

**BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION**

Verified Petition of Sprint)
Communications Company L.P., Sprint)
Spectrum L.P., and Nextel West Corp.)
for Arbitration of Interconnection)
Agreements with Southwestern Bell)
Telephone Company d/b/a AT&T)
Missouri)

Case No. CO-2009-0239

SPRINT'S COMMENTS ON ARBITRATOR'S DRAFT REPORT

Sprint Communications Company L.P., Sprint Spectrum L.P., and Nextel West Corp. (collectively, "Sprint") urge the Commission to adopt in whole the Arbitrator's Draft Report ("ADR") that requires Southwestern Bell Telephone Company d/b/a AT&T Missouri ("AT&T") to abide by the Merger Commitments and extend Sprint's existing interconnection agreements for three years from November 21, 2008.

Sprint applauds the ADR and its comprehensive analysis and conclusions. The ADR thoroughly considers all of the evidence presented by the parties, the text of the Merger Commitment,¹ the history of the negotiations between the parties, the Accessible Letter issued by AT&T, and the language in the parties' current interconnection agreements. The ADR correctly concludes that: (1) Sprint and AT&T conducted negotiations regarding an open Section 252 issue; (2) the Commission has jurisdiction to arbitrate the issue; (3) the interconnection agreements are current and the parties continue to operate under them; (4) the Commission must look to the Merger Commitments for guidance regarding the extensions of the current interconnection agreements; (5) and that the effective date of the three year extensions should be

¹ Merger Commitment No. 7.4: The AT&T/BellSouth ILECs shall permit a requesting telecommunications carrier to extend its current interconnection agreement, regardless of whether its initial term has expired, for a period of up to three years, subject to amendment to reflect prior and future changes of law. During this period, the interconnection agreement may be terminated only via the carrier's request unless terminated pursuant to the agreement's "default" provisions.

the request date of November 21, 2008.²

Since the ADR effectively adopts all of Sprint's positions argued in its Brief, Sprint will not reiterate those here. To the extent AT&T argues otherwise, Sprint incorporates herein its Brief filed on March 11, 2009. In summary, Sprint requests that the Commission affirm in whole the ADR and order AT&T to execute the amendments to the current interconnection agreements extending them for three years from November 21, 2008.

Respectfully submitted on April 6, 2009.



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SPRINT COMMUNICATIONS
COMPANY L.P.
SPRINT SPECTRUM L.P.
NEXTEL WEST CORP.

² There is one instance in the ADR, page 43, that mistakenly refers to the request date as November 21, 2009. The correct request date is November 21, 2008.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Brief has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 6th day of April, 2009, to:

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