

**Ruth Nettles**

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**From:** Slaughter, Brenda [bs3843@att.com]  
**Sent:** Monday, June 16, 2008 4:26 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Woods, Vickie; Holland, Robyn P; Tracy Hatch; Tyler, John  
**Subject:** Docket 070368-TP and 070369-TP  
**Importance:** High  
**Attachments:** 070368-TP 070369-TP Joint Stipulations of Fact.pdf

A. Brenda Slaughter  
Legal Secretary to J. Phillip Carver, Robert A. Culpepper and John T. Tyler  
BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
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B. Re: Docket No. 070368-TP: Notice of the Adoption by NPCR, Inc. d/b/a Nextel Partners of the Existing "Interconnection Agreement By and Between BellSouth Telecommunications, Inc. and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P." dated January 1, 2001

Re: Docket No. 070369-TP: Notice of the Adoption by Nextel South Corp. and Nextel

West Corp. (collectively "Nextel") of the Existing "Interconnection Agreement By and Between BellSouth Telecommunications, Inc. and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P." dated January 1, 2001

C. BellSouth Telecommunications, Inc. d/b/a AT&T Florida

on behalf of Tracy Hatch

D. 8 pages total (includes letter, certificate of service and pleading)

E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Nextel South Corp and NPCR Inc. d/b/a Nextel Partners  
Joint Stipulations of Fact

<<070368-TP 070369-TP Joint Stipulations of Fact.pdf>>

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6/16/2008

FPSC-COMMISSION CLERK



Tracy Hatch  
AT&T Legal  
Senior Counsel – Florida

Suite 400  
150 S. Monroe Street  
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850-425-6360

June 16, 2008

Ms. Ann Cole  
Commission Clerk  
Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Dockets Nos. 070368-TP and 070369-TP**

Dear Ms. Cole:

Enclosed for filing in the above referenced dockets is the Stipulations of Fact jointly agreed to by BellSouth Telecommunications, Inc. d/b/a AT&T Florida, Nextel South Corp. and NPCR Inc. d/b/a Nextel Partners. If you have any questions about this filing please do not hesitate to contact me at (850) 425-6360.

Sincerely,

Tracy Hatch

cc: All Parties of Record

DOCUMENT NUMBER-DATE  
05109 JUN 16 8  
FPSC-COMMISSION CLERK

Notice of the Adoption by NPCR, Inc. d/b/a	)	
Nextel Partners of the Existing "Interconnection	)	Docket No. 070368-TP
Agreement By and Between BellSouth	)	
Telecommunications, Inc. and Sprint	)	
Communications Company Limited Partnership,	)	
Sprint Communications Company L.P.,	)	
Sprint Spectrum L.P." dated January 1, 2001	)	
	)	
	)	
Notice of the Adoption by Nextel South Corp.	)	
And Nextel West Corp. (collectively "Nextel")	)	Docket No. 070369-TP
Of the Existing "Interconnection Agreement	)	
By and Between BellSouth	)	
Telecommunications, Inc. and Sprint	)	
Communications Company Limited Partnership,	)	
Sprint Communications Company L.P.,	)	
Sprint Spectrum L.P." dated January 1, 2001	)	
	)	
	)	Filed: June 13, 2008

**STIPULATIONS OF FACT**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida, Nextel South Corp., and NPCR Inc. d/b/a Nextel Partners respectfully stipulate to the following facts for the purpose of identifying issues for resolution in these proceedings:

1. The Sprint entities that are parties to the Sprint interconnection agreement ("ICA") for which Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners seek adoption in the above-referenced docket are identified in the Sprint ICA as Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., and Sprint Spectrum L.P., as agent and General Partner for WirelessCo, L.P., and SprintCom, Inc. (collectively the "Sprint parties to the original ICA").

2. Sprint Communications Company L.P. and Sprint Communications Company Limited Partnership are one and the same legal entity. The name of this entity is Sprint Communications Company L.P., and this entity was further listed in the Sprint ICA with "limited partnership" spelled out as a result of a requirement in the State of Florida. Sprint

Communications Company L.P. is a Delaware Limited Partnership that is certificated to and does provide wireline local exchange telecommunications services in the State of Florida. Sprint Communications Company L.P. is not licensed by the FCC to provide wireless telecommunications services.

3. Sprint Spectrum L.P. is a Delaware Limited Partnership, WirelessCo, L.P. is a Delaware Limited Partnership, and SprintCom, Inc. is a Kansas corporation, collectively, "Sprint PCS". Sprint PCS provides wireless telecommunications services in the State of Florida under license(s) issued by the FCC. Neither Sprint Spectrum L.P., WirelessCo, L.P., SprintCom, Inc., nor Sprint PCS is certificated to provide, and none of these entities provide wireline local exchange telecommunications services in the State of Florida.

4. Nextel South Corp. is a Georgia corporation that is licensed by the FCC to provide, and that does provide, wireless telecommunications services in the State of Florida. Nextel South Corp. is not certificated to provide and does not provide wireline local exchange telecommunications services in the State of Florida.

5. NPCR, Inc. d/b/a Nextel Partners is a Delaware corporation that is licensed by the FCC to provide, and that does provide, wireless telecommunications services in the State of Florida. NPCR, Inc. d/b/a Nextel Partners is not certificated to provide and does not provide wireline local exchange telecommunications services in the State of Florida.

