



**John E. Benedict**  
Senior Attorney

**Federal Regulatory Affairs-LDD**  
401 9th Street, NW  
Suite 400  
Washington, DC 20004  
Voice 202 585 1910  
Fax 202 585 1897  
jeb.e.benedict@mail.sprint.com

October 4, 2002

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Room TWB-204  
Washington, DC 20554

Re: Implementation of the Pay Telephone Reclassification and Compensation  
Provisions of the Telecommunications Act of 1996  
CC Docket No. 96-128

Dear Ms. Dortch:

Sprint Corporation finds it necessary to respond to yet another ex parte letter by the American Public Communications Council ("APCC"), one that is dated September 27, 2002 and became available through ECFS yesterday afternoon. APCC attacks ex parte letters submitted by Sprint on August 21 and 23, 2002.

APCC makes two points. First, it argues that the the Commission should continue to rely on unverifiable, unilateral data submitted by PSPs to determine the number of compensable calls per payphone during the Interim Period. Second, it attacks Sprint's call to allow removal from any allocation the verifiable traffic for which Sprint cannot legally be held responsible under Illinois<sup>1</sup> – arguing it is "unilateral" data. The utter hypocrisy of APCC's September 27, 2002 letter betrays the intellectual bankruptcy of APCC on all these issues.

Sincerely,

John E. Benedict

cc: Matthew Brill                      Lynne Milne  
Jeffrey Carlisle                      Tamara Preiss  
Jordan Goldstein                      John Rogovin  
Daniel Gonzalez                      Lenworth Smith  
Linda Kinney                          Craig Stroup  
Christopher Libertelli                Jon Stover  
Joel Marcus

---

<sup>1</sup> Illinois Pub. Telecoms. Ass'n v. FCC, 117 F.3d 555, 565, clarified on reh'g, 123 F.3d 693 (D.C. Cir. 1997), cert. denied sub nom. Virginia State Corp. Comm'n v. FCC, 523 U.S. 1046 (1998).