



Michael B. Fingerhut
General Attorney

401 9th Street, Northwest, Suite 400
Washington, D.C. 20004
Voice 202 585 1909
Fax 202 585 1897
PCS 202 607 0624
michael.b.fingerhut@mail.sprint.com

August 26, 2004

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW,
Washington D.C. 20554

Re: CC Docket No. 00-257, Notification Regarding Acquisition of Customers

Dear Ms. Dortch:

Sprint hereby notifies the Commission, as required by Section 64.1120(e) of the FCC's Rules, 47 CFR §64.1120(e), of the transfer of the local exchange customers of Koyote Telephone Delta Phones and EZ Talk in the State of Texas to Sprint services. Each carrier resold Sprint's local exchange services in Sprint's local exchange area in Texas. Koyote Telephone provided service to 233 residential customers and 38 business customers; Delta Phones provided local exchange services to 198 residential customers and EZ Talk provided local exchange service to 101 residential customers. All of the companies have ceased operations. However it is Sprint's understanding that none of them advised the FCC, the Texas regulatory commission or their customers of the fact that they were exiting the market.

Despite the apparent disdain of Koyote, Delta and EZ Talk for the welfare of their customers and for the regulatory processes of the FCC and the Texas regulatory commission, none of their customers lost the ability to make calls to their family friends, doctors, pharmacies, etc. This is so because the Texas regulatory commission requires that ILECs continue to provide service to the subscribers of their CLEC resale customers that cease operations so as to minimize interruptions of local service to such customers. In effect, ILECs are the local carriers of last resort in Texas.

Each former customer of Koyote, Delta and EZ Talk is receiving a letter from Sprint that complies with the FCC's procedures relieving carriers of the need to obtain verification when they acquire subscribers voluntarily by the acquisition of another carrier or, as is the case here, when the acquisition is the result of state requirements governing the provision of service when CLECs cease providing service.¹ See, 47 CFR §64.1120(e). Such letter informs the former customers of these CLECs of their option to select a local service carrier. In fact, the letter instructs them to either notify Sprint of their desire to continue to receive their local exchange

¹ Sprint mailed these letters on August 25, 2004.

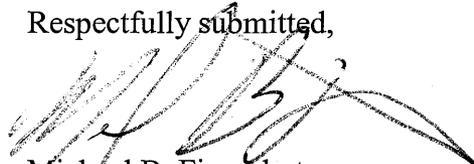
Marlene H. Dortch
August 26, 2004
Page 2

service from Sprint or select another local exchange carrier by September 24, 2004. Customers who fail to make an election by that date will be disconnected. Copies of the letters are attached.

As stated, Sprint is already providing service to the former customers of Koyote, Delta and EZ Talk as required by the Texas regulatory commission. But given the unique circumstances of this case, particularly the fact that these carriers simply ceased operations without the notifications required by FCC and state regulation, the "carrier of last resort" requirement of the Texas regulatory commission; and, of course, the welfare of the former customers of these CLECs, Sprint believes that it is complying with the requirements set forth in Section 64.1120(e) of the Commission's rules. Thus Sprint, by the undersigned attorney, certifies that it is sending letters to affected subscribers, providing them with the applicable information required by Section 64.1120(e)(3); that it will comply with the obligations set forth in the notice; and that it comply with "other statutory and Commission requirements that apply to this streamlined process."

If you have additional questions or wish more information, please contact me.

Respectfully submitted,



Michael B. Fingerhut

Attachments

IMPORTANT NOTICE

NOTICE TO KOYOTE CUSTOMERS REGARDING TRANSFER OF TELEPHONE SERVICE(S) FROM KOYOTE TO SPRINT

[August 25, 2004]

[End User Name]

[Street Address]

[City, State, Zip]

Dear Customer:

Koyote formerly provided you local telephone service(s) over the resold facilities of United Telephone Company of Texas, Inc. (Sprint). As you may be aware, Koyote is no longer able to provide these services. In accordance with guidelines mandated by the Public Utility Commission of Texas (State Commission), Sprint is required to transfer Koyote Customers to Sprint and provide these Customers with uninterrupted telephone service(s) for a period of (30) days following the transfer.

Customers who previously received local telephone service(s) from Koyote will begin to receive local telephone service(s) from Sprint pursuant to procedures specified by the State Commission. The State Commission has enacted rules in order to minimize interruptions of service to Customers of Competitive Local Exchange Carriers who are no longer providing local telephone service(s) and the Federal Communications Commission (FCC) has enacted rules in such situations governing the transfer of your services back to Sprint.

The rates, terms and conditions for the service(s) that were transferred to Sprint are contained in Sprint's General Exchange Tariff on file with the State Commission. Sprint will not assess any carrier change charges to your account(s) to transfer your local service(s) from Koyote to Sprint.

Please be aware that as a subscriber affected by this transfer you have the option to select the company that provides your local service(s) (Provider of Choice) if an alternative carrier is available in your area. A selection of providers is located in the Informational Pages of your Telephone Directory. You will find a Notification of Change in Local Service Form enclosed in this letter that must be filled out and returned to Sprint in the enclosed envelope or via facsimile transmission (888-436-7836) by September 24, 2004 ("Provider of Choice Date") to effectuate your Provider of Choice selection. If you wish to select Sprint as your Provider of Choice, you may do so by contacting our Business Office at (800-788-3500) and you do not need to return the Notification of Change in Local Service Form.

