

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 3, 1996

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IN RE:

**APPLICATION OF SPRINT COMMUNICATIONS
COMPANY L.P. FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO PROVIDE
INTRASTATE TELECOMMUNICATIONS SERVICES**

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**TN REGULATORY AUTHORITY
UTILITY RATE DIVISION**

Docket No. 96-01153

ORDER

This matter is before the Tennessee Regulatory Authority (hereafter "Authority") upon the application of Sprint Communications Company LP (hereafter "Sprint") for a Certificate of Convenience and Necessity to provide intrastate telecommunications services pursuant to T.C.A. § 65-4-201.

On July 17, 1996, Sprint filed an Application for a Certificate to become a Competing Telecommunications Service Provider (hereafter "CTSP") as defined by T.C.A. § 65-4-101(e), pursuant to Section 7 of Chapter 408 of the Public Acts of 1995, codified as T.C.A. § 65-4-201(c). Sprint seeks to provide the full array of telecommunications services normally provided by an incumbent local exchange telephone company throughout the state of Tennessee in all geographic locations permitted under T.C.A. § 65-4-201.

A hearing was conducted by the Authority on August 13, 1996, and interested parties were provided an opportunity to cross-examine Tony Key, Sprint's witness concerning the applicant's financial, technical and managerial fitness to offer local exchange service. There was no opposition.

Based upon the application, the testimony and the exhibits presented by the applicant and the entire record of this proceeding, the Authority herein concludes that Sprint has demonstrated the requisite financial, managerial and technical fitness and that the requested certificate should be granted. In support of that decision, the Authority makes the following findings of fact and conclusions of law:

1. That Sprint is a limited partnership formed under the laws of the State of Delaware and is authorized to transact business in Tennessee. A non-dominant diversified telecommunications company headquartered in Kansas City, Missouri, Sprint Corporation owns companies that currently provide voice and wireless data, and local and long distance communications services to both business and residential customers in Tennessee. Sprint's network control center and customer service department for Tennessee is located in Atlanta, Georgia, and it maintains operational and sale sites throughout the United States.

2. That Sprint seeks authority to offer within its certificate area all legally allowed telecommunications services, including, but not limited to, those ordinarily provided by an incumbent local exchange telephone company, such as dedicated and switched access services, private line services, local dial tone, toll services, enhanced services, and new services and capabilities as they become available from the Incumbent Local Exchange Carrier (hereafter "ILEC").

3. That Sprint has agreed to provide its local exchange customer with 911, directory assistance, dual party relay service and directory listing.

4. That Sprint plans to initially operate as a reseller of local telephone services but may subsequently operate as a facilities-based local exchange provider and therefore seeks and should be granted certification as a facilities-based competitor.

5. That Sprint plans to offer local service throughout the State of Tennessee in all geographic locations permitted under T.C.A. § 65-4-201, further, in compliance with

T.C.A. § 65-4-201(d), Sprint will not offer services in those areas served by less than 100,000 access lines.

6. That, based upon the facts presented at the hearing and described in Sprint's application and exhibits, including the description of the managerial staff and officers and financial statements, we find that Sprint possesses sufficient managerial, financial and technical ability to provide the telecommunications services it proposes. Therefore, Sprint meets the statutory criteria for the award of operating authority as a Competing Telecommunications Service Provider under T.C.A. § 65-4-201(c).

7. That Sprint has filed a small and minority-owned telecommunications businesses participation plan which fulfills the statutory requirements of Section 16 of Chapter 408 and has committed to implement the plan.

8. That approval of Sprint's application will serve the public interest by creating greater competition in the intrastate telecommunications marketplace. In particular, the public will benefit through the competitive telecommunications services to be offered by Sprint, and, the incentives it creates for other telecommunications services providers, including the ILEC, to operate more efficiently, offer more innovative services and improve the quality of service.

WHEREFORE, based upon the foregoing findings and conclusions, the Authority finds that the public convenience and necessity will be served by the issuance of a certificate to the applicant, Sprint Communications Company L.P.

IT IS THEREFORE ORDERED:

1. That the application of Sprint Communications Company L.P. for a statewide Certificate of Convenience and Necessity as a Competing Telecommunications Service Provider, pursuant to Section 7 of Chapter 408 of the Public Acts of 1995, T.C.A. § 65-4-201, is hereby granted:

2. That Sprint Communications Company L.P. is authorized to offer all of the services that may be provided by a Competing Telecommunications Service Provider, as that term is defined in Section 3 of Chapter 408, T.C.A. § 65-4-101(e); those services include, but are not limited to, toll, local exchange, access, private line, paging and enhanced services;

3. That Sprint Communications Company L.P. may commence service under its certificate once it has filed proper tariffs for service to be offered and such other information required by the Authority;


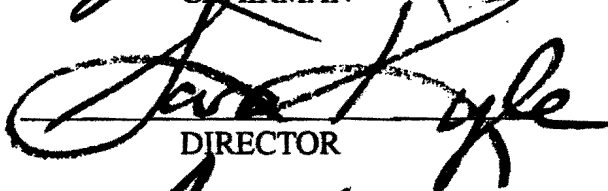

4. That Sprint shall comply with all applicable TRA rules and regulations;

5. That any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration within ten (10) days of the date of this Order; and

6. That any party aggrieved by the Authority's decision in this matter may file a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

ATTEST:


EXECUTIVE SECRETARY


CHAIRMAN

DIRECTOR

DIRECTOR