COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---|---|---|
| Brandenburg Telephone Company; Duo County | ) | |
| Telephone Cooperative Corporation, Inc.; | ) | |
| Highland Telephone Cooperative, Inc.; Mountain | ) | |
| Rural Telephone Cooperative Corporation, Inc.; | ) | |
| North Central Telephone Cooperative Corporation; | ) | CASE NO. |
| South Central Rural Telephone Cooperative | ) | 2007-00004 |
| Corporation, Inc.; and West Kentucky Rural | ) | |
| Telephone Cooperative Corporation, Inc. | ) | |
| | ) | |
| v. | ) | |
| | ) | |
| Windstream Kentucky East, Inc.; and | ) | |
| Windstream Kentucky West, Inc. | ) | |

## PETITION OF SPRINT NEXTEL FOR LEAVE TO INTERVENE

Sprint Communications Company L.P.; Sprint Spectrum, L.P. and SprintCom, Inc. d/b/a Sprint PCS; Nextel West Corp., Inc.; and NPCR, Inc., d/b/a Nextel Partners (hereinafter "Sprint Nextel"), by counsel, pursuant to 807 KAR 5:001, Section 3(8), petition the Public Service Commission ("Commission" or "KPSC") for leave to intervene fully in the above-styled proceeding. In support of its Petition, Sprint Nextel states:

1.

On or about December 1, 2006, Windstream Kentucky East, Inc. and Windstream Kentucky West, Inc. ("Windstream") filed with the Commission tariff revisions purporting to establish rates and regulations for Transit Traffic Service. The tariff

revisions pertain to telecommunications traffic that Windstream receives from one telecommunications service provider and terminates to another.

## 2.

The above-styled rural incumbent local exchange carriers ("RLECs") filed a Formal Complaint with the KPSC on December 28, 2006, regarding Windstream's tariff revisions. Among other arguments, the RLECs asserted that the carrier-to-carrier services covered by Windstream's tariff revisions are not appropriate for a tariff filing, but rather the rates and terms of such services should be negotiated between the carriers. The RLECs further asserted that they will suffer substantial harm if the Commission allows the proposed tariff revisions to become effective.

## 3.

On January 9, 2007, the Commission issued its Order establishing the above-styled case and setting a deadline for Windstream's answer to the RLECs' complaint.

## 4.

Sprint Nextel is authorized to provide and is providing telecommunications services within the Commonwealth of Kentucky. Sprint Nextel originates telecommunications traffic that it sends to Windstream's Kentucky tandem switches, from which points Windstream terminates Sprint Nextel's originated traffic to third-party telecommunications service providers.

## 5.

The Commission's determinations in this proceeding regarding Windstream's Transit Traffic Service tariff may have a direct and material effect upon Sprint Nextel's legal rights, duties, privileges, immunities or other legal interests. Sprint Nextel has a substantial and special interest in a Commission determination with respect to the issues raised that is not otherwise adequately represented.

6.

Sprint Nextel requests that it be granted full intervention with the right to fully participate in this proceeding as a party, and that counsel for Sprint Nextel be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties and be certified as a party for the purposes of receiving service of any petition for rehearing or judicial review.

WHEREFORE, in recognition of the foregoing, Sprint Nextel requests that the Commission allow it to intervene fully as a party of record in this proceeding.

Respectfully submitted this 18th day of January, 2007.
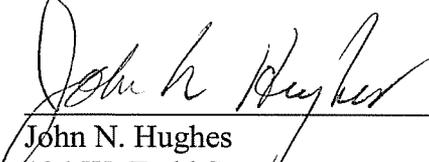
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Attorney for Sprint Nextel

Certificate of Service:

I certify that a copy of this Motion was served on the following, the 18th day of January, 2007 by first class mail.
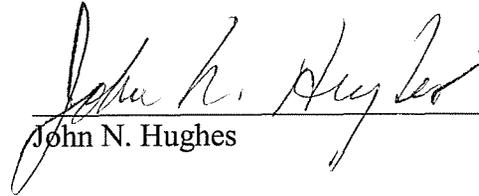
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