

ORIGINAL
RECEIVED



0000016538

BEFORE THE ARIZONA CORPORATION COMMISSION

Commissioners

Jeff Hatch-Miller- Chairman
William A. Mundell
Marc Spitzer
Mike Gleason
Kristin K. Mayes

2005 JAN 19 P 3:14

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

JAN 19 2005

DOCKETED BY *CM*

IN THE MATTER OF THE)
DISSEMINATION OF INDIVIDUAL)
CUSTOMER PROPRIETARY)
NETWORK INFORMATION BY)
TELECOMMUNICATIONS)
CARRIERS)

Docket No. RT-00000J-02-0066

RESPONSE COMMENTS OF SPRINT COMMUNICATIONS COMPANY L.P.

Sprint Communications Company L.P. and Sprint Spectrum L.P. (collectively, "Sprint") submit these response comments to the Arizona Corporation Commission ("Commission") pursuant to the Commission's October 28, 2004 Procedural Order in the above-captioned matter.

Sprint anticipated addressing the positions of the Commission Staff and possibly the Residential Utility Consumer Organization with these responsive comments; however, as neither organization filed initial comments with the Commission, Sprint will plan on providing oral comments at the public hearing scheduled for January 31, 2005 in response to any filing of Staff or RUCO.

For its responsive comments, Sprint states that it concurs in the comments filed by Cox Arizona Telecom L.L.C., Citizens, Qwest Corporation and its related affiliates, and MCI, Inc. on December 22, 2004. Sprint again urges the Commission to reexamine the factual and legal underpinnings of its proposed rules, and asserts that neither the facts nor

the law support the rules in their current form. The rules as drafted will hinder customer choice in Arizona and run afoul of the constitutional standards discussed in *US West v. FCC*, 182 F.3d 1224 910th Cir. 1999), cert. denied 530 U.S. 1213 (2000) and by *Verizon Northwest, Inc. v. Washington Utilities and Transportation Commission*, 282 F.Supp.2d 1187 (Aug. 25, 2004) both of which addressed situations that are compellingly analogous to that found before the Commission today.

Dated this 19th day of January 2005.

Respectfully submitted,
SPRINT COMMUNICATIONS COMPANY L.P.
SPRINT SPECTRUM L.P.

By: 

Steven J. Duffy
Isaacson & Duffy P.C.
3101 N. Central Ave., Suite 740
Phoenix, AZ 85012-2638

Eric S. Heath – Attorney
Sprint Law and External Affairs Dept.
100 Spear Street, Suite 930
San Francisco, CA 94105-3114

Original and 13 copies
Filed January 19, 2005 with:

Docket Control
Arizona Corporation Commission
1200 West Washington St
Phoenix AZ 85007

And a copy mailed January 19, 2005 to:

See Service List

