

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

Application of Sprint Communications)
Company L.P. for Approval of the Transfer)
of Customers to Trinsic Communications,)
Inc.)
)
)

Case No. _____

**APPLICATION OF SPRINT COMMUNICATIONS COMPANY L.P. FOR
APPROVAL OF THE TRANSFER OF CUSTOMERS TO TRINSIC
COMMUNICATIONS, INC. AND MOTION FOR EXPEDITED TREATMENT**

Sprint Communications Company L.P. ("Sprint") respectfully submits this Application requesting the expedited approval of the Missouri Public Service Commission ("Commission") for the transfer of its Unbundled Network Element Platform ("UNE-P") customers to Trinsic Communications, Inc. ("Trinsic"). Sprint also requests, to the extent required, that the Commission waive any applicable anti-slamming regulations. Because of the timing of the transaction and the proposed target date for transfer of customers, Sprint further requests that the Commission grant the relief requested herein on an expedited basis. Sprint submits this Application in compliance with Rule 4 CSR 240-2.060, 4 CSR 240-3.520 and any other applicable rules or statutes.

I. INTRODUCTION

1. Sprint currently provides UNE-P service to several thousand residential and small business customers in Missouri. In providing the service, Sprint brands and bills for the service, but Trinsic is the entity that obtains the UNE-P from the respective incumbent local exchange carriers. Sprint plans to exit the UNE-P business by February 1, 2006. At that time, Trinsic will continue to provision the service that it obtains from the ILECs as it does now prior to the transfer, but instead of Sprint branding and billing for the service, the service will be wholly provided by Trinsic. Sprint requests expedited

treatment of this application such that the customers can be transferred on February 1, 2006. Moreover, Sprint requests the wavier of any applicable slamming rules or recognition that the anti-slamming rules are inapplicable under 4 CSR 240-33.150(4). In support of its Application, Sprint states as follows:

2. Sprint Communications Company L.P. is a Delaware Limited Partnership with principal offices located at 6200 Sprint Parkway, Overland Park, Kansas. Sprint is duly authorized by the Commission to provide competitive local exchange and interexchange telecommunications services in Missouri. Sprint is registered as a CLEC in Missouri and has been granted a certificate in Case Numbers TA-96-424 and TA 97-269. Sprint provides local exchange, long distance, and data telecommunications services.

3. Trinsic is a Delaware corporation with principal offices located at 601 South Harbour Island Blvd., Tampa, Florida. Trinsic, formerly known as Z-Tel Communications, Inc., is authorized as a competitive local exchange carrier ("CLEC") in Missouri,¹ and has been providing wholesale local exchange services to Sprint and other CLECs across the nation for several years. Trinsic has the requisite technical, financial and managerial capabilities to acquire the UNE-P customer assets of Sprint and to ensure the seamless provision of telecommunications services.

4. The authorized representative of Sprint in this proceeding is as follows:

Kenneth A. Schiffman, Esq.
Sprint
6450 Sprint Parkway
Mailstop: KSOPHN0212-2A303
Overland Park, KS 66251
(V) 913.315.9783

¹ Z-Tel Communications, Inc. obtained certification in case number TA-98-572 and received approval to change its name to Trinsic Communications, Inc. in case number LN-2005-0165.

(F) 913.523.9827
MO Bar #42287
kenneth.schifman@sprint.com

5. The authorized representative for Trinsic is:

Andrew Graham, Esq.
Associate General Counsel
Trinsic Communications, Inc.
601 South Harbor Island Blvd., Suite 220
Tampa, FL 33602
(V) 813-233-4567
agraham@trinsic.com

II. STANDARD OF REVIEW

6. Rule 4 CSR 240-3.520 pertains to the transfer of assets. In making this determination under Rule 240-3.520, the Commission must determine if the transaction is detrimental to the public interest. While Sprint takes no position on whether Commission approval for the transfer of customers is subject to the rule, Sprint submits that the transfer of customers to Trinsic is not detrimental to the public interest and should be approved.

