

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In The Matter of the Special Plan Bundle)	
of Sprint Missouri, Inc. d/b/a Sprint and the)	Case No. TT-2005-0217
Special Plan Launch Promotion of Sprint)	Tariff File Nos. JI-2005-0495
Communications Company L.P.)	And JX 2005-0496

SPRINT'S RESPONSE TO STAFF MOTION TO SUSPEND TARIFF FILINGS

COMES NOW Sprint Missouri, Inc. and Sprint Communications Company, L.P. (hereinafter collectively referred to as "Sprint"), and for its Response to Staff's Motion to Suspend states that the Motion should be denied. Sprint has revised its promotional tariff offerings in the above mentioned cases to be available on a statewide basis and urges the Commission to allow Sprint's revised tariffs to go into effect pursuant to 4 CSR 240-3.545(19) on January 12, 2005 in order for Sprint to provide a competitive response to Time Warner and other cable telephony competitors. In the alternative, if the Commission concludes approval is governed by 4 CSR 240-3.545(16), Sprint requests that the rule be waived for "good cause" in this proceeding pursuant to 4 CSR 240-2.015 and that Sprint's revised tariffs go into effect on January 12, 2005. In support of its Response, Sprint states as follows:

1. On December 29, 2004, Sprint Missouri submitted to the Commission tariff sheets designed to introduce the Special Plan Bundle with a proposed effective date of January 12, 2005. Also on December 29, 2004, Sprint Communications submitted to the Commission a tariff sheet designed to introduce the Special Plan Launch Promotion. The Special Plan Launch Promotion is available to customers subscribed to Sprint Solutions Residence Package Special Plan Bundle. The service offerings described in

these tariff sheets are available for a limited period of time from January 12, 2005 through and including March 12, 2005. With the Special Plan Bundle, as originally filed, Sprint intended to offer a promotional service offering for new and existing residential customers within Sprint's Ferrelview, Kearney, Platte City, Wellington and Weston exchanges for \$43.00. The Special Plan Bundle includes the following: (a) Local Exchange Service, (b) Enhanced Call Waiting or Sprint Talking Call Waiting (Optional), (c) Call Forwarding Busy, (d) Call Forwarding No Answer, (e) Caller ID with Name, (f) Anonymous Call Rejection, (g) Call Forwarding, (h) Waiting ID, (i) Selective Call Acceptance, (j) Repeat Dialing and (k) Return Call. When customers also subscribe to Sprint Communications Company, L.P. Sprint Solutions Unlimited Long Distance Plan - Option 1 and either Sprint DSL, Sprint Video (DishNetwork) or Sprint PCS under this promotion, the monthly recurring charge for the Special Plan Bundle will be \$19.95 instead of \$43.00. If the customer discontinues either of those services, the monthly recurring charge for the Special Plan Bundle will revert to \$43.00.

2. On January 6, 2005, the Staff of the Missouri Public Service Commission filed a Motion to Suspend Sprint's tariff filings arguing that Sprint's offering will not be available statewide. In an attempt to address Staff's concern, Sprint filed on January 7, 2005, substitute pages to its tariff revising its promotional offering to make it available on a state-wide basis, rather than limiting it to five exchanges, as initially proposed. While Sprint disagrees with Staff's position that this type of competitive response promotional service offering cannot be limited to selected exchanges where a carrier faces competition, Sprint's first priority is to respond as quickly as possible to competition and offer our customers alternative choices. To that end, Sprint plans to launch its marketing

efforts on this competitive response initiative on January 12, 2005 throughout the Kansas City area, which includes Sprint exchanges in both Missouri and Kansas. In Kansas, Sprint is working with the Commission Staff to gain approval of an identical promotional offer. In Kansas, such promotions can be filed with only a one-day notice.

