

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of SPRINT
COMMUNICATIONS COMPANY L.P. to
Transfer Utah Sprint Complete Sense (sm)
and Sprint Complete Sense for Business (sm)
Customer Base and Withdraw the Provision
of UNE-P

Docket No. 05-094-01

REPORT AND ORDER

ISSUED: February 17, 2006

SYNOPSIS

On the recommendation of the Division of Public Utilities, Utah Department of Commerce, and no detriment to the public interest appearing, the Commission approved the application.

By the Commission:

PROCEDURAL HISTORY

On December 13, 2005, Sprint Communications Company L.P. (“Sprint”) filed an application seeking Commission authority to withdraw from provisioning its tariffed Sprint Complete Sense (sm) and Sprint Complete Sense for Business (sm) product, an all-distance service offered through an unbundled network element platform (UNE-P), and to transfer its customers in the State of Utah to Trinsic, Inc. (“Trinsic”), formerly Z-Tel Communications, Inc. The application was referred to the Division of Public Utilities (“Division”) for review and a recommendation. On January 18, 2006, the Division filed a response, recommending that the Commission allow Sprint to withdraw its provisioning of UNE-P and transfer its customer base in Utah to Trinsic.

The Division believes that this proposed transfer satisfies the requirements of Administrative Rule 746-350, Application to Discontinue Telecommunications Service. A copy

of the notice sent to customers, and the notice sent to Qwest, the telecommunications corporation providing Sprint with unbundled network elements as a platform, were attached to the application. The Division notes that Sprint has developed a customer notification and transfer plan, intended to provide clear information about Sprint's withdrawal of the provisioning of Sprint Complete Sense and Sprint Complete Sense for Business and the transfer of that customer base to Trinsic. The notice contains information advising customers that their services, rates, terms and conditions, and telephone numbers will not change, the timeline for Sprint's withdrawal and ways to obtain more information. The notice advises customers that they have a choice of providers and may elect to switch their services to another provider other than Trinsic. Sprint has also stated that customers will not incur any cost as a result of the transfer, and that the information provided to customers is intended to enhance customer choice and to allow a seamless transition.

Sprint intends to continue to offer stand-alone inter- and intraLATA long distance services and may in the future modify its competitive local exchange service strategy for Utah. Because Sprint has a strong interest in competing in the local residential market and developing new competitive local service products, it requests that its certificate remain in effect, unmodified.

Sprint has been in the local market utilizing UNE-P since 2003 and currently has a total of 157,595 customers on this service nationwide. Of those, 334 are residential lines and 61 are small business lines in Utah. As a result of new Federal Communications Commission ("FCC") rules, Sprint believes that it is no longer economically feasible for it to continue to provide these services and has decided to exit the UNE-P business. Sprint has confidence that those customers who opt to transfer to Trinsic, a certificated carrier in Utah, will find the transfer to be transparent and will continue to receive the same excellent service.

In its application, Sprint requested that its application be granted on such a timeline that would allow it to transfer its customers on February 1, 2006. On January 25, 2006, Sprint informed the Commission by letter that the transfer date had been changed and requested that the Commission issue an order approving the application prior to February 19, 2006. Sprint explained that the FCC Order approving the application to transfer Sprint's UNE-P customers to Trinsic will have an effective date of February 19, 2006, rather than February 1, 2006 as originally contemplated, and therefore Sprint would like to transfer the Sprint Complete Sense and Sprint Complete Sense for Business customers on February 19, 2006.

Since there appears to be no meritorious opposition and Sprint has made a *prima facie* case in support of its request, there appears to be no reason to convene an evidentiary hearing on this matter. Accordingly, the Commission, having been fully advised, enters the following Report, containing Findings of Fact, Conclusions of Law, and the Order based thereon.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Trinsic is a carrier in Utah certificated by this Commission, the Certificate of Convenience and Necessity issued to Z-Tel Communications, Inc., and changed to Trinsic Communications, Inc., Docket No. 05-2257-01, on January 21, 2005.

2. The information in the written notices to the Division, customers, and Qwest satisfies the Commission's notice requirements of Administrative Rule 746-350.

3. No detriment to the public interest appearing, the application should be approved by the Commission.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

The application of Sprint seeking Commission authority to withdraw from the provisioning of UNE-P and transfer its customer base to Trinsic is approved.

Sprint's Certificate of Convenience and Necessity remains in effect and unmodified.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure to do so will forfeit the right to appeal to the Utah Supreme Court.

Dated at Salt Lake City, Utah, this 17th day of February, 2006.

/s/ Rick Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

/s/ Julie Orchard
Commission Secretary
GW# 47799