All subscribers receiving this notice, even those who have arranged preferred carrier freezes through Koyote on the service(s) involved in this transfer, will be transferred to Sprint unless you have selected a different carrier before the Provider of Choice Date. Existing preferred carrier freezes on the service(s) involved in this transfer will be lifted and you are required to contact your selected Provider of Choice to arrange a new freeze.

If you have any questions regarding the transfer of your telephone service(s) to Sprint, please feel free to contact us at Sprint's toll-free customer service number, 1-800-788-3500.

Thank you very much for your cooperation in this matter.

IMPORTANT NOTICE

NOTICE TO EZ TALK CUSTOMERS REGARDING TRANSFER OF TELEPHONE SERVICE(S) FROM EZ TALK TO SPRINT

[August 25, 2004]

[End User Name]

[Street Address]

[City, State, Zip]

Dear Customer:

EZ Talk formerly provided you local telephone service(s) over the resold facilities of United Telephone Company of Texas, Inc. (Sprint). As you may be aware, EZ Talk is no longer able to provide these services. In accordance with guidelines mandated by the Public Utility Commission of Texas (State Commission), Sprint is required to transfer EZ Talk Customers to Sprint and provide these Customers with uninterrupted telephone service(s) for a period of (30) days following the transfer.

Customers who previously received local telephone service(s) from EZ Talk will begin to receive local telephone service(s) from Sprint pursuant to procedures specified by the State Commission. The State Commission has enacted rules in order to minimize interruptions of service to Customers of Competitive Local Exchange Carriers who are no longer providing local telephone service(s) and the Federal Communications Commission (FCC) has enacted rules in such situations governing the transfer of your services back to Sprint.

The rates, terms and conditions for the service(s) that were transferred to Sprint are contained in Sprint's General Exchange Tariff on file with the State Commission. Sprint will not assess any carrier change charges to your account(s) to transfer your local service(s) from EZ Talk to Sprint.

Please be aware that as a subscriber affected by this transfer you have the option to select the company that provides your local service(s) (Provider of Choice) if an alternative carrier is available in your area. A selection of providers is located in the Informational Pages of your Telephone Directory. You will find a Notification of Change in Local Service Form enclosed in this letter that must be filled out and returned to Sprint in the enclosed envelope or via facsimile transmission (888-436-7836) by September 24, 2004 ("Provider of Choice Date") to effectuate your Provider of Choice selection. If you wish to select Sprint as your Provider of Choice, you may do so by contacting our Business Office at (800-788-3500) and you do not need to return the Notification of Change in Local Service Form.

All subscribers receiving this notice, even those who have arranged preferred carrier freezes through EZ Talk on the service(s) involved in this transfer, will be transferred to Sprint unless you have selected a different carrier before the Provider of Choice Date. Existing preferred carrier freezes on the service(s) involved in this transfer will be lifted and you are required to contact your selected Provider of Choice to arrange a new freeze.

If you have any questions regarding the transfer of your telephone service(s) to Sprint, please feel free to contact us at Sprint's toll-free customer service number, 1-800-788-3500.

Thank you very much for your cooperation in this matter.

IMPORTANT NOTICE

NOTICE TO DELTA PHONE CUSTOMERS REGARDING TRANSFER OF TELEPHONE SERVICE(S) FROM DELTA PHONE TO SPRINT

[August 25, 2004]

[End User Name]

[Street Address]

[City, State, Zip]

Dear Customer:

Delta Phone formerly provided you local telephone service(s) over the resold facilities of United Telephone Company of Texas, Inc. (Sprint). As you may be aware, Delta Phone is no longer able to provide these services. In accordance with guidelines mandated by the Public Utility Commission of Texas (State Commission), Sprint is required to transfer Delta Phone Customers to Sprint and provide these Customers with uninterrupted telephone service(s) for a period of (30) days following the transfer.

Customers who previously received local telephone service(s) from Delta Phone will begin to receive local telephone service(s) from Sprint pursuant to procedures specified by the State Commission. The State Commission has enacted rules in order to minimize interruptions of service to Customers of Competitive Local Exchange Carriers who are no longer providing local telephone service(s) and the Federal Communications Commission (FCC) has enacted rules in such situations governing the transfer of your services back to Sprint.

The rates, terms and conditions for the service(s) that were transferred to Sprint are contained in Sprint's General Exchange Tariff on file with the State Commission. Sprint will not assess any carrier change charges to your account(s) to transfer your local service(s) from Delta Phone to Sprint.

Please be aware that as a subscriber affected by this transfer you have the option to select the company that provides your local service(s) (Provider of Choice) if an alternative carrier is available in your area. A selection of providers is located in the Informational Pages of your Telephone Directory. You will find a Notification of Change in Local Service Form enclosed in this letter that must be filled out and returned to Sprint in the enclosed envelope or via facsimile transmission (888-436-7836) by September 24, 2004 ("Provider of Choice Date") to effectuate your Provider of Choice selection. If you wish to select Sprint as your Provider of

Choice, you may do so by contacting our Business Office at (800-788-3500) and you do not need to return the Notification of Change in Local Service Form.

All subscribers receiving this notice, even those who have arranged preferred carrier freezes through Delta Phone on the service(s) involved in this transfer, will be transferred to Sprint unless you have selected a different carrier before the Provider of Choice Date. Existing preferred carrier freezes on the service(s) involved in this transfer will be lifted and you are required to contact your selected Provider of Choice to arrange a new freeze.

If you have any questions regarding the transfer of your telephone service(s) to Sprint, please feel free to contact us at Sprint's toll-free customer service number, 1-800-788-3500.

Thank you very much for your cooperation in this matter.