

COMMONWEALTH OF KENTUCKY

PUBLIC SERVICE COMMISSION

In the Matter of:

COMPLAINT OF SPRINT )  
COMMUNICATIONS COMPANY L.P. )  
AGAINST BRANDENBURG ) CASE NO.  
TELEPHONE COMPANY AND ) 2008-00135  
REQUEST FOR EXPEDITED RELIEF )  
)

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**REPLY TO BRANDENBURG TELEPHONE COMPANY'S RESPONSE  
TO SPRINT COMMUNICATIONS COMPANY'S MOTION TO ENFORCE  
APRIL 15, 2008 ORDER TO SATISFY OR ANSWER**

Sprint Communications Company L.P. ("Sprint"), by counsel, submits its reply to Brandenburg Telephone Company's ("Brandenburg") February 26, 2009 response to Sprint's Motion to Enforce April 15, 2008 Order to Satisfy or Answer.

Sprint notes that Brandenburg has acknowledged in its response that it is in fact prohibited from terminating service to Sprint while Sprint's complaint case is pending before the Commission. Thus, Brandenburg now concedes it may not "cease providing switched access services to Sprint, effective on March 19, 2009" as it originally threatened it would do in its February 17, 2009 letter to the Commission.

Sprint wishes to point out to the Commission, however, that Brandenburg's assertions that it has provided a disconnection notice to Sprint "in compliance with all applicable provisions of the Kentucky Administrative Regulations, as well as the

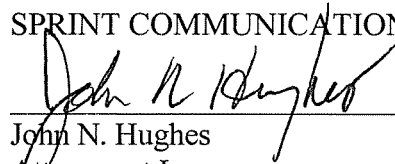
applicable tariffs”<sup>1</sup> and that Brandenburg has taken “all of the necessary prerequisite steps to terminate service”<sup>2</sup> are incorrect.

Brandenburg states that “Sprint surely cannot suggest that Brandenburg Telephone lacks the right to take all necessary prerequisite action to proceed once appropriate authority is obtained.”<sup>3</sup> Sprint does not dispute that Brandenburg can give proper notice should this Commission order disconnection. In light of the Commission’s April 15, 2008 Order in this docket, however, Sprint does dispute any suggestion that the notice provided by Brandenburg on February 17<sup>th</sup> satisfies any such notice requirement. Sprint has not yet been given legally effective notice for disconnection. The notice now at issue is a nullity in that it does not actually put Sprint on notice of any real pending action.

WHEREFORE , Sprint requests that the Commission take any action necessary to ensure Brandenburg follows all applicable provisions of the Kentucky Administrative Regulations and the applicable tariffs, including providing legally effective notice, should it seek to terminate service to Sprint at any future time.

Submitted this 4<sup>th</sup> day of March, 2009.

SPRINT COMMUNICATIONS COMPANY L. P.



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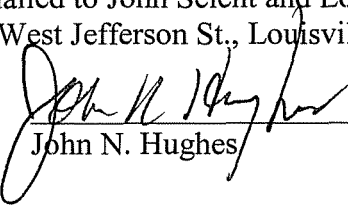
<sup>1</sup> Brandenburg letter, February 17, 2009

<sup>2</sup> Brandenburg Response, p.1.

<sup>3</sup> *Id.*, p.2.

Certificate of Service:

I certify that a copy of this pleading was mailed to John Selent and Edward Depp,  
Dinsmore & Shohl, 1400 PNC Plaza, 500 West Jefferson St., Louisville, KY 40202 the  
4<sup>th</sup> day of March, 2009.

  
John N. Hughes