

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
January, 2006.

Application of Sprint Communications Company, L.P.,)
for Approval of the Transfer of Customers to)
Trinsic Communications, Inc.) **Case No. TO-2006-0254**

ORDER APPROVING TRANSFER OF CUSTOMERS

Issue Date: January 12, 2006

Effective Date: January 22, 2006

On December 14, 2005, Sprint Communications Company, L.P., filed an application asking the Commission to approve the transfer of its Unbundled Network Element Platform (UNE-P) customers to Trinsic Communications, Inc. Sprint explains that it currently provides UNE-P service to approximately 2,900 residential and small business customers in Missouri. Sprint provides that service under its brand and bills customers under its name; but Trinsic is the entity that actually obtains the UNE-P from the various incumbent local exchange carriers.

Sprint plans to exit the UNE-P business nationwide by February 1, 2006. At that time, Trinsic will provide the UNE-P service that it obtains from the ILECs, as it does now, but the branding, billing, and all other services now offered by Sprint will instead be provided wholly by Trinsic. After the transfer, Sprint will continue to offer competitive local services in Missouri, but will do so by other means of delivering services. Both Sprint and Trinsic will file the necessary tariffs with the Commission to implement the transfer. Sprint represents that the transfer will be transparent to the affected customers and will not alter

the manner or quality of service that Sprint's current customers enjoy. Sprint asks that the Commission approve the transfer of customers by February 1.

Staff filed its recommendation regarding Sprint's application on January 4, 2006. Staff confirms that both Sprint and Trinsic are currently certificated to provide basic local exchange service in Missouri. The certificated status of the companies will not change as a result of this application. Staff states that the transfer of customers will not result in any changes to the rates, terms, or conditions of service to the affected customers. Staff indicates that Trinsic has the requisite technical and managerial capability to serve the customers it will acquire from Sprint. Staff concludes that the proposed transfer of customers will not be detrimental to the public interest and recommends that the transfer be approved.

Staff also points out that since the transfer of customers is to be approved by the Commission, the authorization and verification requirements of 4 CSR 240-33.150 – the Commission's anti-slamming regulation – do not apply. As a result, Staff indicates that there will be no need to waive application of the anti-slamming regulation. Nevertheless, to the extent, if any, that the anti-slamming regulation applies to the transfer of customers, it will be waived.

In its application, Sprint agrees to comply with the notice requirements of 4 CSR 240-33.150(4)(B)&(C) regarding the transfer of customers to Trinsic. Sprint included a copy of its notice letter to its customers as an attachment to its application. Trinsic has agreed that it will not charge a transfer fee to customers who leave the Trinsic network for another provider if they do so within thirty days of becoming Trinsic customers under the transfer of customers contemplated in the application. However, Sprint's notice letter does

not inform its Missouri customers of that fact. Therefore, the Commission will order Sprint to revise its notice letter to inform its Missouri customers of their ability to transfer from Trinsic for thirty days without being charged a transfer fee.

The Office of the Public Counsel filed a concurrence in Staff's recommendation on January 11.

Based on the information provided in the application, and upon the recommendations of Public Counsel and its Staff, the Commission finds that the proposed transaction will not be detrimental to the public interest and that the application should be approved.

IT IS THEREFORE ORDERED:

1. That the Application of Sprint Communications Company, L.P., for Approval of Transfer of Customers to Trinsic Communications, Inc., is approved.
2. That to the extent, if any, that 4 CSR 240-33.150 applies to the transfer of customers to Trinsic Communications, Inc., that regulation is waived.
3. That Sprint Communications Company, L.P., shall modify the notice that it provides to its customers to inform those customers that Trinsic will not charge a transfer fee to customers who leave the Trinsic network for another provider if they do so within thirty days of becoming Trinsic customers under the transfer of customers approved in this order.
4. That this order shall become effective on January 22, 2006.

5. That this case may be closed on January 23, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur
Woodruff, Senior Regulatory Law Judge