

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20054**

<b>In the Matter of</b>	)	
	)	
<b>The Verizon Telephone Companies</b>	)	<b>Transmittal No. 296</b>
<b>Tariff F.C.C. Nos. 1, 11, 14 and 16</b>	)	

**PETITION OF SPRINT**

Sprint Communications Company L.P. (“Sprint”), pursuant to Section 1.773 of the Commission’s Rules, hereby respectfully requests that the Commission reject, or alternatively, suspend for the full five-month period permitted under Section 204(a) of the Act and institute an investigation of the tariff revisions filed by the Verizon Telephone Companies (“Verizon”) on February 28, 2003 under the above-captioned transmittal. Verizon seeks to amend its tariffs to significantly change the way in which customers dispute bills and to reduce the amount of notice provided prior to refusal and discontinuance of service. As discussed below, the proposed revisions violate Section 61.74 of the Commission’s Rules, which prohibits reference to other documents, and Section 61.38, which requires an explanation of the changed matter and the reasons for the change.

Verizon proposes to introduce a new requirement which applies to customers’ billing disputes. *See, e.g.*, Verizon Tariff F.C.C. No. 1, 1<sup>st</sup> Revised Page 2-29. Specifically, Verizon seeks to require its customers to submit written claims pursuant to “[i]nstructions ... [which] can be obtained by calling the billing inquiry number shown on the customer’s bill, or, by accessing the Telephone Company website also shown on the customer’s bill.” This provision blatantly violates Section 61.74(a) of the Commission’s rules, which prohibits any references in the tariff to other documents:

Except as otherwise provided in this and other sections of this part, no tariff publication filed with the Commission may make reference to any other tariff publication or to any other document or instrument.

There are two exceptions to the Commission's prohibition on cross-referencing other documents: under certain circumstances, tariffs may refer to technical publications (Section 61.74(e)) and other tariffs (Section 61.74(d)). Verizon's "instructions" proposed here are neither technical documents nor other tariffs. Therefore, any "instructions" which Verizon seeks to impose on its customers must be clearly set forth in the tariff itself so that they are publicly available to the Commission, customers and other interested parties, and so that the lawfulness of the provision can be determined. Sprint has been unable, thus far, to find the "instructions" on Verizon's website. Clearly, Verizon's violation of Section 61.74 and its failure to provide the document referenced in its tariffs warrant rejection of the proposed changes.

The procedures for submitting disputes are extremely important to Verizon's access customers because of the large number of bills received, the magnitude of the charges, and the large number of errors in them. Sprint, for example, routinely disputes approximately 8.3 percent of its bills from Verizon, and it is successful in approximately 75.4 percent of its disputes. During the last year (March 2002 thru February 2003), Sprint received approximately 69,000 access bills from Verizon, 39.9 percent of which contained errors (approximately 27,600 invoices). Thus, any change in the procedures will have a significant impact on Sprint. If Verizon requires a format which differs from the one Sprint currently uses, Sprint will be required to modify its computer programs to conform to the new format. Such modifications will require time to implement and undoubtedly will be extremely costly to make. Verizon's new requirements may also force Sprint to add staff to prepare the disputes in the new format in a timely manner.

Verizon has offered no justification for the imposition of new rules concerning how customers must dispute charges, in violation of Section 61.38(b) of the Commission's Rules, which requires carriers to provide "an explanation of the changed or new matter, the reasons for the filing, the basis of the ratemaking employed, and economic information to support the changed or new matter." The changes to the dispute

provisions here clearly warrant a discussion of the reasons for the change, why a particular format will be required, and why current procedures used by carriers will no longer be acceptable. Given that Sprint has provided written documentation of its disputes in the same format for many years, Sprint believes it is unreasonable for Verizon to require Sprint to incur significant costs to modify the format of its disputes. It is also unclear what action Verizon will take if a customer does not comply with its “instructions” and required format. It would clearly be unreasonable for Verizon to ignore the dispute and proceed to provide notice of discontinuance of service for nonpayment simply because the dispute is not formatted according to the “instructions.”

Verizon is also proposing to reduce the number of days’ notice it will provide to customers prior to refusing or discontinuing service. Here again, Verizon should be required to provide an explanation of the change and the reasons for the change, in compliance with Section 61.38.

Sprint is concerned about the ability Verizon will afford itself under the proposed tariff changes to refuse or discontinue service on short notice based on a late payment of a few, or even just one, of the 69,000 bills Sprint receives annually. It would be unjust and unreasonable, in violation of Section 201(b) of the Act, for Verizon to refuse or discontinue service on the basis of a late payment of a bill, or the failure to pay a bill in full, which reflects a small fraction of a customer’s total monthly billings. Verizon should provide some criteria to ensure that the late payment represents a material proportion of the customer’s monthly charges.

Finally, Verizon is proposing to require the posting of deposits within fifteen business days of notice to its customers. Depending on the size of the deposit, this may be an extremely short time to post the deposit. Under this revision, Sprint could be required to post tens of millions of dollars on short notice. Here again, Verizon has not provided any reasoning for its proposed change or the basis of the 15 business days’ notice. Absent such justification, the proposed change should not be allowed to become effective.

For the foregoing reasons, the Commission should reject, or alternatively, suspend and investigate Verizon's proposed revisions in Transmittal No. 296.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.

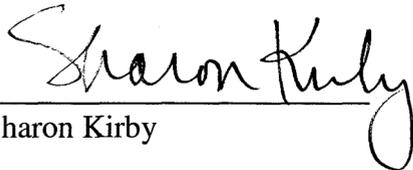


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March 7, 2003

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition of Sprint in the Matter of the Verizon Telephone Companies' Tariff F.C.C. Nos. 1, 11, 14 and 16 (Transmittal No. 296) was sent electronically and/or by U.S. First Class Mail and facsimile on this 7th day of March 2003 to the parties listed below.

  
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