Sprint

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December 18, 2002

The Honorable Chairman Sara Kyle
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

RE: Docket No. 00-00702 (Rulemaking Proceeding – Regulations for Term Arrangements for Telecommunications Services)
Sprint's Reply Comments

Dear Chairman Kyle:

Pursuant to the procedural schedule established in this case, following are the Reply Comments of United Telephone-Southeast, Inc. and Sprint Communications Company L.P. (jointly "Sprint") to the December 5, 2002 Consumer Advocate ("CAPD") Responses to TRA Questions. An original and thirteen copies of this letter are being filed. Sprint notes that it is also joining in the Industry Comments which are being filed concurrently.

The CAPD Responses focus primarily on the concept of the standards for determining when a contract service arrangement ("CSA") is available to a similarly situated customer. The CAPD seems to believe that CSAs are unavailable to other customers unless an enormous amount of competitive and other information about customers and other competitors is obtained by an ILEC. The feasibility of obtaining this information is assumed by the CAPD, as is even the need for such data.

Sprint would first point out that a customer's service is constantly changing, with services being added or deleted, new or enhanced features being brought into play, revenue commitments changing, the terms being amended, etc. For these reasons, it is a practical impossibility to create a meaningful data base for deciding what customers are similarly situated.

Under the existing CSA rule, CSA's are filed in Sprint's tariff. Although the CAPD contends that the current rule "is insufficient to handle the tension between the filed-tariff doctrine and the CSA's" and this restricts the

availability of CSAs, from Sprint's perspective such a belief is wrong on two counts. First, the CSA is in fact filed as a tariff, reviewed as a tariff, and approved or amended as a tariff. Rather than tension, there is consistent treatment and public scrutiny.

Second, the availability of CSA's to similarly situated customers has not been restricted. Contrary to the CAPD's assertion in paragraph 22 of its Response, Sprint would note that thus far in 2002, Sprint has filed two CSAs. One of these two was a contract that was entered into on the basis that the customer was a similarly situated customer (See TRA Case No.s TNSPO202 and TNSP9702). Obviously neither the TRA Staff, Sprint nor the customer needed to resort to unnecessary procedures and extraneous data to determine the customer was similarly situated.

Based on the foregoing, Sprint contends there is no basis for the CAPD to seek to add burdens to marketplace participants when entering CSAs. There is no evidence of such need, and there is no indication that meaningful evidence can even be attained.

Please contact me if you have any questions regarding this filing.

Sincerely,

James B. Wright

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Enclosure
CC: Laura Sykora
Kaye Odum