



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Chief, Reference Information Center
Chief, Common Carrier Bureau

FROM: *DMA* Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Sprint Corporation v. FCC & USA*, No. 01-1266. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: June 26, 2001

This is to advise you that Sprint Corporation, on June 12, 2001, filed a Petition for Review, pursuant to 47 U.S.C. § 402(a), of the following order: *In the Matter of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, RBOC/GTE/SNET Payphone Coalition Petition for Clarification*, Second Order on Reconsideration, CC Docket No. 96-128, FCC 01-109 (released April 5, 2001).

In the above-referenced order, the Commission adopted amendments to its payphone compensation rules. Sprint argues that the Commission erred by adopting rules (1) without undertaking steps "required by Congress and the Commission to engage in lawful rulemaking;" (2) after expiration of the period allowed for *sua sponte* reconsideration; and (3) without making "particularized findings" necessary under the APA to make the rules effective upon publication in the Federal Register. Sprint also argues that the new rules are "arbitrary and capricious in numerous respects."

The Court has docketed this case as No. 01-1266. The attorney assigned to handle the litigation of this case is Lisa E. Boehley.