

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Sprint Communications Company L.P.,	)	
	)	
Complainant,	)	
	)	
v.	)	File No. EB-11-MD-003
	)	
Northern Valley Communications, LLC,	)	
	)	
Defendant.	)	

**ORDER ON RECONSIDERATION**

**Adopted: November 10, 2011**

**Released: November 14, 2011**

By the Commission:

1. In this Order on Reconsideration, we dismiss on procedural grounds, and alternatively deny on the merits, the Petition for Reconsideration of Northern Valley Communications, LLC (“Northern Valley”)<sup>1</sup> filed under section 405 of the Communications Act of 1934, as amended (“Act”), and section 1.106 of the Commission’s rules.<sup>2</sup> Northern Valley challenges the Commission’s Memorandum Opinion and Order<sup>3</sup> granting in part a formal complaint filed by Sprint Communications Company L.P. against Northern Valley<sup>4</sup> under section 208 of the Act.<sup>5</sup>

2. At issue in the *Sprint Order* was the legality of Northern Valley’s interstate switched exchange access services tariff filed on July 8, 2010 (“Tariff”), which purported to impose access charges on interexchange carriers for calls to or from entities to whom Northern Valley offered free telecommunications.<sup>6</sup> The Commission addressed the same issue and made the same findings in a separate, earlier challenge to the Northern Valley Tariff brought by Qwest Communications Company,

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<sup>1</sup> Petition for Reconsideration of Northern Valley Communications, LLC, File No. EB-11-MD-003 (filed Aug. 17, 2011) (“Petition”).

<sup>2</sup> 47 U.S.C. § 405; 47 C.F.R. § 1.106.

<sup>3</sup> *Sprint Communications Company L.P. v. Northern Valley Communications, LLC*, Memorandum Opinion and Order, 26 FCC Rcd 10780 (2011) (“*Sprint Order*”).

<sup>4</sup> See Formal Complaint of Sprint Communications Company L.P., File No. EB-11-MD-003 (filed Feb. 18, 2011).

<sup>5</sup> 47 U.S.C. § 208.

<sup>6</sup> *Sprint Order*, 26 FCC Rcd at 10781, ¶ 3, 10783, ¶ 6.

LLC.<sup>7</sup> The Commission recently denied Northern Valley's Petition for Reconsideration of *Qwest v. Northern Valley*.<sup>8</sup> For the same reasons set forth in *Qwest v. Northern Valley* and the *Qwest Reconsideration Order*, we likewise deny Northern Valley's instant Petition and incorporate by reference our holdings and discussion in those orders.<sup>9</sup>

### III. ORDERING CLAUSE

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), 201, 208, and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201, 208, and 405, and sections 1.106 and 61.26 of the Commission's rules, 47 C.F.R. §§ 1.106 and 61.26, that the Petition for Reconsideration filed by Northern Valley is DISMISSED to the extent indicated and is otherwise DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>7</sup> See *Qwest Communications Co., LLC v. Northern Valley Communications, LLC*, Memorandum Opinion and Order, 26 FCC Rcd 8332, 8341, ¶ 15 (2011), *petition for recon. dismissed and, in the alternative, denied* ("*Qwest v. Northern Valley*").

<sup>8</sup> See *Qwest Communications Co., LLC v. Northern Valley Communications, LLC*, Order on Reconsideration, 2011 WL 4600858 (2011) ("*Qwest Reconsideration Order*").

<sup>9</sup> See *Qwest Reconsideration Order*, 2011 WL 4600858 at \*2-5, ¶¶ 5-15.