

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Petition for Preemption Submitted by)	
KMC Telecom of Virginia, Inc., KMC)	
Telecom V of Virginia, Inc., and KMC)	WC Docket No. 05-39
Data LLC Pursuant to Section 252(e)(5))	
of the Communications Act for)	
Preemption of the Virginia State)	
Corporation Commission Regarding)	
Interconnection Disputes with Sprint)	

**COMMENTS OF
UNITED TELEPHONE-SOUTHEAST AND
CENTRAL TELEPHONE COMPANY OF VIRGINIA**

In response to the Commission’s public notice,¹ United Telephone – Southeast and Central Telephone Company of Virginia (together, “Sprint”) respectfully request that the Commission defer taking any action on the petition for preemption filed January 4, 2005 by KMC Telecom of Virginia, Inc., KMC Telecom V of Virginia, Inc., and KMC Data LLC (collectively, “KMC”). As set forth below, subsequent to the filing of the petition, KMC announced that it was exiting the CLEC market. Thus, absent more detailed information from KMC, its petition here may well be moot.

On February 3, 2005, KMC’s corporate parent, KMC Corporate Holdings, Inc., “announced they are selling their CLEC operations in all their 37 markets to CenturyTel and

¹ Public Notice, DA 05-278 (rel. Feb. 1, 2005).

Telcove in separate agreements.”² KMC is “transitioning [to CenturyTel and Telcove] the network assets and all customers in these markets.” KMC’s “local sales and technical support personnel ... will also be transitioned.” KMC is “confident” that the agreements “will be quickly approved” by regulatory authorities.

KMC’s announcement makes clear that KMC’s local companies – which would include the petitioners here – are exiting the competitive local exchange carrier (“CLEC”) business altogether. Instead, KMC companies are “now focus[ing] all their resources on their highly successful wholesale business,” by limiting themselves to “deliver[ing] traditional and IP wholesale services to carriers and large enterprises, nationwide, over their new IP/MPLS network.” The petitioners’ CLEC operations in their Virginia markets are specifically identified as being transferred to TelCove.

Given its complete exit from the CLEC market and absent more detailed information from KMC regarding what its “wholesale” business will entail, it is simply premature to act on the petition at this time. It is unclear whether once KMC completes its sale of its CLEC business the petitioning KMC subsidiaries will continue to exist as legal entities and would need to obtain interconnection pursuant to Section 251 of the Act from Sprint in Virginia in order to pursue their “highly successful wholesale business.” Thus, Sprint does not see the need for the Commission to devote its limited resources to the matter. Accordingly, the Commission should defer action on the petition.

² KMC issued a press release outlining the sales. A copy is attached to Sprint’s Comments. All quotations in these Comments are drawn from KMC’s February 3, 2005 release.

Respectfully submitted,

SPRINT COMMUNICATIONS CO., L.P.

By 

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February 14, 2005

KMC Telecom Sells Operations in 37 CLEC Markets To CenturyTel and TelCove
Thursday February 3, 11:00 am ET

Company Focuses on Wholesale Market with Announcement of Nationwide IP/MPLS Network

BEDMINSTER, N.J.--(BUSINESS WIRE)--Feb. 3, 2005--KMC Telecom Holdings, Inc., one of the nation's largest private competitive local exchange carriers (CLECs) and a leading provider of wholesale communications services nationwide, today announced that they are selling their CLEC operations in all their 37 markets to CenturyTel and TelCove in separate agreements. KMC also announced that they would now focus all their resources on their highly successful wholesale business. KMC will deliver traditional and IP wholesale services to carriers and large enterprises, nationwide, over their new IP/MPLS network.

CenturyTel, Inc., headquartered in Monroe, Louisiana, and the nation's 8th largest local exchange telephone company, will be taking control of the following sixteen KMC markets: Akron, Dayton and Toledo, Ohio; Ann Arbor and Lansing, Michigan; Baton Rouge, Louisiana; Chattanooga, Tennessee; Corpus Christi and Longview, Texas; Eden Prairie, Minnesota; Fort Wayne, Indiana; Huntsville and Montgomery, Alabama; Madison, Wisconsin; Biloxi/Gulf Port, Mississippi; and, Topeka, Kansas.

TelCove, of Pittsburgh, Pennsylvania, a leading provider of business critical telecommunications services to enterprise companies and carriers throughout the eastern half of the U.S., will be adding twenty-one KMC markets to the fifty-two markets they already serve. The KMC markets being acquired by TelCove are: Augusta and Savannah, Georgia; Columbia, Charleston and Spartanburg, South Carolina; Daytona Beach, Ft. Myers, Greater Pinellas, Melbourne, Pensacola, Sarasota and Tallahassee, Florida; Fayetteville, Greensboro, Hickory, Wilmington and Winston-Salem, North Carolina; Hampton Roads and Roanoke, Virginia; Bethesda/Frederick/Rockville, Maryland; and, Bristol/Johnson City/Kingsport (Tri-Cities), Tennessee.

While these agreements are subject to regulatory review, all three parties are confident that they will be quickly approved.

KMC Telecom will be transitioning the network assets and all customers in these markets to TelCove and CenturyTel. KMC served approximately 10,000 small, medium and large business customers in these 37 markets. Additionally, local sales and technical support personnel, and some headquarters support functions will also be transitioned.

Both CenturyTel and TelCove intend to extend their investments in these markets by providing additional services to existing and new customers -- further enhancing these networks in the communities they serve.

"We anticipate that KMC Telecom customers will be very well served by both CenturyTel and TelCove," said Roscoe C. Young, II, Chief Executive and Chief Operating Officer of KMC Telecom. "With their plans for continued investments and improvements to these networks, customers can expect excellent support and state-of-the-art communication services now and in the future."

Regarding this sale, William H. Stewart, KMC Telecom Chief Financial Officer, added, "KMC is very pleased with this successful all-cash deal. We were able to meet the needs of our customers, KMC Telecom, CenturyTel and TelCove, and our investors. KMC has always placed primary value on our customers and the communities we serve. In striking this sale with CenturyTel and TelCove, this tradition of "Customer First" continues."

Today, KMC also announced that they are nearing completion of their National IP/MPLS Network, based on the latest technology and offering best-in-class network performance and management. This state-of-the-art network is capable of supporting today's TDM traffic requirements, but has been optimized for enhanced IP and data services. The network incorporates significant Cisco systems and support. As such, KMC has been certified as a Cisco Powered Network partner.

This new network currently provides coverage to over 240 local rate centers, and is supported by 13 carrier class switches. These switches are interconnected by a next generation IP infrastructure located in 14 tier 1 cities. Connectivity to KMC's National IP/MPLS Network can be accessed throughout the continental United States.

KMC is currently providing the following wholesale services: Enhanced Voice Origination and Termination Services, Carrier Termination Services, Dial Access Service and National Tandem Services. In the coming months, KMC also plans to offer a suite of IP hosted services using this new nationwide network platform.

KMC Telecom is a nationwide wholesale communication services provider offering traditional voice and next-generation VoIP and IP services to local, national, interexchange and wireless carriers, ISPs, MSOs and large enterprises via a national IP/MPLS network.

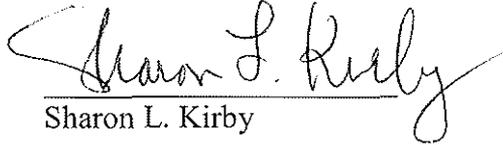
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Source: KMC Telecom Holdings, Inc.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing Comments of United Telephone-Southeast and Central Telephone Company of Virginia were filed and served this 14th day of February, 2005, as shown below.


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