 (o) (404) 649-1652 (f) bill.atkinson@sprint.com

DOCUMENT NUMBER - DATE

00079 JAN-48

ATTORNEYS FOR SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP

CERTIFICATE OF SERVICE DOCKET NO. 050581-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail only this 4th day of January, 2006 to the following:

Florida Public Service Commission Kira Scott/ Lee Fordham 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <u>kscott@psc.state.fl.us</u> cfordham@psc.state.fl.us

KMC Telecom III LLC/ KMC Telecom V, LLC Marva B. Johnson 1755 North Brown Road Lawrenceville, GA 30043-8119 jmclau@kmctelecom.com marva.johnson@kmctelecom.com

Sprint-Florida Incorporated Susan S. Masterton, Attorney P. O. Box 2214 (MC FLTLHO0107) Tallahassee, FL 32316-2214 susan.masterton@mail.sprint.com Nancy Pruitt/Ann Marsh Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 npruitt@psc.state.fl.us amarsh@psc.state.fl.us

Messer Law Firm Floyd R. Self P. O. Box 1876 Tallahassee, FL 32302-1876 fself@lawfla.com

/s/ Marsha E. Rule

Marsha E. Rule