

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Investigation of Certain 2007 Annual Access Tariffs	)	WC Docket No. 07-184
	)	WCB/Pricing No. 07-10
	)	
Broadband Network Group Tariff FCC No. 1	)	Transmittal No. 3
	)	
Arthur Mutual Telephone Co.	)	
Bascom Mutual Telephone Co.	)	
Benton Ridge Telephone Co.	)	
Buckland Telephone Co.	)	
Fort Jennings Telephone Co.	)	
Glandorf Telephone Co.	)	
Kalida Telephone Co.	)	
Middle Point Home Telephone Co.	)	
Ottoville Mutual Telephone Co.	)	
Ridgeville Telephone Co.	)	
Sherwood Mutual Telephone Co.	)	
Vaughnsville Telephone Co.	)	
	)	
ICORE Tariff FCC No. 2	)	Transmittal No. 84
	)	
Jordan-Soldier Valley Telephone Co.	)	
Northeast Iowa Telephone Co., Inc.	)	

**PETITION TO REJECT  
OF  
SPRINT NEXTEL CORPORATION**

Sprint Nextel Corporation (“Sprint Nextel”) hereby respectfully requests that the above-captioned tariff filings of Broadband Network Group and ICORE be rejected.

Alternatively, the Wireline Competition Bureau (“Bureau”) could direct Broadband Network Group and ICORE to revise the problematic tariff language as suggested herein on short notice, to become effective on October 5, 2007.

On June 28, 2007, the Bureau issued an *Order* suspending and setting for investigation the switched access rates of numerous local exchange carriers (“LECs”), including the twelve Broadband Network Group and the two ICORE LECs listed above.<sup>1</sup> In this *Order*, the Bureau noted that the subject tariffs “raise substantial questions of lawfulness” because of the possibility that the issuing LECs intended to engage in traffic pumping activities which would render their rates unjust and unreasonable. In the subsequent *Order Designating Issues for Investigation*,<sup>2</sup> the Bureau directed the subject LECs to provide detailed information relating to traffic stimulation activities, the treatment of associated costs and revenues, and the reasonableness of the proposed rates. However, LECs such as Broadband Network Group and ICORE would not be required to provide such information if they filed tariff language with the following commitment:<sup>3</sup>

If the monthly interstate local switching minutes of the issuing carrier exceeds 100 percent of the interstate local switching demand in the same month of the previous year (refile trigger), the issuing carrier will file revised local switching and transport tariff rates within 60 days of the end of the month in which the issuing carrier met the refile trigger.

In their respective transmittals, the Broadband Network Group and ICORE have committed only to revising their local switching rates (not their transport rates) if and when they meet the refile trigger. Because this language does not meet the specifications set forth in the Bureau’s *Order Designating Issues for Investigation*, the tariffs should be rejected and Broadband Network Group and ICORE should be required to file the

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<sup>1</sup> *In the Matter of July 1, 2007 Annual Access Charge Tariff Filings*, WCB/Pricing No. 07-10, *Order* released June 28, 2007 (DA 07-2862).

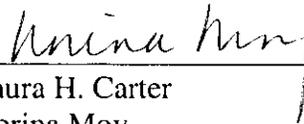
<sup>2</sup> *In the Matter of Investigation of Certain 2007 Annual Access Tariffs*, WC Docket No. 07-184 and WCB/Pricing No. 07-10, *Order Designating Issues for Investigation* released August 24, 2007 (DA 07-3738).

<sup>3</sup> *Id.*, paras. 20 and 28.

requisite direct case. However, Sprint Nextel would not object if Broadband Network Group and ICORE amended their tariffs to include a commitment to revise both their local switching and their transport rates if and when they meet the refile trigger. Such tariff amendments should be filed on short notice so that they go into effect on October 5, 2007, the proposed effective date of the instant transmittals.

Respectfully submitted,

SPRINT NEXTEL CORPORATION

A handwritten signature in cursive script, appearing to read "Norina Moy", is written over a horizontal line.

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September 26, 2007

## Certificate of Service

I, Norina Moy, do hereby certify that copies of the foregoing "Petition to Reject" of Sprint Nextel Corporation were sent via e-mail or fax, on this 26<sup>th</sup> day of September 2007, to the following:

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