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February 29, 2008

E-FILING

Patricia Van Gerpen
South Dakota Public Utilities Commission
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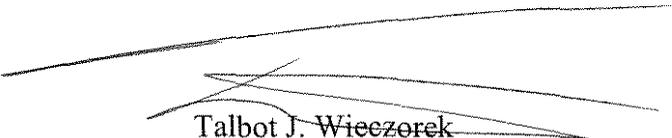
RE: Sprint Communications Company, L.P. – Petition of Brookings for Suspension or
Modification of Section 251 (b)(2) of the Communications Act of 1934, as
amended
TC08-017 GPGN File No. 8509-070220

Dear Ms. Van Gerpen:

Enclosed please find Sprint's Petition to Intervene in the above-entitled matter. By copy of
same, counsel have been served.

If you have any questions, please contact me.

Sincerely,



Talbot J. Wieczorek

TJW:klw
Enclosure
c: Service List
Client

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF
BROOKINGS MUNICIPAL UTILITIES
D/B/A SWIFTEL COMMUNICATIONS
FOR SUSPENSION OR MODIFICATION OF
SECTION 251(b)(2) OF THE
COMMUNICATIONS ACT OF 1934,
AS AMENDED

DOCKET No. TC08-017

SPRINT COMMUNICATIONS COMPANY, L.P.'s PETITION TO INTERVENE

Sprint Communications Company, L.P., (hereinafter "Sprint") by and through its attorneys, hereby petitions the Commission for intervention in the above-captioned proceeding pursuant to SDCL § 1-26-17.1 and A.R.S.D. §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, Sprint states as follows:

1. Sprint is a Delaware limited partnership with its principal place of business at 6200 Sprint Parkway, Overland Park, Kansas 66251. Sprint is a telecommunications carrier providing interexchange telecommunications services in South Dakota pursuant to its Certificate of Service Authority issued by the South Dakota Public Utilities Commission (hereinafter "Commission"). Sprint also holds a Certificate of Authority granted by this Commission in Docket TC 96-153, authorizing Sprint to offer local exchange telecommunications services statewide throughout South Dakota.

2. On January 30, 2007, Brookings Municipal Utilities d/b/a Swiftel Communications (hereinafter "Swiftel") filed with this Commission a Petition for Suspension or Modification of its obligations to provide Local Number Portability ("LNP"), Dialing Parity and reciprocal compensation, Docket Number TC07-007. Among other requests for relief, Swiftel requested

that it not have to provide wireline local portability until four-months after a competitive LEC is certified to provide local service in Swiftel's service territory and, that in the provisioning of local number portability, Swiftel not be required to transport ported numbers beyond its service territory. Regarding dialing parity, Swiftel has asked for a determination that Swiftel is not required to provide local dialing and is not required to transport outside its service territory. Docket TC07-007 was subject of a Stipulation for Continuance. It was after all the parties executed the Stipulation for Continuance that Swiftel filed the present docket.

3. Previously, on October 16, 2006, Sprint filed a Petition for Arbitration pursuant to 47 U.S.C. § 252, SDCL § 49-31-81 and A.R.S.D. 20:10:32:29. Docket Number TC 06-176. This Petition sought arbitration between Swiftel and Sprint on numerous issues regarding an interconnection agreement between the parties. Swiftel then filed its response on November 13, 2006.

4. Also, on October 20, 2006, Sprint filed a Request for Authority to Provide Service in the Swiftel area, Docket No. TC06-178. MCC filed a similar proceeding seeking authority to provide local telephone service in the Swiftel area. Docket No. TC06-188. As set forth in those proceedings and the arbitration, the local service to be provided by Sprint and MCC would be provided jointly. Similar arrangements have been made in South Dakota and are used to provide CLEC services in numerous other jurisdictions.

5. Pursuant to the jointly provisioned service, the voice service at the customer premises is a fixed interconnected VoIP service. The traffic is transported over MCC's hybrid fiber coax system to an aggregation point and then transported to Sprint. Sprint converts the traffic to Time Division Multiplexed traffic prior to termination to the public switched telephone network (PSTN). Traffic originating on the PSTN directed to an end user of this service is

converted to Internet Protocol prior to delivery to MCC for termination to the appropriate end user.

6. Under this jointly provisioned service model, Sprint is responsible for numbering resources, administration, and porting. However, Sprint is concerned that the suspension sought by Swiftel is intended to apply to the business model that Sprint will use to provide services to South Dakota customers. Swiftel seeks suspension of its LNP obligations to VoIP providers without identifying the type of VoIP service targeted through its request. There is no justification to treat LNP for the jointly provided services that Sprint will utilize any differently than wireline to wireline LNP merely because the service to the end user is an interconnected VoIP service. Because of these concerns, Sprint is compelled to intervene in this proceeding to ensure that its rights are not impacted by any suspension granted to Swiftel.

7. Sprint is a necessary party in the petition for suspension or modification as it is necessary for Sprint to be involved to protect Sprint's rights in regard to the petition for arbitration of the interconnection agreement and its request for a certificate of authority. The outcome of the suspension or modification would impact Sprint and Sprint may be bound and affected adversely should Swiftel's requested relief be granted.

8. Sprint's ability to operate and provide services either as a CLEC and an IXC would all be impacted adversely should Swiftel's requests for relief be granted.

WHEREFORE, based on the foregoing, Sprint is an interested party in this matter and should be permitted to intervene.

Dated this 29th day of February 2008.

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of February, 2008, a true and correct copy of **Sprint's Petition to Intervene** was sent electronically and by first-class, U.S. Mail, postage paid to:

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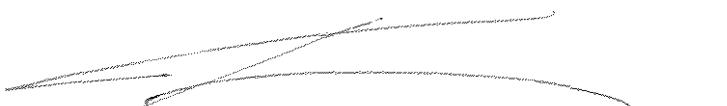
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