III. DESCRIPTION OF THE TRANSACTION

7. In accordance with an agreement executed in October, Sprint will transfer its Sprint Complete Sense and Sprint Complete Sense For Business local customers to Trinsic. Sprint currently purchases the UNE-P both from Trinsic and the applicable Regional Bell Operating Company for resale to Sprint's CLEC customers in Missouri and thirty-six other states. Pursuant to the agreement, Sprint will cease its UNE-P operations nationwide and transfer its UNE-P customer base to Trinsic. The number of Missouri residential and business customers affected by the transaction is approximately 2,900. Sprint will continue providing wholesale telecommunications services as a

telecommunications carrier in order to facilitate the provision of local exchange services by Sprint's cable partners in Missouri and numerous other states.

8. To be clear, this transfer of UNE-P customers to Trinsic is not a request to relinquish Sprint's CLEC certificate in Missouri. Sprint intends to continue offering CLEC services in the state but to do so using other methods of delivering service.

9. Both Sprint and Trinsic will file with the Commission the necessary tariff revisions to implement the transfer. The transfer will be transparent to the affected customers and will not alter the manner or quality of service that Sprint's current Complete Sense local customers enjoy. The transaction will also have no effect on Trinsic's operations in Missouri, and Trinsic will continue to provide CLEC services in Missouri pursuant to its existing Missouri certification.

IV. INFORMATION TO SATISFY THE REQUIREMENTS OF 4 CSR 240-2.060 AND 4 CSR 240-3.520

10. With respect to the requirements of 4 CSR 240-2.060:

(A) The legal name and address of Sprint Communications Company L.P. is provided in paragraph 2 above.

(G) Sprint has submitted the information in subsections (1)(B)-(F) in previous applications and incorporates the same by reference. Specifically, in its Application for Certificate of Service Authority to Provide Basic Local Telecommunications Service and Local Exchange Telecommunications Service, Case No. TA-97-269, Sprint submitted all of the relevant corporate information. *See, Report and Order*, Case No. TA-97-269, p. 4. Sprint's current corporate address is set forth in paragraph 2 above.

(H) See paragraph 2 above and Sprint's Certificate of Service Authority granted in Case No. TA-97-269.

(I) See paragraph 4 above.

(J) Not applicable

(K) Sprint is a large national corporation that is often engaged in various litigations and administrative proceedings. Sprint respectfully contends that no action, proceeding or judgment involving customer service or rates should be relevant to the Commission's consideration of this particular Application.

(L) Sprint has no annual reports or assessment fees that are overdue.

11. With respect to the requirements of 4 CSR 240-3.520(2):

(A) Sprint is only transferring to Trinsic its UNE-P customer base as described in paragraphs 7-9 above. No certificates of authority, property rights or other operating rights are being transferred.

(B) See Confidential Exhibit 1 for a copy of the agreement of sale.

(C) Not applicable pursuant to 4 CSR 240-3.520(1).

(D) The transfer of customers is not detrimental to the public interest. In fact, the public interest will be served by the transfer of Sprint's UNE-P customers to Trinsic, an experienced and qualified local exchange carrier that began providing retail and wholesale local exchange telecommunications services nationwide in 1998 under the name of Z-Tel Communications, Inc. Trinsic has the technical, financial and managerial capabilities to provide quality service to Sprint's UNE-P customer base, as

previously confirmed by the Commission when it granted a CLEC Certificate of Convenience and Necessity to Z-Tel, now known as Trinsic. There will be no changes to the affected customers' service plans, rates, features, terms or conditions of service as a result of the proposed transaction. Moreover, approval of the proposed transfer will serve the public interest in promoting competition in the local exchange market in Missouri by enabling Trinsic to strengthen its market position and combine Sprint's residential and business Complete Sense customer base with Trinsic's existing services, products and carrier expertise. The market for voice and data local exchange services is becoming increasingly competitive in nature, and this competition ultimately benefits Missouri consumers through expanded choices for products and services and lower, more competitive rates. Sprint has made a business decision to not focus resources on its current UNE-P customer base. Approval of the transfer will allow Trinsic to focus its efforts and resources on the customers obtained from Sprint. Accordingly, Commission approval of the proposed transfer is not detrimental to the public interest.

(E) Not applicable pursuant to 4 CSR 240-3.520(1).

(F) Sprint states that no transfer contemplated by this Application will impact the tax revenues of a political subdivision where its structures, facilities or equipment are located.

(G) See Exhibit 2 for the copy of the customer notice that complies with the applicable criteria.

