

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Investigation by the Department on its Own Motion  
to Determine whether an Agreement entered into by  
Verizon New England Inc., d/b/a Verizon  
Massachusetts is an Interconnection Agreement  
under 47 U.S.C. § 251 Requiring the Agreement to  
be filed with the Department for Approval in  
Accordance with 47 U.S.C. § 252

DTC Docket No. 13-6

**OPPOSITION TO MOTION TO STRIKE  
THE PRE-FILED REBUTTAL TESTIMONY  
OF JOSEPH GILLAN AND JAMES BURT**

Sprint<sup>1</sup> hereby responds to the Motion to Strike the Pre-Filed Rebuttal Testimony of Joseph Gillan and James Burt (“Motion to Strike”) filed by Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon MA”) and urges the Department of Telecommunications and Cable (“Department”) to deny Verizon MA’s Motion to Strike. Verizon MA merely incorporates by reference the flawed arguments it advanced in its previously filed Motion to Strike targeting Sprint’s and the Competitive Carriers’ first round of pre-filed testimony; and Verizon MA again fails to provide any actionable justification for striking testimony submitted in this docket. As Sprint and the Competitive Carriers separately explained in their earlier filed Oppositions – which arguments are incorporated herein by reference, Verizon MA’s legal arguments are without merit. The appropriate course for the Department to follow is to receive the pre-filed testimony and pre-filed rebuttal testimony submitted by Sprint and the Competitive Carriers and exercise its discretion in determining in the weight given to such testimony.

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<sup>1</sup> Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel Communications of the Mid-Atlantic, Inc., and Virgin Mobile USA, L.P. are all subsidiaries of Sprint Corporation and are referred to herein collectively as “Sprint.”

WHEREFORE, for the reasons stated in Sprint's and the Competitive Carriers' earlier filed Oppositions, Sprint requests that Verizon MA's Motion to Strike be denied.

Respectfully submitted,

Sprint Communications Company L.P.  
Sprint Spectrum L.P.  
Nextel Communications of the Mid-Atlantic, Inc.  
Virgin Mobile USA, L.P.

By its Attorney



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