3. Sprint's sole reason for modifying its offering from the limited five exchanges to a state-wide availability was to remove the issue raised by Staff in order to increase the likelihood of a successful January 12, 2005 launch of this competitive response. Sprint faces growing and intense competition in its exchanges where Time Warner Cable Information Services and other cable operators are providing telephone services. Time Warner Cable offers local basic phone service in direct competition with Sprint and is heavily promoting its Digital Phone Service throughout the Kansas City area, including Sprint's exchanges. Time Warner Cable's Digital Phone service is \$39.95 a month when ordered with cable and high speed data and offers its subscribers the following: (a) unlimited local service, (b) unlimited metro-calling, (c) unlimited intrastate long distance, (d) unlimited interstate long distance, (e) call waiting, (f) caller ID, (g) call waiting ID, and (h) call forwarding. Furthermore, Time Warner Cable does not assess the federal subscriber line charge. Time Warner Cable is heavily advertising its services throughout the Kansas City metropolitan area including television, radio, and direct mail. Time Warner Cable has its own facilities extensively deployed throughout these exchanges. Virtually every household that Time Warner Cable passes is able to subscribe to Digital Phone Service as an alternative to Sprint service. Time Warner Cable is not relying upon unbundled network elements from Sprint but rather is using Voice over Internet Protocol (VoIP) technology. Time Warner Cable is able to service its Digital

Phone Service subscribers with the same line that is currently in the premises to provide cable and broadband services. See Attachment A for a copy of Time Warner advertisements.

4. Currently, Sprint's customers that request a similar offer from Sprint cannot be offered a competing product. Under its current tariffs, for Sprint to offer its customers a similar, although not identical, offering to Time Warner Cable's \$39.95 Digital Phone service with the added features and unlimited long distance, the price to the end user would be approximately \$90. Sprint's current tariff rates for just basic local service nearly equals the \$39.95 Time Warner offering which includes unlimited long distance and multiple custom calling features. Sprint's Platte City customers currently pay \$33.91 for local service alone (access line, metropolitan calling, and subscriber line charge). Sprint desires to provide options to Missouri consumers and to aggressively compete with cable operators by a combination of (1) reduced rates and (2) new service offerings, primarily in the form of new bundled packages. Sprint's proposed tariff in the case is a competitive response promotional offering that would match the price offered by Time Warner.

5. Sprint's promotional offering will be followed in the near future with a permanent offering limited to only those exchanges where competitive responses are justified. Sprint bifurcated its competitive response into a (1) promotional service offering and (2) permanent service offering in order to first gauge consumer reaction in the event the Special Bundle needs to be modified slightly to better meet consumer expectations. For instance, the permanent offering may have a slightly different mix of custom calling features than this tariff offering. Consumers subscribing to the statewide

promotional offering before March 12, will continue to receive the service at the same price beyond March 12; however, no new subscriptions would be allowed. With the permanent offering, Sprint will seek relief under Section 392.200.4(1) as the permanent offering will not be available on a statewide basis but limited to those areas where Sprint faces competition.

6. It is not Sprint's preference nor does Missouri law dictate that Sprint offer this promotional tariff on a statewide basis. Sprint also disagrees with Staff arguments in its Motion to Suspend that the Sprint offering is not a limited time promotional offering. Good businesses commonly tailor service offering to the competitive environment in particular markets, and Sprint contends it is unreasonable to compel it to make its promotional offering available in exchanges where market competition does not dictate such an offer. As stated above, Sprint's priority in this case is the ability to launch this initiative with a January 12, 2005 effective date. It is critical that Sprint have the ability to challenge its competitors with a competitive offer. As such, Sprint has removed the potential concern raised by Staff.

7. In Staff's January 6, 2005 Motion to Suspend, Staff also raises an issue regarding whether Sprint's promotional offering should have a 10 day or 30 day effective date. Sprint submits that the Commission rules do not expressly address the promotional offering that Sprint is proposing. Commission rules address promotional reductions to existing services, but do not address promotional new services. Sprint's competitive response promotion is a new service that has a limited time offer of only 60 days. Promotional service offerings for a limited period of time, such as the one filed by Sprint,

are properly approved within 10 days under 4 CSR 240-3.545, and Sprint does not believe 4 CSR 240-3.545(16) applies to its filing as argued by Staff.

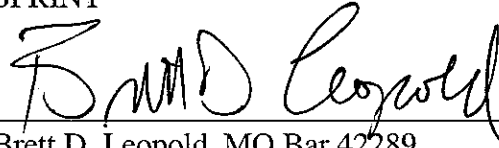
8. Alternatively, to the extent that the Commission views Sprint's competitive response offering as something other than a promotional offering, Sprint hereby respectfully requests a waiver for good cause pursuant to 4 CSR 240-2.015 of 4 CSR 240-3.545(16) that will allow Sprint's offering to go into effect on January 12, 2005. The level of competition and advertising from Sprint's competitors is rapidly taking its toll. Sprint needs the opportunity to compete on a level playing field now. Further, consumers will be benefited by Sprint's promotional offer, and no harm will occur should the alleged 30-day approval period be waived and effectively reduced to 15 days. Sprint's filing has already been pending since December 29, 2004.

