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December 23, 2002

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>3</sup>**

DEC 23 2002

Re: **Sprint Communications Company, L.P.**  
**Tariff No. JL-2003-1189**

Missouri Public  
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case, please find the original and 8 copies of the **Comments of the Office of the Public Counsel on Tariff**. I have on this date mailed, e-mailed, and/or hand-delivered the appropriate number of copies to parties of record. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Very truly yours,

Michael F. Dandino  
Senior Public Counsel

MFD:kh

cc: Dana K. Joyce  
Lisa Creighton-Hendricks

Enclosure

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

**FILED<sup>3</sup>**  
DEC 23 2002

In the matter of the tariff filing of Sprint       )  
Communications Company L.P. to extend       )  
in-state access recovery charge waiver       )  
promotions through December 31, 2003       )  
Tariff No. JL-2003-1189

Missouri Public  
Service Commission

**COMMENTS OF THE OFFICE OF THE PUBLIC COUNSEL ON TARIFF**

The Office of the Public Counsel makes the following comments to the Missouri Public Service Commission concerning Sprint Communications Company LP's tariff to extend the in-state access charge waiver promotions in this tariff.

1. The in-state access recovery charge was approved by the PSC in *In Re the matter of Sprint Communications Company, L. P.'s proposed tariff to introduce an in-state access recovery charge and make miscellaneous text changes* (Case No. TT-2002-1136) (Tariff No. 200201020). Public Counsel opposed this charge and has appealed the PSC's decision to the Cole County Circuit Court.

2. One of the grounds Public Counsel based its opposition on was the separation of the essential terms, including the exemption of certain Sprint customers, in a temporary, promotional tariff while those terms did not appear in the permanent tariff.

3. The present tariff extends the waiver of the access charge for certain customers: "New and Existing Dial-1 Sprint accounts with no monthly Sprint long distance usage will receive a waiver of the In-State Access Recovery charge for that month. The promotion shall remain in effect until December 31, 2003, unless earlier changed or canceled by Sprint." The waiver was also extended for Standard Weekend and Option B customers.

4. Although Public Counsel opposes the access recovery charge in all its forms, it will not oppose this tariff in that the tariff relieves existing customers and new customers from the charge under certain conditions. The relief of customers from this unlawful, unjust, and unreasonable charge would certainly be in the public interest and protects the ratepayers.

5. However, Public Counsel's lack of objection to this waiver does not waiver opposition to Sprint's access recovery charge in any way.

6. Public Counsel also wishes to advise the Commission of certain matters related to the filing of this tariff:

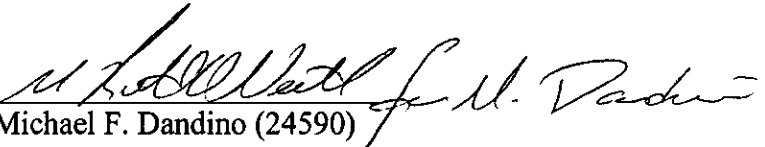
- 1) this tariff underscores the absurdity of one-year "promotions" and the lack of the key terms and conditions of a permanent tariff.
- 2) this tariff underscores that this access recovery charge is nothing more than a rate element disguised as a cost recovery tool. Using the waiver of an access recovery charge as a competitive promotional feature offering shows that the company is willing to forego "cost recovery" as a competitive tool.
- 3) Public Counsel did not receive a copy of the tariff and only learned of it from reading the Tariff Submission Report.
- 4) The cover letter for the tariff filing is not available on the EFIS system.
- 5) Sprint did not provide a brief summary of approximately 100 words to the effect of the change on the company's customers as required by 4 CSR 240-30.010 (25).

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Michael F. Dandino

BY:

  
Michael F. Dandino (24590)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was mailed or hand delivered this 20th day of December 2002 to the following attorneys of record:

General Counsel  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

Lisa Creighton Hendricks  
Sprint  
6450 Sprint Parkway, Bldg. 14  
MS: KSOPHN0212-2A253  
Overland Park, KS 66251

/s/ Michael F. Dandino



INTERCITY TELECOMMUNICATIONS SERVICES

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RATE SCHEDULE (Continued)6. Miscellaneous Services (Continued).16 Toll Free Access Collect II

The following per-minute usage rates and per-call connection fee apply to all Station-to-Station or Person-to-Person Toll Free Access Collect II calls placed by using a Sprint-provided toll free access number. In addition, an Operator Dialed Surcharge as set forth in Section 6.2.1. may be applicable to a Station-to-Station call.

All calls are billed in 60 second increments with a 60 second per-call minimum.

.1 Calls Placed by Using 1-800-ONEDIME.1 Usage Rate

.1 Per-minute rate \$0.10

.2 Per-Call Connection Fees

.1 Station-to-Station \$2.49  
.2 Person-to-Person \$3.88

.3 Operator Dialed Surcharge

.1 See Section 6.2.1 of this tariff.

.2 Calls Placed by Using 1-800-62MILES, 1-800-2SPRINT.1 Usage Rate

.1 Per-minute rate \$0.89 (I)

.2 Per-Call Connection Fees

.1 Station-to-Station \$3.99 (I)  
.2 Person-to-Person \$3.99 (I)

.3 Operator Dialed Surcharge

.1 See Section 6.2.1 of this tariff.

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**ISSUED:**  
12-10-02

Margaret R. Prendergast  
Senior Manager – State Tariffs  
6450 Sprint Parkway  
Overland Park, Kansas 66251

**EFFECTIVE:**  
12-23-02

INTERCITY TELECOMMUNICATIONS SERVICES

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6. PROMOTIONAL OFFERINGS (Continued)

In-State Access Recovery Charge Promotion

New and Existing Dial-1 Sprint accounts with no monthly Sprint long distance usage will receive a waiver of the In-State Access Recovery charge for that month. This promotion shall remain in effect until December 31, 2003, unless earlier changed or canceled by Sprint.

(C)

In-State Access Recovery Charge Promotion II

New and Existing Sprint Standard Weekends® and Sprint Standard Weekends® Option B customers will receive a waiver of the In-State Access Recovery charge. This promotion shall remain in effect until December 31, 2003, unless earlier changed or canceled by Sprint.

(C)

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12-10-02

Margaret R. Prendergast  
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