

ISSUED: July 24, 2008

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 830

In the Matter of)	
)	
SPRINT COMMUNICATIONS COMPANY L.P.)	RULING
)	
Petition For Arbitration of an)	
Interconnection Agreement with)	
CENTURYTEL OF OREGON, INC.)	

**DISPOSITION: REQUEST FOR EXTENSION GRANTED; SCHEDULE
MODIFIED**

Pursuant to the schedule established in the above-captioned docket on April 22, 2008, the parties' reply briefs were due July 23, 2008. Due to a calendaring error, Sprint Communications Company L.P. (Sprint) requested a one-day extension of time for filing its reply brief. Sprint sent its request via e-mail at approximately 4:15 p.m. on July 23, 2008. CenturyTel of Oregon, Inc. (CenturyTel) objected to Sprint's request, arguing that Sprint would gain an unfair advantage because it would have the opportunity to review CenturyTel's reply brief, which had been filed and electronically served at approximately 3:00 p.m. on July 23.

Sprint's request for an extension is problematic in several respects. First, Sprint's outside counsel had correctly calendared the due date for the reply brief, and therefore Sprint should have discovered its error before the late afternoon of the day the brief was due. Second, Sprint's request should have been made by filing a formal motion for an extension of time well before 4:15 p.m. on the due date so that the extension could have been granted to both parties filing reply briefs. Third, this is the second time that Sprint filed a motion for an extension via e-mail on the date that a filing was due, a practice that is generally unacceptable. Finally, CenturyTel is correct that Sprint could gain an unfair advantage by having the opportunity to review CenturyTel's reply brief before filing its own. Sprint offered to ameliorate CenturyTel's concerns by promising not to open or review CenturyTel's reply brief before filing its own.

Sprint's failure to meet the deadline for filing reply briefs in this docket is inexcusable. Nonetheless, I am granting Sprint's request for a one-day extension in the interest of creating a full and detailed record in these proceedings. Sprint's reply brief is due July 24, 2008, by 5:00 p.m. I believe Sprint's promise not to open CenturyTel's reply brief before filing its own is insufficient protection for CenturyTel.

I am therefore allowing CenturyTel the opportunity to file a surreply brief, not to exceed 15 pages, by 5:00 p.m. on July 28, 2008. The surreply brief should be limited to addressing items in Sprint's reply brief that CenturyTel believes may have been included because Sprint had the opportunity to review CenturyTel's reply brief prior to filing its own.

Given this delay, I am modifying the remainder of the procedural schedule in this docket as follows:

Arbitrator's Decision	September 2, 2008
Parties file Comments on Arbitrator's Decision	September 15, 2008
Commission Decision	October 6, 2008.

Dated this 24th day of July, 2008, at Salem, Oregon.

Sarah K. Wallace
Arbitrator