

JOHN N. HUGHES
ATTORNEY AT LAW
PROFESSIONAL SERVICE CORPORATION
124 WEST TODD STREET
FRANKFORT, KENTUCKY 40601

TELEPHONE: (502) 227-7270

JNHUGHES@fewpb.net

TELEFAX (502) 875-7059

August 29, 2008

VIA HAND DELIVERY

Ms. Stephanie L. Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

AUG 29 2008

PUBLIC SERVICE
COMMISSION

Re: Case No. 2008-00135 – Sprint’s Response to Brandenburg Data Requests and Sprint’s Petition for Confidentiality

Dear Ms. Stumbo:

Sprint Communications Company L.P. (“Sprint”) submits for filing its responses to the data requests of Brandenburg Telephone Company (“Brandenburg”). In addition to the responses, Sprint has filed a Petition for Confidentiality for several of the attachments to the responses. A copy of the responses and the confidential materials has been provided to the attorney for Brandenburg, pursuant to the protective agreement entered into by the parties.

By letter dated August 14, 2008, Holly Wallace on behalf of Brandenburg notified the Commission that Brandenburg was reviewing the traffic study supplied by Sprint and that its initial analysis cast doubt on the 93 % factor utilized by Sprint. In making this reference she specifically pointed out two aspects of the study.

First she suggests that Sprint's traffic study reflects an apparent discrepancy in the jurisdictionalization of wireline calls delivered by Sprint to Brandenburg Telephone end users. She suggests Sprint has incorrectly jurisdictionalized some intrastate wireline-originated calls as interstate based on the originating and terminating numbers. She concludes that it appears that either the traffic study is flawed, or Sprint is misjurisdictionalizing traffic.

Ms. Wallace and Brandenburg are incorrect in this assumption. Sprint fully supports and complies with the FCC position that the physical points of origination and termination of the call must be used to determine its jurisdiction. There are no situations where a landline-originated call that originates and terminates in the same state should be classified as Interstate. It will be noted in the output file for the traffic study conducted for August 2008, which is included in these responses, there are a very small number of landline-originated calls with Kentucky originating and terminating NPAs that Sprint’s logic classifies as Interstate. These calls are for customers using a Sprint ISDN VPN

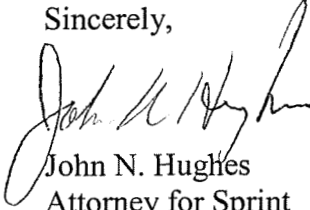
(Integrated Services Digital Network Virtual Private Network) business product with a special access dedicated circuit at the originating end. With this product and arrangement, the customer can send originating ANI information per their own specifications. As a result, Sprint's system logic ignores the originating telephone number in determining jurisdiction and instead utilizes the originating serving wire center NPA-NXX to identify the physical point of origination for the call. In all cases, the calls physically originated in states other than Kentucky, despite the originating ANI information. It should be noted that in the traffic study output file, these calls account for an immaterial percentage of the traffic. The 21 calls in question comprise only .07% (seven hundredths of one percent) of the total calls in the traffic study, with 31 minutes representing a mere .02% (two hundredths of one percent) of the traffic volume.

In the initial traffic study provided to Brandenburg Telephone for the May 2008 time period, there was a larger number of calls flagged as landline-originated, where the originating NPA was a Kentucky NPA and the call had been assigned an Interstate jurisdiction by Sprint. This was due to an inadvertent omission in the output file. It did not contain the field WOM-ORIG-LINE-SRCE-IND, an additional indicator needed to identify if a call originated from a wireless handset or a landline phone. The WOM-ORIG-LINE-SRCE-IND is derived by Sprint's message processing system by looking up the originating NPA-NXX in a reference table of LERG data to see if the NPA-NXX is assigned to a cellular company. Because this field was missing in the original output file, a subset of wireless-originated calls were mistakenly identified in the "Origination" field in the traffic study file as landline-originated. This omission was corrected with the August 2008 output file. It should be noted that the accuracy of the underlying data (i.e. the determination of the appropriate jurisdiction), and the resulting PIU factors are not affected by this error. Only the grouping of the data in the May traffic study output file was affected. Both the initial study and the subsequent study duly support Sprint's filed PIU factors.

In addition, in her August 14th letter Ms. Wallace states that the traffic study reveals that Sprint has switches which serve NPAs in more than one state, and which serve as the entrance point onto Sprint's network for calls originated in those states. Brandenburg Telephone raised a concern about the impact of Sprint switches serving NPAs in more than one state. For calls such as wireless-originated calls, when Sprint does not rely on the originating telephone number NPA to identify the physical origination point of the call, Sprint instead utilizes the NPA of the serving wire center to identify the physical origination point. Thus, Sprint can identify the appropriate originating NPA and state, even in cases where it differs from the originating NPA and state of the switch site itself.

Please call me if you have any questions regarding this matter.

Sincerely,



John N. Hughes
Attorney for Sprint

Attachments

cc: Parties of record
Joseph Cowin, Esq.
Douglas C. Nelson, Esq.
Bill Atkinson, Esq.