

FEDERAL COMMUNICATIONS COMMISSION  
Enforcement Bureau  
Market Disputes Resolution Division  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

August 3, 2018

Copies sent by E-mail

NOTICE OF FORMAL COMPLAINT

THIS LETTER CONTAINS IMPORTANT INFORMATION REGARDING  
FILING DEADLINES AND PROCEDURES. PLEASE REVIEW IT  
CAREFULLY.

Missouri Network Alliance, LLC,	)	
	)	
Complainant,	)	
	)	Proceeding Number 18-236
v.	)	Bureau ID Number EB-18-MD-004
	)	
Sprint Communications Company, L.P.,	)	
	)	
Defendant.	)	

Bennett L. Ross  
Christopher Huther  
Wiley Rein, LLP  
1776 K Street, NW  
Washington, DC 20006  
[BRoss@WileyRein.com](mailto:BRoss@WileyRein.com)  
[CHuther@WileyRein.com](mailto:CHuther@WileyRein.com)

Counsel for Complainant

Jared Paul Marx  
Harris, Wiltshire & Grannis LLP  
1919 M Street, NW, 8<sup>th</sup> Floor  
Washington, DC 20036  
[jmarx@hwglaw.com](mailto:jmarx@hwglaw.com)

Counsel for Defendant

Dear Counsel:

On August 1, 2018, Missouri Network Alliance, LLP (MNA) filed with this Commission a formal complaint against Sprint Communications Company, L.P. (Sprint) under Section 208 of the

Communications Act of 1934, as amended (the Act), 47 U.S.C. § 208.<sup>1</sup> A copy of the Complaint is being sent to Sprint by email with this letter. See 47 CFR § 1.735(d). Sprint already should have a copy of the Complaint as served by hand delivery by MNA. See 47 CFR § 1.735(c). If that is not the case, Sprint immediately should contact the Commission counsel identified below.

The Commission has promulgated comprehensive rules regarding formal complaints. See 47 CFR §§ 1.720-1.736. See also *Implementation of the Telecommunications Act of 1996, Amendment of Rules Governing Procedures to Be Followed when Formal Complaints Are Filed Against Common Carriers*, Report and Order, 12 FCC Rcd 22497 (1997) (*Formal Complaints Order*), Order on Reconsideration, 16 FCC Rcd 5681 (2001) (*Formal Complaints Recon Order*). See also *Amendment of Certain of the Commission's Part 1 Rules of Practice and Procedure Relating to the Filing of Formal Complaints Under Section 208 of the Communications Act and Pole Attachment Complaints Under Section 224 of the Communications Act*, Order, 29 FCC Rcd 14078 (2014) (*Formal Complaints Amendment Order*). We strongly encourage the parties to read the formal complaint rules, the *Formal Complaints Order*, the *Formal Complaints Recon Order*, and the *Formal Complaints Amendment Order* fully and carefully.

Pursuant to Sections 4(i), 4(j), and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, Sections 1.3, 1.724, 1.726, 1.729, and 1.733 of the Commission's rules, 47 CFR §§ 1.3, 1.724, 1.726, 1.729, 1.733, and the authority delegated by Sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311, we previously granted the parties' request to modify certain requirements set forth in the formal complaint rules.<sup>2</sup> Accordingly, the parties shall comply with the requirements of the formal complaint rules consistent with the Waiver Letter Ruling and this Notice of Formal Complaint as follows:

- 1) Sprint shall, on or before **August 29, 2018**, file and serve an answer to the Complaint that complies with the Waiver Letter Ruling, this Notice of Formal Complaint, and 47 CFR § 1.724 as modified.
- 2) MNA shall, on or before **September 10, 2018**, file and serve a reply to the answer that complies with the Waiver Letter Ruling, this Notice of Formal Complaint, and 47 CFR § 1.726 as modified.
- 3) We will schedule an initial status conference and any related submissions, if necessary, after we receive and review the parties' initial pleadings.
- 4) The parties shall file a public version of all written submissions in this proceeding using the Commission's Electronic Comment Filing System (ECFS). All written submissions shall (a) prominently contain the Proceeding Number and Bureau Id Number referenced above (*see, e.g.*, 47 CFR § 1.7), and (b) be addressed to the Commission Secretary. If a party seeks to file both a public version and a confidential version of a submission, it must file the public (redacted) version on ECFS and file the confidential (unredacted) version in hard copy form with the Office of the Commission Secretary. See 47 CFR § 1.731. In addition to filing the unredacted version with the

---

<sup>1</sup> Formal Complaint of Missouri Network Alliance, LLC (filed Aug. 1, 2018) (Complaint).

<sup>2</sup> Letter Ruling from Lisa B. Griffin, Deputy Division Chief, EB/MDRD, to Bennett Ross, Counsel for MNA, and Jared Paul Marx, Counsel for Sprint (filed July 19, 2018) (Waiver Letter Ruling).

Office of the Secretary, please leave at that office two additional unredacted hard copies marked as "Courtesy Staff Copies. EB-MDRD, 202-418-7330". See 47 U.S.C. § 154(i); 47 CFR § 1.735(e). The parties shall serve on one another all filings via e-mail, hand-delivery, or overnight delivery, together with a proof of all such service. See 47 CFR § 1.735(f). In addition, the parties shall send to the Commission staff identified below email courtesy copies of all filings (both public versions and confidential versions) in a format that permits full text searching. See 47 U.S.C. § 154(i); 47 CFR § 1.735(e). See *Formal Complaints Amendment Order*, 29 FCC Rcd at 14081, para. 11 (requiring parties to provide hard copies of submissions to Commission staff upon request).

The parties should note that this proceeding is restricted for *ex parte* purposes pursuant to 47 CFR Part 1, Subpart H. Further, the parties shall retain all records that may be relevant to the complaint, including electronic records, until the Commission's decision in this proceeding is final and no longer subject to judicial review. See 47 U.S.C. §§ 154(i), 208(a); 47 CFR § 42.7.

Commission staff assigned to this matter are: Lisa Griffin (counsel): (202) 418-7273 and [lisa.griffin@fcc.gov](mailto:lisa.griffin@fcc.gov); Anthony J. DeLaurentis (counsel): (202) 418-0198 and [anthony.delarentis@fcc.gov](mailto:anthony.delarentis@fcc.gov); and Sandra Gray-Fields (administrative): (202) 418-0961 and [sandra.gray-fields@fcc.gov](mailto:sandra.gray-fields@fcc.gov).

This letter ruling is issued pursuant to Sections 4(i), 4(j), and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, Sections 1.3 and 1.720-1.736 of the Commission's rules, 47 CFR §§ 1.3, 1.720-1.736, and the authority delegated in Sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311.

FEDERAL COMMUNICATIONS COMMISSION

Handwritten signature of Lisa B. Griffin in blue ink, with the initials "ASD" written at the end.

Lisa B. Griffin, Deputy Division Chief  
Enforcement Bureau, Market Disputes Resolution Division  
[lisa.griffin@fcc.gov](mailto:lisa.griffin@fcc.gov)

cc: Bennett L. Ross (email)  
Christopher Huther (email)  
Anthony J. DeLaurentis