



January 18, 2012  
*Via ETFS*

Ms. Marlene H. Dortch, FCC Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

**RE: WIDE VOICE, LLC'S RESPONSE TO PETITION OF SPRINT COMMUNICATIONS COMPANY, L.P., TO REJECT OR, IN THE ALTERNATIVE, TO SUSPEND AND INVESTIGATE WIDE VOICE, LLC'S TARIFF F.C.C. NO. 3**

Dear Ms. Dortch:

Enclosed for filing with the Commission on behalf of Wide Voice, LLC ("Wide Voice") is the Response to the Petition of Sprint Communications Company, L.P., to Reject or, in the Alternative, to Suspend and Investigate Wide Voice, LLC's Tariff F.C.C. No. 3

Should you have any questions regarding this filing, please address them to my attention at (407) 740-3006 or via email at [croesel@tminc.com](mailto:croesel@tminc.com).

Sincerely,  
/s/ Carey Roesel

Carey Roesel  
Consultant to Wide Voice, LLC

Copy: Pat Chicas – Wide Voice  
Service List  
File: Wide Voice- FCC Access  
TMS FCC1203a

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Wide Voice, LLC</b>	)	Transmittal No. 3
	)	
<b>FCC Tariff No. 3</b>	)	

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**WIDE VOICE, LLC’S RESPONSE TO PETITION OF SPRINT COMMUNICATIONS  
COMPANY, L.P., TO REJECT OR, IN THE ALTERNATIVE, TO SUSPEND AND  
INVESTIGATE WIDE VOICE, LLC’S TARIFF F.C.C. NO. 3**

Wide Voice, L.L.C. (“Wide Voice”) pursuant to 47 C.F.R. § 1.773(b)(1)(iii), hereby responds to the Petition of Sprint Communications Company, L.P. ("Sprint") to Reject or, in the Alternative, to Suspend and Investigate Wide Voice's Tariff F.C.C. No. 3, filed January 12, 2012 (“Petition”). The Petitioner fail to offer any credible arguments to support rejection or suspension of Wide Voice’s FCC Tariff No. 3 (the “Tariff”), Transmittal No. 3 (the “Transmittal”) filed on January 5, 2012.

Sprint makes two specific allegations in its petition. First, Sprint is concerned that Wide Voice does not intend to comply with the traffic stimulation provisions of the ICC Reform Order since it included rates for multiple ILECs in a state. Second, Sprint believes Wide Voice is attempting to bill access charges under this tariff for what Sprint calls “non-toll InterMTA” traffic. As demonstrated below, these concerns are misplaced.

In paragraph 679 of the ICC Reform Order, the FCC makes it clear what rates an access stimulator may *charge*:

*If a competitive LEC meets the definition, it must benchmark its tariffed access rates to the rates of the price cap LEC with the lowest interstate switched access*

*rates in the state, rather than to the rates of the BOC or the largest incumbent LEC in the state (as proposed in the USF/ICC Transformation NPRM).*

In paragraph 691, the Order provides additional detail regarding CLEC requirements:

*We require a competitive LEC to file a revised interstate switched access tariff within 45 days of meeting the definition, or within 45 days of the effective date of the rule if on that date it meets the definition. A competitive LEC whose rates are already at or below the rate to which they would have to benchmark in the refiled tariff will not be required to make a tariff filing.*

By including the rates of the Price Cap LEC with the lowest interstate switched access rates in the state, Wide Voice will be able to comply with the new pricing rules – should the company meet the order’s definition of access stimulation – without making a separate filing. Wide Voice has no intention of billing rates that are out of compliance with the ICC Reform Order, and if it meets the definition of access stimulation, it will bill the required rates – rates that are now contained in the proposed tariff.

On the issue of billing access on “non-toll interMTA” traffic, Wide Voice is, frankly, confused by Sprint’s terminology. Wide Voice does not believe that such a traffic category exists. The MTA is what distinguishes access traffic from non-access traffic for LEC-CMRS traffic. In Paragraph 979 of the Order, the FCC affirms the “intraMTA Rule”:

*We also address certain pending issues and disputes regarding what is now commonly known as the intraMTA rule, which provides that traffic between a LEC and a CMRS provider that originates and terminates within the same Major Trading Area (MTA) is subject to reciprocal compensation obligations rather than interstate or intrastate access charges.*

And,

*Second, we affirm that all traffic routed to or from a CMRS provider that, at the beginning of a call, originates and terminates within the same MTA, is subject to reciprocal compensation, without exception.*

Wide Voice's provision in this regard is consistent with FCC orders and similar to what many carriers have included in their federal access tariffs.

### **CONCLUSION**

For the reasons stated above, the Bureau should conclude that the Petitioner's arguments are without merit and that its request to reject or suspend Wide Voice Tariff No. 3, Transmittal No. 3, is unfounded. The tariff filed by Wide Voice should be allowed to become effective as filed.

Dated: January 18, 2012

Respectfully submitted,

By: /s/ Carey Roesel  
Carey Roesel  
Technologies Management, Inc.  
2600 Maitland Center Parkway  
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*For Wide Voice, L.L.C.*

## **CERTIFICATE OF SERVICE**

I, Carey Roesel, hereby certify that on this 18th day of January, 2012, I caused a true and correct copy of the foregoing WIDE VOICE, LLC'S RESPONSE TO PETITION OF SPRINT COMMUNICATIONS COMPANY, L.P., TO REJECT OR, IN THE ALTERNATIVE, TO SUSPEND AND INVESTIGATE WIDE VOICE, LLC'S TARIFF F.C.C. NO. 3 to be served on the following parties:

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