9. Sprint desires to effectively compete with Time Warner and other competitors by offering its customers lower rates and enhanced value. The competitive response promotional offering before the Commission does just that albeit, now, on a state-wide level rather than only the five exchanges in Sprint's initial request. Consumers should receive the benefits that these promotional offerings will provide as soon as possible.

WHEREFORE, Sprint urges the Commission to reject Staff's Motion to Suspend and to allow Sprint's promotional offering designed to offer its customers a competitive response to Time Warner and other cable telephone operators to go into effect on January 12, 2005.

Respectfully submitted,

SPRINT



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KSOPHN0212-2A303
Overland, Park, KS 66251
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Fax: 913-523-0783
Email: brett.d.leopold@mail.sprint.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 7th day of January, 2005, a copy of the above and foregoing document was served via electronic mail, facsimile or U.S. Mail, postage prepaid to each of the following:

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Attachment A
Alternative Provider Information
Exhibit Index

- Exhibit 1 AP Time Warner Article "Time Warner Raising Broadband Speeds"
- Exhibit 2 Wall Street Journal Article "Cablevision, Time Warner Tout Internet Telephony Growth"
- Exhibit 3 Time Warner Advertisement "One Company. One Lower Bill. One Easy Choice."
- Exhibit 4 Time Warner Direct Mail – Kansas City, Metro
- Exhibit 5 Time Warner Direct Mail – Kansas City, Metro
- Exhibit 6 Time Warner Direct Mail – Kansas City, Metro
- Exhibit 7 Time Warner – Ferrelview, Kearney, Platte and Weston Specific Website Information
- Exhibit 8 Time Warner – Metro Sports

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Associated Press

Time Warner Raising Broadband Speeds

Tuesday December 14, 6:06 pm ET

Time Warner Raising Broadband Speeds to 5 and 8 Million Bits Per Second Without Price Increase

NEW YORK (AP) — As part of an ongoing race in the cable industry, Time Warner Cable is raising the speed of its broadband Internet offerings to 5 and 8 million bits per second without increasing prices.

The higher speeds are available in New York City starting Tuesday and will roll out to the rest of the country in January.

Road Runner, the company's broadband service, has been running on speeds of 3 mbps and its premium service on 6 mbps — generally faster than the competing DSL, or digital subscriber line, technology but a tad slower than some cable operators' offerings.

Cablevision Systems Corp., Cox Communications Inc., Comcast Corp. and RCN Corp. all raised speeds earlier this year — without price rises — to between 4 mbps and 7 mbps.

Time Warner hadn't increased its speeds since September 2003.

In order to woo new users and prevent current ones from defecting to DSL, cable operators have been busy trying to outdo competitors.

Revenue from broadband and other new services such as video-on-demand and high-definition TV are becoming more important as revenue growth from cable TV slows.

Broadband Internet business in particular has been highly coveted since it yields better profit margins.

Despite the competition, cable operators generally have been resistant to slash prices, preferring instead to raise speeds or offer additional services — free music or video mail, for instance.

Time Warner Cable, the second-largest cable company in the country, has 10.9 million customers in all. Its broadband customers number 3.7 million.

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Cablevision, Time Warner Tout Internet Telephony Growth
A WALL STREET JOURNAL ONLINE NEWS ROUNDUP
December 7, 2004 11:53 a.m.

Two major U.S. cable providers announced subscriber milestones for Internet phone service Tuesday, evidence of the fast-paced clip at which customers are signing up for Internet-based telecommunications services.

Time Warner Inc.'s Time Warner Cable unit expects to end the year with more than 200,000 phone customers, according to Glenn Britt, Time Warner Cable's chairman and chief executive, who spoke at an investor conference in New York Tuesday.

Meanwhile, Cablevision Systems Corp.'s Internet telephony service, dubbed Optimum Voice, passed the 250,000 subscriber mark, the company announced. The Bethpage, N.Y., cable provider said Optimum Voice has been adding about 1,000 new customers a day within the New York metropolitan area.

Time Warner's service, meanwhile, has been signing up about 10,000 new customers a week, Mr. Britt said.

Time Warner Cable currently offers Internet phone service in 30 of its 31 markets. Within those, service rolls out to city areas first and rural areas later, according to Mr. Britt. Service is currently being deployed to Time Warner's last market, Hawaii, and should be working by the end of the year.

