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VIA E-MAIL AND FEDERAL EXPRESS

May 7, 2004

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, Fl. 2
Boston, Massachusetts 02110

Re: D.T.E. 04-33: Verizon Massachusetts Arbitration

Dear Ms. Cottrell:

Sprint Communications Company L.P. ("Sprint") respectfully responds to Verizon New England Inc. d/b/a Verizon Massachusetts ("Verizon's") Motion to Hold Proceeding in Abeyance until June 15, 2004 ("Motion"). Sprint does not oppose Verizon's Motion, subject to the following conditions:

- **The Department Should Rule on Sprint's Motion to Dismiss First.** The Department should rule on Sprint's Motion to Dismiss dated March 15, 2004¹ prior to ruling on Verizon's Motion. Just as "[p]lacing the current proceeding into abeyance would help to ensure that parties will be able to devote their attention to commercial negotiations without the distraction of simultaneous

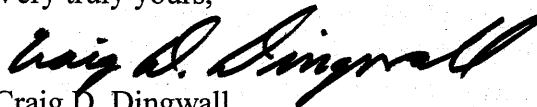
¹ DTE 04-33, Sprint's Response and Motion to Dismiss Verizon's Arbitration Petition, March 15, 2004.

litigation,"² dismissing the arbitration would accomplish the same objective. Thus, Verizon's Motion underscores the pre-maturity of Verizon's arbitration petition. If Verizon's arbitration is dismissed, Verizon's Motion will be moot because there would be no arbitration to hold in abeyance. Also, any ruling on Verizon's Motion should not prejudice Sprint's Motion to Dismiss. If the Department does not grant Sprint's Motion to Dismiss or grants it only as to Sprint, Sprint reserves the right to participate in the proceeding to protect its interests.

- **If Verizon's Arbitration is Not Dismissed, Verizon Should Maintain the UNE Platform *Status Quo* at Existing UNE Rates While the Arbitration is Pending.** As a condition for holding this proceeding in abeyance, Verizon should be required to maintain the UNE Platform *status quo* at current rates not only while the proceeding is held in abeyance but also while Verizon's arbitration is pending. The Public Utility Commission of Texas recently granted SBC's motion to hold arbitration of interconnection agreements in abeyance based, in part, on SBC's assurances that UNEs will continue to be offered consistent with those agreements.³ Verizon should be required to do the same thing in this proceeding with respect to its existing interconnection agreements at least until Verizon's arbitration is completed, if it is not dismissed before then.

Thank you for your consideration.

Very truly yours,


Craig D. Dingwall

cc: Tina W. Chin, Hearing Officer
D.T.E. 04-33 Service List

² Verizon Motion at 2.

³ Public Utility Commission of Texas, Docket No. 28821, *Arbitration of Non-Costing Issues for Successor Interconnection Agreements to the Texas 271 Agreement*, Order Abating Proceeding dated May 5, 2004 at 1. A copy of this Order is attached.

RECEIVED

DOCKET NO. 28821

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ARBITRATION OF NON-COSTING
ISSUES FOR SUCCESSOR
INTERCONNECTION AGREEMENTS
TO THE TEXAS 271 AGREEMENT

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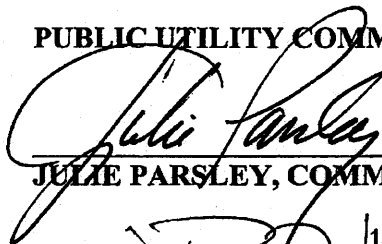
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

ORDER ABATING PROCEEDING

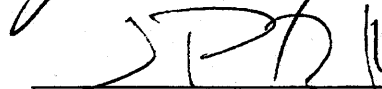
This Order grants the motion filed by Southwestern Bell Telephone, L.P. d/b/a SBC Texas to abate this proceeding for sixty days to enable further business-to-business contract negotiations. In accordance with the assurances made by SBC that: 1) the T2A and T2A-based agreements will be extended; 2) procedural dates will be extended by sixty days; 3) agreements will be extended for those parties not participating in this proceedings but who intend to opt-in to an interconnection agreement resulting from this proceeding; and 4) that UNEs will continue to be offered consistent with those agreements, this proceeding is abated, and a revised procedural schedule will be developed. The deadline for processing this case is extended for sixty days from the date of this Order.

SIGNED AT AUSTIN, TEXAS the 5th day of May 2004.

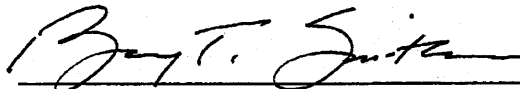
PUBLIC UTILITY COMMISSION OF TEXAS



JULIE PARSLEY, COMMISSIONER



PAUL HUDSON, CHAIRMAN



BARRY T. SMITHERMAN, COMMISSIONER

CERTIFICATE OF SERVICE
MA D.T.E 04-33

I Mable L. Semple, hereby certify that, on May 7, 2004, I served copies of the foregoing letter upon the parties on the attached service list by Electronic and /or first class- mail, postage prepaid.

Dated at Washington DC May 7, 2004

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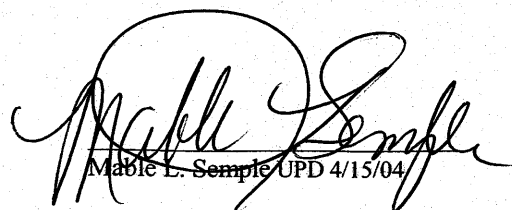
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