

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the	)	DOCKET NO. UT-051291
	)	
Request of Sprint Nextel Corporation	)	
for an Order Declining to Assert	)	SPRINT'S ANSWER TO PUBLIC
Jurisdiction Over or, in the	)	COUNSEL'S PETITION FOR
Alternative, Application of Sprint	)	INTERLOCUTORY REVIEW OF
Nextel Corporation for Approval of	)	ORDER No. 1 REGARDING THE
the Transfer of Control of United	)	HEARING DATES
Telephone Company of the Northwest	)	
and Sprint Long Distance, Inc. From	)	
Sprint Nextel Corporation to LTD	)	
Holding Company.	)	
	)	
	)	

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1. Sprint Nextel Corporation and United Telephone Company of the Northwest d/b/a Sprint (collectively "Sprint" or the "Company") submit this Answer to Public Counsel's Petition for Interlocutory Review of Order No. 1 ("Petition"). This Answer is submitted in accordance with WAC 480-07-810.
  
2. Public Counsel asks the Commission in its Petition to prematurely reschedule the hearing dates in this proceeding, citing workload and staffing issues in other matters before the Commission. Sprint asks the Commission to deny Public Counsel's request at this time.
  
3. The ALJ heard the parties' concerns with respect to the schedule in this proceeding and set hearings for January 23-27. Judge Moss acknowledged that between now and the January 23, 2006 hearing date, the schedules in this case and in other matters in which Public Counsel is involved could relieve some or all of Public Counsel's concerns. Sprint agrees with the ALJ's reasoning. Sprint continues to assert that the Company's interest in having the hearings held in late January outweigh the concerns that Public Counsel raised at the prehearing

conference and in its Petition. Public Counsel's concerns could very well be addressed by developments in this matter or other matters in which Public Counsel is involved.<sup>1</sup> As noted at the prehearing conference, there are other options for modifying the schedule in this docket, which will continue to be available to the parties should the current schedule become unworkable.


4. It is critical to Sprint Nextel, the LTD Holding Company, and both companies' customers that the separation of the LTD Holding Company be accomplished expeditiously. The two companies will be competitors and their abilities to compete effectively and to execute their now divergent business plans will be compromised by any undue delay in this Commission's review of the Application. Even under the schedule that Sprint proposed and the ALJ adopted in this proceeding, Washington will be one of the last states, if not the last state, to review and rule on the separation. In fact, of the states where review is required, several states have already completed or substantially completed review of the transaction and many have adopted schedules that will result in review being completed well before the schedule currently set in this proceeding.<sup>2</sup>
5. Sprint therefore respectfully requests that the Commission deny Public Counsel's Petition without prejudice to Public Counsel's ability to request an adjustment to the schedule at a later date.

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<sup>1</sup> Commission Staff concurred at the Prehearing Conference that Sprint's schedule was appropriate.

<sup>2</sup> Florida has entered an initial order approving the separation (a final order is expected on November 3, 2005) and Wyoming has approved the separation. Nevada and Nebraska have scheduled decisions for the mid-November 2005, a decision is expected by the Minnesota commission in January, and review in Virginia is scheduled to be completed by January 24, 2005. Recommendations from the South Carolina and Missouri commissions are due in November.

Respectfully submitted this 28th day of October 2005.

By:  \_\_\_\_\_

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