

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Petition for Arbitration)	
of Unresolved Issues in a Section 251(b)(5))	Case No. TO-2006-0147
Agreement with T-Mobile USA, Inc.)	Consolidated

**RESPONDENTS' MOTION FOR LEAVE TO FILE A REPOSE
TO PETITIONERS' SECOND RE-RUN COST STUDIES**

Respondents, Cingular Wireless, LLC and T-Mobile USA, Inc., respectfully request the Commission's leave to file a response of no more than ten pages to the second re-run cost studies Petitioners submitted on March 10, 2006. In support thereof, Respondents state:

1. The Arbitrator, in his Preliminary Arbitration Report, required Petitioners to re-run their cost studies to comply with certain findings made in the Preliminary Report. The Preliminary Report authorized Respondents to file a response to these "first re-run" studies. Respondents filed such a Response on March 1, 2006, and the Final Arbitration Report adopted some of the points in Respondents' Response.

2. The Final Arbitration Report directed Petitioners to re-run their studies a second time. In response, Petitioners submitted on March 10, 2006 two cost studies: (a) an "uncorrected" study that purports to comply with the Final Report, and (b) a "corrected" study that shifts costs from dedicated to common transport in a manner that, as Petitioners acknowledge, the Final Report does "not . . . accept." See Petitioners' Response to Final Arbitration Report at 8 (March 10, 2006).

3. The Final Report, unlike the Preliminary Report, did not provide an opportunity for Respondents to respond to the Petitioners' second re-run cost studies.

4. Petitioners' "second re-run" cost studies – both the "uncorrected" study and the "corrected" study – contain errors incompatible with the Arbitrator's Final Report. Respondents seek leave to file a response of no more than ten pages to advise the Commission of these errors.

5. Respondents propose filing their response not later than March 20, 2006.

Wherefore, Respondents respectfully request that they be permitted to file a response of no more than ten pages to Petitioners' "second re-run" cost studies, said response to be filed not later than March 20, 2006.

Respectfully submitted,

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Certificate of Service

I hereby certify that a true and final copy of the foregoing was served via electronic transmission on this 16th day of March, 2006, to the following counsel of record:

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