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December 20, 2007

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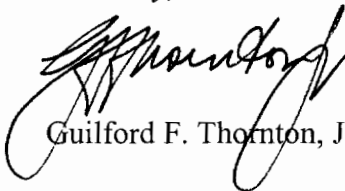
Honorable Eddie Roberson, Chairman  
c/o Sharla Dillon, Docket & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

**RE: Docket No. 07-00253: In Re: Citizens Telecommunications Company of Tennessee's ("Citizens") Proposed Tariff No. 20070432 to General Customer Services Tariff Regarding Charges for Wireless/VoIP Enhanced 911 Service**  
**Answer of Citizens Telecommunications Company of Tennessee To Complaint and Petition For Leave To Intervene of Sprint Nextel and Motion To Hold In Abeyance**

Dear Chairman Roberson:

Enclosed for filing please find the *Answer of Citizens Telecommunications Company of Tennessee To Complaint and Petition For Leave To Intervene of Sprint Nextel and Motion To Hold In Abeyance* in the above-referenced case.

Sincerely,



Guilford F. Thornton, Jr.

GFT/abp  
Encl.

cc: All parties of record

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>CITIZENS TELECOMMUNICATIONS COMPANY</b>	)	<b>Docket No. 07-00253</b>
<b>OF TENNESSEE'S PROPOSED TARIFF NO.</b>	)	
<b>20070432 TO GENERAL CUSTOMER SERVICES</b>	)	
<b>TARIFF REGARDING CHARGES FOR</b>	)	
<b>WIRELESS/VoIP ENHANCED 911 SERVICE</b>	)	

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**ANSWER OF CITIZENS TELECOMMUNICATIONS COMPANY  
OF TENNESSEE**

**TO**

**COMPLAINT AND PETITION FOR LEAVE TO INTERVENE OF  
SPRINT NEXTEL**

**AND**

**MOTION TO HOLD IN ABEYANCE**

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Citizens Telecommunications Company of Tennessee L.L.C. ("Citizens"), by and through its undersigned counsel, hereby responds to Sprint Nextel's Complaint and Petition to Intervene. In summary, Sprint Nextel lacks standing to challenge the charges of which it complains, because the Tennessee Emergency Communications Board ("Board") stands ready to reimburse Sprint Nextel for these charges, just as the Board already reimburses every other wireless carrier paying Citizens' pseudo Automatic Number Identification ("pANI") charges. Hence, Sprint Nextel's Petition to Intervene should be denied and the Complaint should be rejected. However, Citizens is willing to attempt to address Sprint Nextel's concerns by seeking the Board's approval to pay Citizens directly, and Citizens is filing such a request with the Board. Citizens therefore respectfully moves the Authority to hold the pending Complaints and Petitions to Intervene in abeyance while Citizens addresses this issue with the Board.

In specific response to Sprint Nextel's Complaint and Petition to Intervene, Citizens admits, denies and alleges as follows. Any allegations in the Complaint and Petition to Intervene that are not specifically admitted herein are denied.

1. Citizens admits the allegations of paragraphs 1, 2, 3 and 4 except that Citizens denies the allegations in footnote 2. Citizens has filed to postpone the effective date of its tariff to January 14, 2008, and any issue of the minimum period between the filing and effective date of Citizens' tariff is therefore moot.

2. Citizens denies the allegations of paragraph 5. Sprint Nextel has been challenging Citizens' bills for pANI charges for well over a year.

3. Citizens denies the allegations of paragraph 6.

4. In response to paragraph 7, Citizens admits that the Public Safety Answering Point ("PSAP") is, and should be, ultimately responsible for Citizens' pANI charges but otherwise denies the allegations in paragraph 7. In further response, Citizens wishes to bring to the Authority's attention the essential fact, not mentioned by Sprint Nextel, that the Board on behalf of the PSAPs in Citizens' territory routinely approves reimbursement of Citizens pANI charges paid by wireless carriers such as Sprint Nextel, and that Sprint Nextel does not and will not ultimately bear the costs in question. Hence, Sprint Nextel lacks standing to complain about Citizens' charges because it need only file a simple request with the Board for reimbursement of these charges, just as every other wireless carrier using pANIs in Citizens' territory is already doing. Notwithstanding Sprint Nextel's complaint, its Nextel division is currently following the accepted industry practice of paying Frontier's pANI charges and obtaining recovery of these charges from the Board. Frontier believes that Nextel's actions speak louder than Sprint Nextel's

words. The existing process is working well, and Sprint Nextel in its Complaint raises no legal interest or factual basis that warrants the overturning of the existing process.

5. Citizens denies the allegations of paragraphs 8 through 18 and all remaining allegations of the Complaint, except as to the provisions of the Tennessee Code and Federal Communications Commission decisions, which speak for themselves.

6. Citizens requests the Authority to deny Sprint Nextel's Petition to Intervene, because Sprint Nextel has it in its power to be fully reimbursed for the tariffed charges of which it complains. Hence Sprint Nextel does not have a direct or cognizable interest in the subject matter of its Complaint. There is no justiciable controversy between Citizens and Sprint Nextel with respect to Citizens' proposed charges, because Sprint Nextel through a simple application process will be fully reimbursed for these charges by the Board. Therefore Sprint Nextel is not the true party in interest with respect to Citizens' tariffed charges.

### **Motion to Hold in Abeyance**

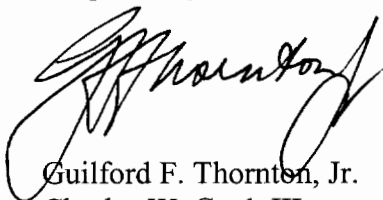
Citizens respectfully requests that the Authority hold the pending Complaints and Petitions to Intervene in abeyance while Citizens attempts to arrange for direct payment by the Board to Citizens of the charges in question, as opposed to the existing process that all carriers other than Sprint Nextel are following pursuant to which Citizens bills the carriers and the carriers obtain reimbursement from the Board.

WHEREFORE, Citizens respectfully requests that the Authority:

- (A) Hold the pending Complaints and Petitions to Intervene in abeyance while Citizens works with the Board to attempt to arrange for direct payment of the charges in question, which would render the complaints moot;

- (B) Deny Sprint Nextel's Petition to Intervene on the ground that Sprint Nextel lacks standing to complain about charges that are ultimately paid by the Board; and
- (C) Deny Sprint Nextel's Complaint on the ground that there is no legal or factual reason to disturb the existing process by which the Board ultimately pays Citizens' pANI charges.

Respectfully submitted,



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## CERTIFICATE OF SERVICE

I hereby certify that on the 20<sup>th</sup> day of December, 2007, a true and correct copy of the foregoing *Answer of Citizens Telecommunications Company of Tennessee To Complaint and Petition For Leave To Intervene of Sprint Nextel and Motion To Hold In Abeyance* has been served on the parties set forth below, via U.S. Mail:

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