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Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Suite 530
Jefferson City, MO 65101

Re: In the Matter of the Mid-Missouri Group's Filing to Revise its Access Service
Tariff P.S.C. Mo. No. 2
Case No. TT-99-428

Dear Mr. Roberts:

Enclosed for filing are an original and fourteen (14) copies of the Position Statement of Sprint Spectrum L.P. d/b/a Sprint PCS.

If you have any questions, please do not hesitate to contact me at (913) 345-7915.

Sincerely,

Linda K. Gardner

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by Denis Bergmeyer

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Enclosures
cc: All Parties

Position Statement

I. Is the tariff proposed by MMG lawful as applied to wireless or CLEC traffic?

Sprint PCS' position is that the MMG tariff is unlawful as applied to wireless traffic. The Federal Communications Commission has defined all wireless traffic originating and terminating within a single MTA to be local traffic. The FCC has further provided, both in its rules and its Orders, that access tariffs are inapplicable to local traffic. The Missouri Public Service Commission cannot approve any rate applicable to local traffic that is not either cost based, within the FCC proxies, or bill-and-keep.

II. If lawful, should the tariff proposed by MMG be approved?

Sprint PCS' position is that the tariff is unlawful. Even if the Commission were to find the tariff lawful, however, it should not be approved. Approval of this unilateral, non-cost based tariff will remove all incentive from ILECs to comply with their federal obligation to enter reciprocal compensation arrangements with wireless carriers.