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March 11, 2008

filed electronically in docket office 3/11/2008

Hon. Eddie Roberson, Chairman
c/o Sharla Dillon, Docket & Records Manager
Tennessee Regulatory Authority
480 James Robertson Parkway
Nashville, TN 37238

FOR HAND DELIVERY

RE: In the Matter of Nextel South Corp.'s Notice of Election of the Existing Interconnection Agreement by and Between BellSouth Telecommunications, Inc. and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., TRA Docket No. 07-00161

In the Matter of NPCR, Inc.'s Notice of Election of the Existing Interconnection Agreement by and Between BellSouth Telecommunications, Inc. and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., TRA Docket No. 07-00162

Dear Chairman Roberson:

On March 4, 2008, the Tennessee Regulatory Authority ("TRA" or "Authority") issued a Notice of Briefing Schedule and Oral Arguments in the above-captioned consolidated dockets, requiring that any briefs and/or additional responsive pleadings related to AT&T Tennessee's July 17, 2007 Motion to Dismiss ("*AT&T's Motion*") be submitted today, March 11th.

Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners (collectively, "Nextel") write to inform the Authority that the pleadings and supplemental filings Nextel has submitted previously in these consolidated dockets, including the July 24, 2007, Response to AT&T Tennessee's Motion to Dismiss ("*Nextel Response*" or "*Response*") and the February 6, 2008, Motion for Summary Judgment ("*Nextel Motion*"), fully address the reasons *AT&T's Motion* must be denied. Although AT&T has not responded to the pending *Nextel Motion*, nothing has transpired subsequently that requires a supplemental response from Nextel in order to overcome *AT&T's Motion*.¹

In fact, since its July 17, 2007, filing, *AT&T's Motion* has been overtaken by subsequent events that render "moot" two of the three legs upon which it stood. The first leg - that the TRA does not have the authority to interpret and enforce the AT&T/BellSouth merger conditions - was rejected by

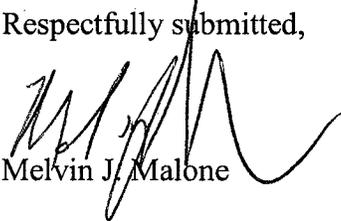
¹ To the extent the TRA considers AT&T's supplemental filings, Nextel relies upon its supplemental responses as well, including, but not limited to, its letters of February 13, 2008, and February 26, 2008.

the TRA on October 5, 2007, in TRA Docket No. 07-00132, when the Authority determined that it “possesses concurrent jurisdiction with the FCC to review interconnection issues raised by [the Merger Commitments].”² The second leg - that Nextel is attempting to adopt an expired agreement and therefore did not exercise its adoption right within a reasonable amount of time under Section 252(i) - no longer provides AT&T with a colorable argument. The Sprint ICA Nextel seeks to adopt has since been extended three years until March 19, 2010, pursuant to an amendment approved by the TRA in its Order issued on January 25, 2008 in Docket No. 07-00132.

Indeed, only one leg of *AT&T's Motion* even arguably remains: that Nextel's Petition is premature because it failed to abide by the contractual dispute resolution provisions in its existing interconnection agreement with AT&T. As Nextel maintained in its *Response*, however, this is a deficient argument as a matter of law that has been previously asserted by BellSouth and that has been rejected in other cases.³ Nextel has a legal right to adopt the Sprint ICA pursuant to Section 252(i) and the Merger Commitments. Consistent with case law, there is no basis to require Nextel to go through the meaningless steps of a dispute resolution process when, by AT&T's own actions, AT&T has clearly demonstrated that it has no intent to voluntarily honor its legal obligations to make the Sprint ICA available for Nextel to adopt.

Nextel looks forward to the March 24th oral arguments and relies on its existing filings in this matter.

Respectfully submitted,



Melvin J. Malone

c: Parties of Record

² *Order Denying Motions to Dismiss, Accepting Matter for Arbitration, and Appointing Pre-Arbitration Officer*, TRA Docket No. 07-00132, p. 6 (Oct. 5, 2007).

³ *Nextel Response* at 24 (citing *In re: Notice of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Network Telephone Corporation by Z-Tel Communications, Inc.*, Florida Pub. Serv. Comm'n Docket No. 040779-TP, Order No. PSC-05-0158-PAA-TP). See also *In re: Notice of adoption of existing interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., by Nextel South Corp. and Nextel West Corp.*, Florida Pub. Serv. Comm'n Docket No. 070369-TP, Order No. PSC-07-0831-FOF-TP (Oct. 16, 2007).