Matilda Sanders

From:	Peg Griffin [pgriffin@moylelaw.com]	ORIGINAL
Sent:	Tuesday, November 14, 2006 12:37 PM	
То:	Filings@psc.state.fl.us	
Cc:	Vicki Gordon Kaufman; douglas.c.nelson@sprint.com; Larry Harris; Samantha Cibula; John_butler@fpl.com; Wade_Litchfield@fpl.com; Natalie_smith@fpl.com; fself@lawfla.com	
Subject:	E-filing - Docket No. 060355-EI	
Attachment	ts: Adoption of TMobile comments 11.14.06.pdf	
Attorney respo	onsible for filing: Vicki Gordon Kaufman 118 N. Gadsden Street Tallahassee, FL 32301 Telephone: (850) 681-3828	

Docket No. and title: Petition of Florida Power and Light Company For Emergency Rule or, Alternatively, Declaratory Statement Prohibiting Wireless Attachments in Electric Supply Space Docket No. 060355-El

Facsimile: (850) 681-8788 vkaufman@moylelaw.com

Filed on behalf of:Sprint Spectrum Limited Partnership, d/b/a Sprint PCS, and Nextel South Corporation (Sprint
Nextel)

Number of pages:

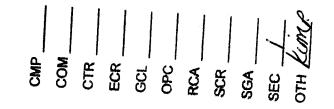
Document attached: Response in Opposition to FPL's Status Report Related to Stay of the Proceedings

Peg G. Griffin Assistant to Vicki Gordon Kaufman Moyle, Flanigan, Katz, Raymond White & Krasker, P.A. 118 N. Gadsden Street Tallahassee, FL 32301 Telephone: (850) 681-3828 Facsimile: (850) 681-8788 E-mail: <u>pgriffin@moylelaw.com</u>

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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Petition of Florida Power and Light Company For Emergency Rule or, Alternatively, Declaratory Statement Prohibiting Wireless Attachments in Electric Supply Space

Docket No. 060355-EI

Filed: November 14, 2006

SPRINT NEXTEL'S RESPONSE IN OPPOSITION TO FPL'S STATUS REPORT RELATED TO STAY OF THE PROCEEDINGS

Sprint Spectrum Limited Partnership, d/b/a Sprint PCS, and Nextel South Corporation (collectively, Sprint Nextel), through its undersigned counsel, hereby adopts T-Mobile South LLC's (T-Mobile) Response in Opposition to the Florida Power and Light Company (FPL) Status Report Related to Stay of the Proceedings (Report). Sprint Nextel respectfully states that FPL's request to continue the stay in this case be denied for the reasons set forth below.

1. On April 24, 2006, FPL filed a Petition for Emergency Rule or, Alternatively, Declaratory Statement (Petition) with the Commission. Over the objections of Sprint and T-Mobile, this docket has been stayed since June 26, 2006. *See*, Order No. PSC-06-0541-PCO-EI. As T-Mobile points out in its response to FPL's Report, it is clear that there is no emergency which would warrant keeping this docket open since it has now been pending for over six months with no activity.

2. Sprint Nextel incorporates its Response in Opposition to FPL's Request for Stay, filed on May 30, 2006, and concurs in and adopts the response of T- Mobile to FPL's Report.

WHEREFORE, Sprint Nextel requests that the Commission: 1) deny FPL's request to continue the stay in this docket; 2) deny FPL's Petition for Emergency Rulemaking or Alternatively, Request for Declaratory Statement; and 3) close this docket.

DOCUMENT NUMBER-DATE

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<u>s/ Vicki Gordon Kaufman</u> Vicki Gordon Kaufman Moyle, Flanigan, Katz, Raymond, White & Krasker, P. A. The Perkins House 118 North Gadsden Street Tallahassee, Florida 32301 850-681-3828 (o) 850-681-8788 (f) <u>vkaufman@moylelaw.com</u>

Douglas C. Nelson Sprint Nextel 3065 Cumberland Circle, SE Atlanta, Georgia 30339 404-649-4308 (o) 404-649-1652 (f) Douglas.c.nelson@sprint.com

Attorneys for Sprint Nextel

*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response in Opposition has been furnished by electronic and U.S. mail this 14th day of November 2006 to:

Larry Harris Samantha Cibula Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 <u>lharris@psc.state.fl.us</u> scibula@psc.state.fl.us

John T. Butler 9250 West Flagler Street Miami, FL 33174 John butler@fpl.com

R. Wade Litchfield Natalie Smith 700 Universe Boulevard Juno Beach, FL 33408-0420 <u>Wade Litchfield@fpl.com</u> <u>Natalie_Smith@fpl.com</u>

Floyd Self Messer, Caparello & Self 215 South Monroe Street, Suite 701 Tallahassee, FL 32302-1876 <u>fself@lawfla.com</u>

> <u>s/ Vicki Gordon Kaufman</u> Vicki Gordon Kaufman