Phone service is becoming an increasingly important part of the cable business, and one of the few ways cable companies can keep growing, Mr. Britt said. Residential phone service is just starting and could eventually dwarf the cable TV business, he added.

Customers are moving to Internet-based phone systems, also called voice-over-Internet telephony, or VOIP, because they can be cheaper than traditional phone lines, prompting a host of cable companies to offer the service.

Traditional phone companies, meanwhile, have been scrambling to expand into the VOIP realm, with companies like SBC Communications Inc., AT&T Corp. and Verizon Communications Inc. also offering the service.

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- Personalized news, stocks, weather & more



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- Free Installation — works with existing phones
- Includes Enhanced 911



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Free two month offer applies to the first two months of Digital Phone service. Offer valid for new residential customers only in Digital Phone serviceable areas. Digital Phone does not include built-up power and, as in the case with an electric-powered home-cordless phone, should there be a power outage, Digital Phone will not be available. Additional charges apply for Directory Assistance, Operator Services, calls to International locations, and taxes and fees. Limited time offer. Other restrictions may apply. * \$2.95 per minute for PC system only. Offer available in limited areas. Call for details.

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UNLIMITED ENTERTAINMENT
The only way to watch what you want, when you want.

- Over 200 Channels
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- HDTV Programming you can't get anywhere else.
- Metro Sports and Metro Weather - exclusive local sports and weather



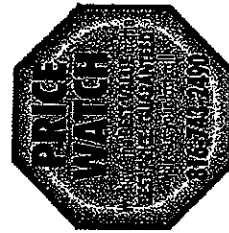
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It's as simple and easy to use as your current home phone service — you can even keep your same phone number. Digital Phone service works with your existing phone and lines. The only difference you'll see is the savings.

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- Caller ID — find out who's calling before you answer
- Call Waiting ID — find out who's calling before you click over
- Call Forwarding — get calls even when you're out

Is it a cell phone?

No, it's a home phone service that works just like your current one.

Is Digital Phone's \$39.95 price a promotional rate?

No, it's our best value for customers with Time Warner Cable high-speed Internet and cable TV services.

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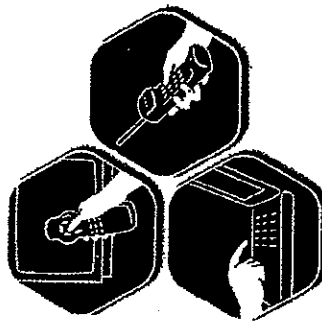
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Digital Phone does not include back-up power and, as in the case with an electric-powered home cordless phone, should there be a power outage, Digital Phone will not be available. Other restrictions may apply. Additional charges apply for Directory Assistance. Service, calls to international locations, and taxes and fees. Offer valid for residential customers in Digital Phone serviceable areas.

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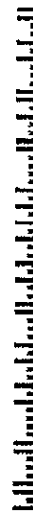
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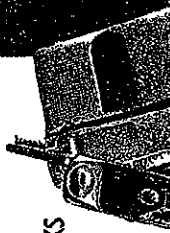
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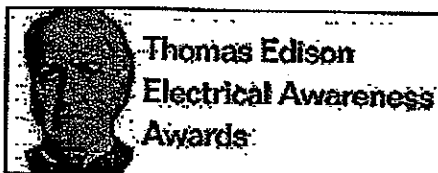


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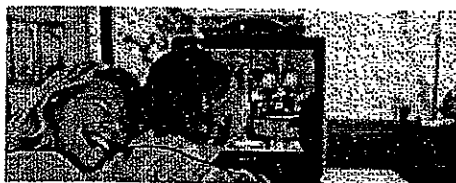


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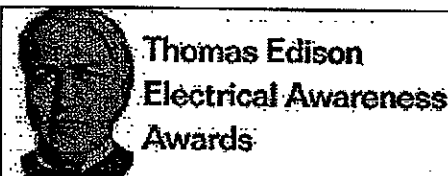


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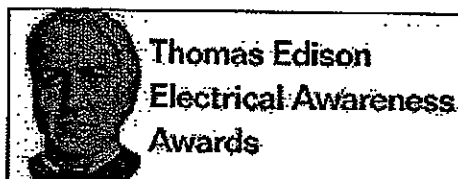
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- Choose from a variety of providers
- Access for every computer in the house with wireless home networking

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