### BEFORE THE TENNESSEE REGULATORY AUTHORITY

# NASHVILLE, TENNESSEE

January 19, 2006

IN RE:	)	
	)	
APPLICATION OF SPRINT NEXTEL CORPORATION	)	DOCKET NO.
FOR APPROVAL OF THE TRANSFER OF CONTROL OF	)	05-00240
UNITED TELEPHONE-SOUTHEAST, INC., SPRINT	)	
LONG DISTANCE, INC. AND SPRINT PAYPHONE	)	
SERVICES, INC. FROM SPRINT NEXTEL CORPORATION	)	
TO LTD HOLDING COMPANY	)	
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# ORDER GRANTING INTERVENTION AND APPOINTING A HEARING OFFICER

This matter came before Chairman Ron Jones, Director Deborah Taylor Tate and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on November 7, 2005 for consideration of the *Application of Sprint Nextel Corporation for Approval of Transfer of Control* filed on August 24, 2005 by Sprint Nextel Corporation. On September 29, 2005, Communications Workers of America, AFL-CIO ("CWA") filed a *Petition of Communications Workers of America, AFL-CIO for Leave to Intervene* in this matter.

## **INTERVENTION**

Tenn. Code Ann. § 4-5-310(a) (2005) sets forth the following criteria for granting petitions to intervene:

(a) The administrative judge or hearing officer shall grant one (1) or more petitions for intervention if:

- (1) The petition is submitted in writing to the administrative judge or hearing officer, with copies mailed to all parties named in the notice of the hearing, at least seven (7) days before the hearing.
- (2) The petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interest may be determined in the proceeding or that the petitioner qualifies as an intervenor under any provision of the law; and
- (3) The administrative judge or hearing officer determines that the interests of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention.

## NOVEMBER 7, 2005 AUTHORITY CONFERENCE

Based upon the criteria set forth in Tenn. Code Ann. § 4-5-310(a) (2005), at a regularly scheduled Authority Conference held on November 7, 2005, the panel voted unanimously to grant the *Petition of the Communications Workers of America, AFL-CIO for Leave to Intervene.* In addition, the panel voted unanimously to appoint General Counsel or his designee to serve as Hearing Officer for the purpose of hearing preliminary matters, setting a procedural schedule to completion and preparing the matter for a hearing before the panel. The panel further directed the Hearing Officer to meet with the parties following the Authority Conference, to address the scope of CWA's intervention, to consider the need for a protective order and to prepare an issues list in the proceeding.

#### IT IS THEREFORE ORDERED THAT:

- 1. The Petition of the Communications Workers of America, AFL-CIO for Leave to Intervene is granted. CWA may participate in this proceeding as its interests require and receive copies of any notices, orders or other documents filed herein.
- 2. The Authority's General Counsel or his designee is appointed to serve as Hearing Officer for the purpose of hearing preliminary matters, setting a procedural schedule to completion and preparing the matter for a hearing before the panel.

3. The Hearing Officer is directed to meet with the parties on November 7, 2005, to address the scope of CWA's intervention, to consider the need for a protective order and to prepare an issues list in this proceeding.

Ron Jones, Chairman

Deborah Taylor Tate, Director<sup>1</sup>

Sara Kyle, Director

<sup>&</sup>lt;sup>1</sup> Director Tate voted in agreement with the other directors but resigned her position as director before the issuance of this order