# COMMONWEALTH OF KENTUCKY



# **BEFORE THE PUBLIC SERVICE COMMISSION**

JAN 13 2006

In the Matter of:

PUBLIC SERVICE

An Inquiry Into Limitations of Use)For Tariffed Services Designated)AdmOr Otherwise Referred to as Unlimited)No.

# Administrative Case No. 2005-00186

# RESPONSE OF SPRINT COMMUNICATIONS COMPANY L.P. TO THE ATTORNEY GENERAL'S SUPPLEMENTAL REQUESTS FOR INFORMATION

Sprint Communications Company L.P. ("Sprint") now submits its Response to the

Supplemental Requests for Information issued by the Attorney General in the above-

referenced docket.

# 1. State whether your company has changed any tariffs applicable to plans described, named or marketed as "unlimited" as previously identified in your responses to the Commission's first set of Data Requests, and if so, please attach / enclose copies of same.

**RESPONSE:** In September, 2005, Sprint expanded its Unlimited At Home eligibility criteria to include subscription to Nextel wireless service. This action was the result of the Sprint Nextel merger. Before the merger, the Unlimited At Home eligibility criteria required subscription to Sprint wireless service. Attached is Sprint's current tariff which reflects this modification.

Sprint's Commonwealth of Kentucky Tariff P.S.C. No. 4, 2<sup>nd</sup> Revised Sheet 45.22, Cancels 1<sup>st</sup> Revised Sheet 45.22 states, "Customers who sign up for Sprint Unlimited at Home service and are new or existing Sprint PCS or Nextel wireless customers will received unlimited minutes of Dial-1 usage for a single Monthly Recurring Charge and no per-minute rate." In addition, Sprint anticipates filing to withdraw the Sprint Complete Sense Unlimited component of its CLEC tariff on or about January 17, 2006.

Witness: Lil Taylor, Regulatory Manager

2. With regard to any such plans, state specifically whether the word "unlimited" refers to minutes of use, area(s) of calling, or both. If the word "unlimited" modifies any other term(s) in the applicable tariff(s), please identify the term(s) so modified.

Answer: "Unlimited" refers to both minutes of usage and area(s) of calling.

Witness: Lil Taylor, Regulatory Manager

3. With regard to any such plans, state:

# a. whether the tariff indicates that a penalty of any type or sort (including relegating the customer to a different plan) may apply in the event the customer exceeds any limitation on number of minutes included in the plan;

Answer: Sprint's unlimited plans do not have usage limitations.

# b. the nature of the penalty;

Answer: Sprint customers do not incur any penalty for exceeding a number of minutes

since unlimited plans do not have any usage limitations.

### c. whether the penalty has ever been imposed;

Answer: Not applicable.

d. whether notice of the penalty is provided to the consumer, and if so, identify precisely where in the tariff or other materials (including but not limited to contract, advertising, or marketing materials) any such notice is located, and cite the complete language of any and all such notices(s).

**RESPONSE**: Although Sprint's plans do not have usage or area(s) of calling limitations or penalties, Sprint's plans have general usage restrictions. Sprint's Commonwealth of Kentucky Tariff P.S.C. No. 4, 2nd Revised Sheet 45.22 states, "The customer may not use this service for commercial use, for connection to the Internet, for other data services (including a significant amount of facsimile transmissions or data usage per month) or for any other use that does not involve a person-to-person conversation or voice message."

The same tariff states on Original Sheet 45.23 that, "Dial-1 long distance voice usage provided under this service offering applies on a per-line basis only and does not include usage associated with: Sprint FONCARD calls; calls which are pay per use, including calls to 90, 976, 555 and 700 numbers; calls to Directory Assistance; calls which involve an operator service, including emergency interrupt; toll-free service; and usage from multi-party conference calls."

The general usage restrictions are communicated in Sprint's fulfillment packages. The fulfillment package states: "Sprint Complete Sense Unlimited is for Domestic residential voice service usage only. The unlimited minutes of service do not include usage for calls to 900 numbers, Directory Assistance, Sprint FONCARD service, or operator services." See attached.

Witness: Lil Taylor, Regulatory Manager

Respectfully submitted this  $137^{k}$  day of January, 2006.

Sprint Communications Company L.P.

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- and -

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Attorneys for Sprint Communications Company L.P. Sprint

# INTERCITY TELECOMMUNICATIONS SERVICES

#### 4. SERVICE AND RATE DESCRIPTION (Continued)

#### .1 <u>Message Telecommunications Service</u> (Continued)

#### .24 Sprint Unlimited at Home

Sprint Unlimited at Home is a residential intrastate and interstate Dial-1 and FŌNCARD service. Customers who sign up for Sprint Unlimited at Home service and are new or existing Sprint PCS or Nextel wireless customers will receive unlimited minutes of Dial-1 usage for a single Monthly Recurring Charge and no per-minute rate. The customer is able to use unlimited minutes per month for IntraLATA toll, in-state and state-to-state Dial-1 calls at no charge. Customers enrolling in this service must choose the Company as their InterLATA and IntraLATA carrier, except in areas where the Company does not offer IntraLATA service. Customers will continue to receive the unlimited minutes per month as long as they continue to subscribe to Sprint Unlimited at Home and Sprint PCS or Nextel wireless service, and choose the Company as their InterLATA and IntraLATA carrier.

