



Sprint Nextel
2001 Edmund Halley Drive, MS VARESP0202
Reston, VA 20191-3436
(703) 592-5114

Vonya B. McCann
Vice President
Government Affairs

October 19, 2006

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

Re: **Notice of Ex Parte Communication**

Petition of Time Warner Cable for Declaratory Ruling that Competitive Local Exchange Carriers May Obtain Interconnection Under Section 251 of the Communications Act of 1934, as Amended, to Provide Wholesale Telecommunications Services to VoIP Providers

WC Docket No. 06-55

Dear Ms. Dortch:

It has been more than six months since Time Warner Cable petitioned for declaratory ruling. Since then, need for FCC action has grown only more acute.

Sprint Nextel is among competitive carriers working to bring new services and a choice of service provider to rural America. But delays in granting Time Warner Cable's petition have emboldened some RLECs who are determined to frustrate competitors and discourage investment in their *de facto* monopoly markets. The FCC's delay also is leading some courts and commissions to defer action, waiting for the FCC confirm that RLECs are required by Sections 251(a) and (b) to interconnect with all carriers, including competitors seeking to enter their markets.

This week, Judge Richard G. Kopf (U.S. District Court for the District of Nebraska) denied Sprint Nextel's request to lift the stay of its appeal of the Nebraska PSC's order misapplying federal law and effectively denying Sprint Nextel interconnection with Southeast Nebraska Telephone Company. The NPSC order, and another by the South Carolina PSC, are cited by some RLECs to justify their refusal to honor their obligations to interconnect.

Judge Kopf nevertheless stated "that everyone (most especially the public) would be far better off if the FCC would promptly make a decision on the related matters pending before it." Accordingly, he encouraged Sprint Nextel to "inform the FCC of my request" for "an early ruling" – a sentiment doubtless shared by competitive carriers nationwide.

With this letter, I enclose a copy of his order for addition to the docket under Section 1.1206 of the Commission's rules.

Respectfully submitted,


Vonya B. McCann

Ms. Marlene H. Dortch

October 19, 2006

Page 2

cc: Thomas Navin
Jeremy Miller
Albert Lewis
Julie Veach
Jennifer Schneider
Victoria A. Goldberg
Jennifer McKee