

Sprint

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Sprint Nextel

KSOPHN0314-3A459

6450 Sprint Parkway

Overland Park, KS 66251

April 25, 2012

Received
on

APR 26 2012

Ms. Patrice Petersen-Klein
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027

by
State Corporation Commission
of Kansas

Re: **Docket No. 10-GIMT-658-GIT**

Request for Confidential Treatment

Dear Ms. Petersen-Klein:

Pursuant to K.S.A. 66-1220a and K.A.R. 82-1-221a, Virgin Mobile USA, L.P. ("Virgin Mobile") respectfully requests confidential treatment of certain portions of its response to the Commission's questions set forth in its March 27, 2012 Order in the above-referenced docket. Attached are copies of the confidential attachments to the response.

**Material for which
confidentiality is requested**

Pages

**Reasons justifying
confidential treatment**

Location and description of
network facilities

Confidential
Attachment A

This information constitutes "critical communications infrastructure" as that term is used in the federal Homeland Security Act of 2002. Public disclosure could be a threat to public safety.

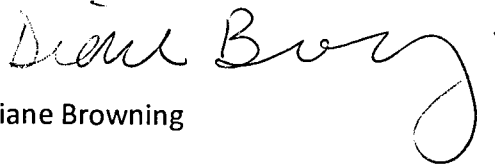
Facilities map

Confidential
Attachment B

This information constitutes "critical communications infrastructure" as that term is used in the federal Homeland Security Act of 2002. Public disclosure could be a threat to public safety.

For the above reasons, Nextel requests the Commission to grant confidential treatment for the submitted materials. Should you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Diane Browning". The signature is written in black ink and is positioned above the printed name.

Diane Browning

Attachments

Virgin Mobile USA, L.P.
Docket No. 10-GIMT-658-GIT
Apr. 25, 2012

- 1) Does your Company continue to satisfy the "own facilities" requirement under amended 47 C.F.R. 54.401(a)?

Response: Yes.

- 2) If your response to Question 1 is yes; please provide a detailed explanation of how your Company satisfies the "own facilities" requirement in Kansas, including a listing of the facilities used to provide voice telephony service, a description of the facilities, and location of said facilities.

Response:

Virgin Mobile provides its wireless services, including its Lifeline services, exclusively over the Nationwide Sprint Network. As a wholly owned subsidiary of Sprint, Virgin Mobile has beneficial use of Sprint's wireless facilities and is appropriately classified as a facilities-based carrier for purposes of section 214(e)(1) of the Communications Act of 1934, as the Commission and the Federal Communications Commission have recognized.¹

The Nationwide Sprint Network is part of this country's "critical communications infrastructure" as that term is used in the federal Homeland Security Act of 2002. Thus Sprint makes every effort to ensure that the description and exact location of its highly sensitive network infrastructure is not routinely made available to the public at large. Sprint is willing to provide the requested information to the Commission under seal with the Commission's assurance that such information will not be posted on the Commission's website or otherwise made available to the public. See **Confidential Attachments A and B**.

- 3) Not applicable.

- 4) Not applicable.

¹ *In the Matter of Virgin Mobile USA, L.P.'s Petition for Limited Designation as an Eligible Telecommunications Carrier*, Order, Docket No. 10-VMBZ-657-ETC (Nov. 2, 2011) at ¶ 17; *In the Matter of Virgin Mobile USA, L.P. Petitions for Designation as an Eligible Telecommunications Carrier in the States of Alabama, Connecticut, Delaware, New Hampshire and Washington D.C.*, Order, DA 10-2433 (rel. Dec. 29, 2010) at ¶ 15 (finding that "Virgin Mobile has its 'own facilities' for the purposes of the section 214(e)(1) facilities requirement").