V. REQUEST FOR WAIVER OF APPLICABLE ANTI-SLAMMING REGULATIONS

12. Sprint requests that any applicable ant-slamming regulations be waived by the Commission for the transfer of customers to Trinsic. Rule 4 CSR 240-2.060(4) requires a request for waiver of any statutes or Commission rules to specify the items for which a variance is requested. If required, Sprint requests a waiver of 4 CSR 240-33.150, Verification of Orders for Changing Telecommunications Service Provider. Good cause exists for the reasons set forth in this Application. But pursuant to Commission rule 4 CSR 240-33.150(4)(A), a provider can execute a change in a subscriber's telecommunications service without obtaining authorization and verification with the procedures described in 4 CSR 240-33.150(2) and (3) if the change results from, among other items, a transfer of assets approved by the Commission. Sprint submits that this rule applies and therefore no waiver of 4 CSR 240-33.150 is necessary.

13. Sprint will comply with 4 CSR 240-33.150(4)(B) and (C) as follows: Prior to the transfer of its UNE-P customers to Trinsic, Sprint and Trinsic will provide the affected customers with notice of the change in local providers. In the notice letter, the customers will be informed that they have the right to switch to the local exchange carrier of their choice and if they wish to transfer to a carrier other than Trinsic, they should do so by a specific date in order to ensure the seamless transfer of service to the new carrier. The customers are further informed that if they wish to switch to a carrier other than Trinsic, they may incur a transfer fee. See Exhibit 2 attached hereto. The notice letter also clearly states that if the customer consents to the change of carrier to Trinsic, no

customer action is required for the transfer to occur, the customer's current plan, rates, features, terms and conditions of service will transfer to Trinsic, and the customer will not incur any charges for the transfer of service to Trinsic. Also, the letter lists a toll-free Sprint customer service number in the event that customers have any questions regarding the transfer.

14. The Applicants intend to provide the affected customers with the notice included in Exhibit 2 at least thirty days prior to implementation of the transfer set to occur on February 1, 2006.

15. Pursuant to 4 CSR 240-2.080(16), the parties request expedited consideration of this Application and that the Commission act by February 1, 2006 at the latest. The customer notice that will be sent will have February 1, 2006 as the transfer date. Customer confusion and questions to the Commission can be avoided by adhering to the transfer date set forth in the customer notice. Moreover, the transfer of customers is occurring in more than 30 states. Administrative efficiency calls for the transfers to be completed on the same date. This will allow Trinsic to focus on its entire new customer base as a whole rather than on a piecemeal basis. Overall, Sprint, Trinsic, the customers, and the public interest will benefit from an expedited consideration of this Application. Finally, Sprint has filed this Application and motion for expedited treatment at the earliest opportunity.

WHEREFORE, for the foregoing reasons, Sprint requests that the Commission approve the transfer of customer base described in this Application on an expedited basis, no later than February 1, 2006, and to the extent required, grant a waiver of any applicable anti-slamming regulations.

Respectfully submitted this 14th day of December, 2005,

**SPRINT COMMUNICATIONS COMPANY
L.P.**

Kenneth A. Schiffman, MO Bar 42287
6450 Sprint Parkway
KSOPHN0212-2A303
Overland, Park, KS 66251
Voice: 913-315-9783
Fax: 913-523-0783
Email: kenneth.schifman@sprint.com

By: Kenneth Schiffman

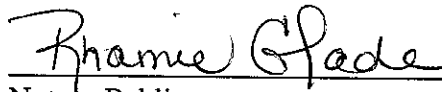
VERIFICATION

I, Kenneth A. Schiffman, an attorney and duly authorized representative of Sprint Communications Company L.P. hereby verify and affirm that I have read the foregoing Application, and verify that the statements contained therein are true and correct to the best of my information and belief.


Kenneth A. Schiffman

Subscribed and sworn to before me on this 14th day of December, 2005.