The following rules and regulations also apply:

- 1. All call placement charges, connection fees and surcharges apply per call.
- 2. A customer's phone line may not be classified as a "business", "public" or "semipublic" line. The Customer's account may not have more than one residential phone line associated with its account and each household is limited to two Sprint Unlimited at Home accounts. Each Sprint Unlimited at Home account will receive the Monthly Recurring Charge. Unlimited minutes cannot be shared with other residential accounts or lines.
- 3. This service is available for use by individuals residing at a single-family residence, including but not limited to a house, condominium, or apartment, where service is being provided. This service is not available in group or multi-family housing, including but not limited to housing associated with educational institutions or military barracks. The Customer may not use this service for commercial use, for connection to the Internet, for other data services (including a significant amount of facsimile transmissions or data usage per month) or for any other use that does not involve a person-to-person conversation or voice message.
- 4. If it is determined that the Customer's usage is not consistent with residential voice service, the Customer will be assessed a \$50.00 data monthly charge or be disconnected.
- 5. A customer must subscribe to Sprint Unlimited at Home for outbound Dial-1 service.

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#### Sign up for Sprint PCS° service today and get a FREE Nokia® 6016i phonel

As a loyal Sprint customer, you are eligible for great savings. Receive a Sprint PCS Voice Phone 6016i by Nokia free after \$149.99 instant savings with activation of a new line of service and a two-year Sprint PCS Advantage Agreement. The Nokia 6016l offers a large full-color screen. SMS text and voice niessiging, and built-in games and ring tones. All your services work the same wherever you go on the Sprint PCS nationwide network.

Call 1-877-520-1029 now or visit your local Sprint Store to find out about the latest PCS Service Plans.

Nationwide network reaches over 240 million people. Coverage not available everywhere. Offer may not be available everywhere. Subject to credit. Terms and conditions apply. Offer ends 3/31/05 or until supplies last. Only available at participating Sprint Stores. Requires purchase and activation by 3/31/05. Savings may not exceed total purchase price of the phones. A \$36 non-refundable activation and \$150 early termination fee will apply. Deposit may be required.

#### A note regarding your first invoice

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Your first invoice may be higher than following invoices due to the prorated monthly charge. In addition to applicable taxes and fees, your first involce from Sprint will reflect both the prorated monthly charge for the first partial month of service and the monthly charge for the next month of service.

Please refer to Section 11.2 of the enclosed Sprint Terms and Conditions of Service booklet for a full explanation of your rights concerning your Customer Information.

"The provision of your Sprint Complete Sense Unlimited<sup>24</sup> state to state and international long distance service is governed by Sprint Terms and Conditions of Service (see enclosed booklet). The provision of your Sprint Complete Sense Unlimited local and instate long distance service is governed by the applicable state tariff and/or state terms and conditions of service.

Sprint Complete Sense Unlimited is for Domestic residential voice service usage only. The unlimited minutes of service do not include usage for calls to 9(8) numbers, Directory Assistance, Sprint FONCARD<sup>28</sup> service, or operator services. All Collect and 3rd Party Collect Call services will be automatically blocked unless recurring credit card billing for all Sprint Complete Sense services is selected. All 900/976 services will be blocked. Service may not be used for commercial use, Internet, data, or facsimile service for extended periods of time. If Sprint determines that usage is not consistent with residential voice applications, the customer's service may be assessed a data usage fee or disconnected. For more information please visit www.sprint.com/regulatory.

U.S. residents only. Dial 1 service. Available in select areas. Monthly fee includes one phone line only. Depending upon billing cycle, customer's first invoice may include panial monthly fee in addition to the standard monthly fee billed in advance. Installation fee may apply. One voicemail account included in standard monthly fee; additional voicemail accounts available for additional monthly fee. International rates vary and surcharges may apply (including surcharges on residential calls made to foreign mobile phones.) Additional in-state fees may apply. Carrier Universal Service charges and Network Access Surcharges (up to \$7.00 per line) will apply. Operator assisted calls, international calls, and toll-free/calling card calls made from payphones in the U.S. will be assessed a surcharge. All rates subject to change. Additional restrictions may apply

\* Residential, direct dial calling only. U.S. residents only. In-state rates may be higher. International rates vary Call Customer Service for in-state and international rates. Alaska excluded. Additional in-state fees may apply. Carrier Universal Service charge will apply. International Mobile Termination per minute surcharge will apply to each call made from residential phone to foreign mobile phones in contain counties. Operator-assisted calls, international calls and toll-free/calling card calls made from payphones in the U.S. will be assessed a surcharge. All rates subject to change. Restrictions apply. See rates, terms and conditions at sprint.com.

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and exact copy of the within and foregoing Response of Sprint Communications Company L.P. in Docket No. 2005-00186, via hand delivery as indicated by asterisk (\*), or by First Class mail, postage paid and properly addressed to the following:

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۲hiş <u>المَّ</u>ْطُ, day of January of 2006.

John N. Hughes Sprint Communications Company L.P.