6. On August 12, 2005 the parent holding company Sprint Corporation, through its subsidiary S-N Merger Corp., acquired the holding company Nextel Communications, Inc., with S-N Merger Corp. surviving the transaction. Contemporaneous with such acquisition, the subsidiary S-N Merger Corp. changed its name to Nextel Communications Inc. and the parent holding company Sprint Corporation changed its name to Sprint Nextel Corporation. Collectively, the foregoing actions are referred to as "the Sprint-Nextel Merger".

7. Prior to the Sprint-Nextel Merger, Sprint Communications Company L. P., Sprint Spectrum L.P., WirelessCo, L.P., SprintCom, Inc., Nextel South Corp., and NPCR, Inc. d/b/a Nextel Partners were six separate legal entities.

8. Prior to the Sprint-Nextel Merger, each of the Sprint parties to the Sprint ICA were either directly or indirectly wholly owned by, and under common control, as subsidiaries under the holding parent company Sprint Corporation.

9. Prior to the Sprint-Nextel Merger, Nextel South Corp., was either directly or indirectly wholly owned by, and under common control of, as a subsidiary under the holding parent company Nextel Communications, Inc.

10. Prior to the Sprint-Nextel Merger, none of the Sprint parties to the original ICA had any affiliation with Nextel South Corp., and Nextel South Corp. had no affiliation with any of such Sprint parties.

11. After the Sprint-Nextel Merger, on June 26, 2006, through a subsidiary transaction, Nextel Communications, Inc. acquired NPCR, Inc. d/b/a Nextel Partners (“the NPCR acquisition”). Prior to the NPCR acquisition, none of the Sprint parties to the original ICA had any affiliation with NPCR, Inc. d/b/a Nextel Partners, and NPCR, Inc. d/b/a Nextel Partners had no affiliation with any of such Sprint parties.

12. Today, following the Sprint-Nextel Merger and the NPCR acquisition, Sprint Communications Company L.P., Sprint Spectrum L.P., WirelessCo, L.P., SprintCom, Inc., Nextel South Corp., and NPCR, Inc. d/b/a Nextel Partners are six separate legal entities.

13. Today, following the Sprint-Nextel Merger and the NPCR acquisition, the Sprint parties to the original ICA, Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners each are either directly or indirectly wholly owned by, and are under common control, as subsidiaries under the holding company Sprint Nextel Corporation.

**NOTE: Paragraphs 14 and 15 were copied from Nextel's proposal but the track changes did not copy from their document.**

14. In 2001, AT&T Florida and Sprint began operating under the negotiated Sprint ICA. The first three sentences of the introductory paragraph of the Sprint ICA state:

**"THIS INTERCONNECTION AND RESALE AGREEMENT** is made by and between BellSouth Telecommunications, Inc., ("BellSouth"), a Georgia corporation, Sprint Communications Company Limited Partnership and Sprint Communications Company L.P. (collectively referred to as "Sprint CLEC"), a Delaware Limited Partnership and Sprint Spectrum L.P., a Delaware limited partnership, as agent and General Partner for WirelessCo, L.P., a Delaware limited partnership, and SprintCom, Inc., a Kansas corporation, all foregoing entities jointly d/b/a Sprint PCS ("Sprint PCS") ("the Agreement"). When the terms and conditions apply to both Sprint CLEC and Sprint PCS, the collective term "Sprint" shall be used. Otherwise, the applicable party shall be identified."

15. The Sprint ICA is incorporated herein in its entirety by this reference and is posted on AT&T's website where it is viewable by the public at:

[http://cpr.bellsouth.com/clec/docs/all\\_states/800aa291.pdf](http://cpr.bellsouth.com/clec/docs/all_states/800aa291.pdf)

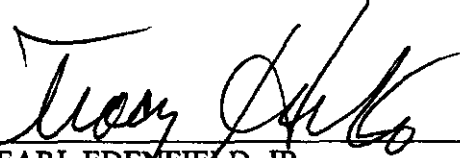
[Note to viewer: when typing in the foregoing link to a web-browser, the space between "all" and "states" is a single underscore character ("\_").]

16. In addition to the foregoing stipulated items, the following matters are also incorporated into the record of this proceeding by reference, such that neither party need re-file the same as part of its written statement:

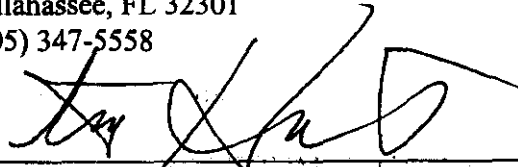
- (a) All notices, pleadings, motions, and intermediate rulings filed in this docket.
- (b) The official transcript(s) of all proceedings held in these dockets, including agenda conferences.

Respectfully submitted, this 13th day of June, 2008.

BELLSOUTH TELECOMMUNICATIONS, INC.  
d/b/a AT&T FLORIDA



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**CERTIFICATE OF SERVICE**  
**Docket Nos. 070368-TP and 070369-TP**

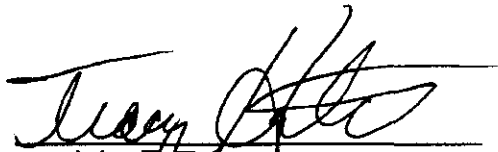
I HEREBY CERTIFY that a true and correct copy was served via Electronic Mail  
and First Class U. S. Mail this 16th day of June, 2008 to the following:

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