

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition of Cincinnati Bell Telephone Company for Pricing Flexibility	)	WCB/Pricing File No. 07-20
For Special Access Services, Dedicated Transport Services, and Channel Termination Services	)	

**REPLY OF CINCINNATI BELL TELEPHONE COMPANY**

Cincinnati Bell Telephone Company LLC (“CBT”) hereby replies to the Comments of Sprint Nextel Corporation (“Sprint Nextel”) urging the Commission to defer deciding CBT’s Petition for Pricing Flexibility (hereinafter, the “Petition”) filed in this proceeding on January 7, 2008.

Sprint Nextel’s Comments do not specifically address CBT’s Petition at all. Rather Sprint Nextel uses CBT’s Petition as a platform to address its general objections to the current pricing flexibility rules.<sup>1</sup>

CBT contends that Sprint Nextel is misusing the Commission’s comment process in this instance. This is not the first time Sprint Nextel has done so. Sprint Nextel has in the past submitted similar comments on other companies’ Petitions for Pricing Flexibility without contesting whether the applicant met the applicable triggers.<sup>2</sup>

---

<sup>1</sup> Sprint Nextel Comments at p. 1.

<sup>2</sup> In the Matter of Petition of Indiana Bell Telephone Co., Incorporated (Ameritech Indiana) And The Ohio Bell Telephone Company (Ameritech Ohio) For Pricing Flexibility Under § 69.727 Of the Commission’s Rules for the Specific SMAs, WCB/Pricing File No. 07-07, ¶ 15 n. 51.

Sprint Nextel had a full opportunity to raise its concerns with the Pricing Flexibility Rules in WC Docket No 05-25<sup>3</sup> and should restrict its comments on the general rules of Pricing Flexibility to that forum.

CBT filed its Petition pursuant to the existing Pricing Flexibility Rules. There presently exists no time frame for modification of the current Pricing Flexibility Rules. Further, there is no certainty that the Rules will be modified at all. Sprint Nextel unreasonably suggests that all pricing flexibility activity should grind to a halt indefinitely, pending rule modifications that may or may not occur. CBT's Petition is fully compliant with the existing rules and Sprint Nextel has identified no deficiency in the Petition.

Based on the foregoing, CBT submits that the Sprint Nextel's comments provide no basis for denying or delaying CBT's Petition. Accordingly, CBT's Petition for Pricing Flexibility should be granted.

Respectfully submitted,

/s/ Douglas E. Hart  
Douglas E. Hart (Ohio Bar No. 0005600)  
441 Vine Street  
Suite 4192  
Cincinnati, Ohio 45202  
(513) 621-6709  
(513) 621-6981 fax  
[dhart@douglasschart.com](mailto:dhart@douglasschart.com)

Attorney for Cincinnati Bell  
Telephone LLC

Dated: January 17, 2008

---

<sup>3</sup> In the Matter of Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25.

**CERTIFICATE OF SERVICE**

In accordance with 47 C.F.R. § 1.774(e)(3), I certify that a copy of the foregoing was served upon Anna M. Gomez and Laura H. Carter, Sprint Nextel Corporation, 2001 Edmund Halley Drive, Reston, VA 20191, by first class U.S. Mail, postage prepaid, this 17<sup>th</sup> day of January, 2008.

/s/ Douglas E. Hart