Notary Public

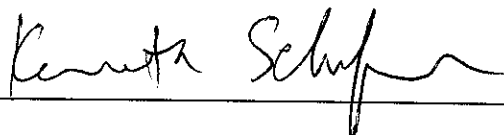
My Appointment Expires: 9-12-08

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 14th day of December, 2005, a copy of the above and foregoing Application was served via electronic mail to each of the following:

Office of the General Counsel
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102
gencounsel@psc.mo.gov

Office of the Public Counsel
P. O. Box 2230
Jefferson City, MO 65101
opcservice@ded.mo.gov



List Of Exhibits

Confidential Exhibit 1 -- Agreement of Sale of Customers to Trinsic

Exhibit 2 – Customer Notice Letter

CONFIDENTIAL

EXHIBIT 1

EXHIBIT 2

IMPORTANT NOTICE REGARDING YOUR SPRINT SERVICES

[date]
[name]
[address]
[city, state, zip]

Dear Sprint Customer,

Sprint and Trinsic Communications, Inc. are contacting you and other customers to let you know of an upcoming change to your local and long distance services. Sprint will be transferring all Sprint Complete SenseSM and Sprint Complete Sense for BusinessSM customers nationwide to Trinsic, the acquiring carrier on February 1, 2006, or shortly thereafter.

You will retain your current plan, rates, features, Terms and Conditions of Service and your current customer service numbers. It is important to both Sprint and Trinsic that you continue to receive uninterrupted phone service at the level you have come to expect and deserve. Trinsic, founded in 1998 under the name Z-Tel, was the first nationwide local phone service provider. In addition to providing service to hundreds of thousands of their own residential and business customers, Trinsic offers services to other phone companies. Sprint has utilized Trinsic's services to operate and support Sprint Complete Sense since 2003. Now that service will simply be provided directly under the Trinsic name.

You will not incur any charges for the transfer of services to Trinsic, and no action is required from you regarding this changeover. Your phone number will not change and your service will be automatically transferred to Trinsic on February 1, 2006. For any disputes with charges or services after February 1, 2006 you may contact Trinsic through your current customer service number.

All customers have a choice in carriers for their local and long distance service. If you choose to seek an alternative carrier for services, you may incur a fee for transfer of services. If you choose to select an alternate carrier, please contact the new carrier prior to January 15th, 2006 to ensure no interruptions to your service. A list of most local and long distance service providers is typically available in your local telephone directory. You may contact a Sprint customer service representative for residential service-1-800-882-7802 and for small business at-1-866-852-9557 if you have questions or need assistance. Written correspondence can be sent to Sprint Customer Service P.O. Box 15955, Shawnee Mission, KS. 66285-5955

Any PIC freeze on your Sprint local or long distance services will be automatically removed to enable a switch in services. A PIC freeze which may exist on your line(s) of service today will not transfer to Trinsic. If you wish to reestablish a PIC freeze please contact Trinsic after February 1, 2006.

Sprint and Trinsic have notified the FCC & the Missouri Public Service Commission, Public Information Office, Governor Office Building, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360, MAIN PHONE: 1.573.751.3234 or Main Toll-free number: 1.800.392.4211, regarding the transfer of all Sprint Complete Sense and Sprint Complete Sense for Business services to Trinsic and Sprint's decision to no longer provide these local services. The FCC will normally authorize Sprint's proposed discontinuance of these local services unless customers show they will be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity will be otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address complaints to the Federal Communications Commission, Washington, DC 20554, referencing the Application of Sprint Communications Company L.P. Comments should include specific information about the impact of this proposed discontinuance upon you and/or your company, including any inability to acquire reasonable substitute service.

Thank you for choosing Sprint Complete Sense. It has been our privilege to provide this service to you. Trinsic welcomes you and looks forward to providing you with reliable, innovative communication services for years to come. Look for more information from Trinsic in your mailbox in the coming weeks.

Sincerely,

Sprint and Trinsic

Note to Customers regarding Discounts, Mileage Programs and Sprint Business Rewards:

Sprint Wireless services and/or any associated discounts will not be impacted by the change For Sprint Complete Sense customers who receive Frequent Flyer Airline Miles with their service: These benefits will cease as of February 1, 2006, upon transfer of services to Trinsic. Benefits earned up until February 1, 2006 will be retained by customers. For customers who receive discounts to services via various affiliations: These discounts will continue with Trinsic, though there is no longer any direct affiliation with associated partners. For Sprint Business Rewards customers: Please contact Sprint online at www.sprintbusinessrewards.com or call 1-800-488-2440 to redeem your points by 4/30/06.