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REC'D  
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OFFICE OF THE  
EXECUTIVE SECRETARY

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

RE: Docket No. 00-00702, Rulemaking Proceeding-Regulations for  
the Provisioning of Tariff Term Plans and Special Contracts

Dear Mr. Waddell:

As provided in the Tennessee Regulatory Authority Directors' Conference on May 1, 2001 and in the absence of the availability of legal counsel for the Directors' Conference scheduled for May 15, 2001, United Telephone-Southeast, Inc. and Sprint Communications Company L.P. offer the following written comments regarding amending Rule 1220-4-8-.07 (3).

In T.C.A. § 65-4-123 the Tennessee General Assembly stated its policy supporting a competitive telecommunications environment. In addition, T.C.A. § 65-5-208(b) indicates that: "The authority, after notice and opportunity for hearing, may find that the public interest and the policies set forth herein are served by exempting a service or group of services from all or a portion of the requirements of this part . . ." However, "The authority shall in any event exempt a telecommunications service for which existing and potential competition is an effective regulator of the price of those services."

Sprint asserts that all CLEC contracts are by their nature negotiated in competitive situations and, therefore, should be exempt from specific regulations regarding special contracts. All contracts negotiated in competitive proposal situations should be effective upon execution.

In keeping with the above position, Sprint recommends that Rule 1220-4-8-.07 (3) be amended by deleting subsection (a). Rule 1220-4-8-.07 (3) would then read:

"Any special pricing package, contract, or discount shall be made available to any similarly situated customer satisfying the required terms and conditions of the special agreement upon request."

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Mr. David Waddell  
May 9, 2001

Please contact me or Laura Sykora at (919) 554-7323 if you have questions.

Sincerely,

  
James B. Wright

CC: Dennis Wagner  
Laura Sykora  
Kaye Odum  
Tom Sokol