

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Brian J. Moline, Chair
 Robert E. Krehbiel
 Michael C. Moffet

In the Matter of the Application of Sprint Nextel)
Corporation for Approval of the Transfer of Control) Docket No. 06-SCCC-200-MIS
of United Telephone Company of Kansas, United)
Telephone Company of Eastern Kansas, United)
Telephone Company of Southcentral Kansas, Sprint)
Missouri, Inc. d/b/a United Telephone Company of)
Southeastern Kansas and Sprint Long Distance, Inc.)
from Sprint Nextel Corporation to LTD Holding)
Company.)

ORDER GRANTING INTERVENTION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1. On August 30, 2005, Sprint Nextel Corporation (Sprint) filed an application with the Commission for an order approving the transfer of control of United Telephone Company of Kansas, United Telephone Company of Eastern Kansas, United Telephone Company of Southcentral Kansas, Sprint Missouri, Inc. d/b/a United Telephone Company of Southeastern Kansas (collectively United) and Sprint Long Distance, Inc. from Sprint Nextel Corporation to LTD Holding Company.

2. On August 31, 2005, the Citizens' Utility Ratepayer Board (CURB) filed a petition requesting intervention in this proceeding.

3. The Commission has broad discretion to grant a petition for intervention if intervention is in "the interests of justice and orderly and prompt conduct of the proceedings will not be impaired" K.S.A. 77-521(a)(3). K.A.R. 82-1-225 also recognizes the Commission's

broad discretion to grant interventions. A party's petition to intervene must "state[] facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law." K.A.R. 82-1-225(a)(2). Further, the Commission may limit an intervenor's participation to designated issues in which the intervenor has a particular interest as demonstrated in the petition, require two or more intervenors to combine their presentation of evidence or argument, and limit an intervenor's use of discovery. K.A.R. § 82-1-225(c)(1)-(2).

4. In support of its August 31, 2005 petition, CURB stated that it is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings. CURB indicated that the rates paid and the service received by Kansas residential and small commercial ratepayers will or may be affected by any Commission order or activity in this proceeding. CURB further asserts that other parties to this docket cannot adequately protect its interest. CURB therefore requests to intervene in this proceeding to represent the interests of Kansas residential and small commercial ratepayers.

5. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and as such should be granted intervention. CURB should be added to the mailing lists to receive service of all pleadings in this matter. Service of all pleadings, communications and correspondence should be directed to the counsel of record for the petitioners, as follows:

C. Steven Rarrick
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Citizens' Utility Ratepayer Board's Petition for intervention complies with the requirements set forth in K.A.R. 82-1-225. The Citizens' Utility Ratepayer Board is therefore granted intervention in the above-captioned proceeding. Petitioner shall receive service of all pleadings in this matter.

B. A party may file a petition for reconsideration of this order within fifteen days of the service of this order. If this order is mailed, service is complete upon mailing, and three days may be added to the above time frame. K.S.A. 66-118; K.S.A. 2004 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Moline, Chr.; Krehbiel, Com.; Moffet, Com.

Dated: **AUG 31 2005**

ORDER MAILED

AUG 31 2005

 Executive
Director

Susan K. Duffy
Executive Director

BL:ks