

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Implementation of the Telecommunications Act of 1996;)	CC Docket No. 96-115
)	
Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information)	
)	
IP-Enabled Services)	WC Docket No. 04-36

**MOTION OF SPRINT NEXTEL CORPORATION
FOR LEAVE TO FILE COMMENTS ON PETITIONS FOR RECONSIDERATION**

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Dated August 22, 2007

Sprint Nextel Corporation (“Sprint Nextel”), through its undersigned counsel, respectfully moves the Commission for leave to file comments (and reply comments to any Oppositions that may be filed) on the Petitions for Reconsideration filed by CTIA-The Wireless Association and by the United States Telecom Association (together, the “Petitions”) with regard to the Commission’s *Report and Order* released on April 2, 2007.¹ Although the Commission’s July 20, 2007 Public Notice refers only to the filing of Oppositions and Replies to the Petitions within the time limitations provided under the Commission’s Rules,² the Commission has the discretion to consider and permit the filing of comments by interested parties on petitions for reconsideration or clarification.³

The Commission should grant Sprint Nextel leave to file comments on the Petitions for several reasons. First, consideration of comments from interested parties -- in addition to oppositions and replies -- on petitions for reconsideration is not unusual, particularly in high profile rulemakings with far reaching implications such as this.⁴ Second, the filing of comments will not delay the Commission’s consideration of the Petitions because the comments are being filed within the same time frame provided under Commission rules for oppositions and replies,

¹ *In the Matter of Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115 and WC Docket No. 04-36, Petition for Reconsideration of CTIA - The Wireless Association® (filed July 9, 2007) (“CTIA Petition”); *In the Matter of Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115 and WC Docket No. 04-36, Petition for Clarification or Reconsideration of the United State Telecom Association (filed July 9, 2007) (“USTA Petition”).

² 47 C.F.R. § 1.429(f).

³ *See, e.g., Public Notice*, “Pleading Cycle Established for Arizona DialTone Inc. Petition for Reconsideration and IDT Telecom, Inc. Petition for Clarification or, in the Alternative, For Reconsideration of the Prepaid Calling Card Order,” DA 06-1948 (rel. September 28, 2006), WC Docket No. 05-68. (“*Prepaid Calling Card Order Public Notice*”).

⁴ *See, id.*

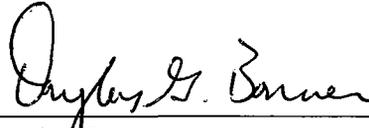
and do not exceed the page limits for oppositions.⁵ Indeed, Sprint Nextel is filing this motion, together with its Comments, on the same date that Oppositions are due, so as not to cause any delay in the Commission's consideration of the Petitions. Finally, and perhaps most importantly, permitting comments will subject the Petitions to greater scrutiny and more varied public comment, helping to ensure a well-developed record that will promote the quality of the Commission's rulemaking while ensuring fairness to all affected parties.⁶

As a national carrier, Sprint Nextel has a significant interest in the new CPNI rules adopted by the Commission's *Report and Order*, both because Sprint Nextel is committed to protecting its customers' CPNI and because Sprint Nextel is dedicating significant resources to implementing the new rules. Sprint Nextel supports many of the Commission's new CPNI rules that will take effect later this year, however, there are a few important aspects of the Commission's *Report and Order* that Sprint Nextel urges the Commission to reconsider or to modify, as discussed in its Comments. Accordingly, Sprint Nextel respectfully requests leave to file these Comments on the Petitions.

⁵ 47 C.F.R. § 1.429(f). For example, for the petitions for reconsideration and/or clarification filed in response to the Commission's *Prepaid Calling Card Order* (note 1, *supra*), petitions for reconsideration were filed on August 31 and September 1, 2006. The Commission allowed comments to be filed on both petitions within fifteen days of publication in the Federal Register, and for reply comments ten days thereafter, in accordance with Section 1.429 of the Commission's rules. ("*Prepaid Calling Card Order Public Notice*").

⁶ *See, Sprint Corp. v. FCC*, 315 F.3d 369, 373 (D.C. Cir. 2003).

Respectfully submitted,



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