

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 7th day of  
August, 2008.

Sprint Communications Company, L.P., Sprint  
Spectrum, L.P., Nextel West Corp., and NPCR,  
Inc., )

Complainants, )

v. )

Southwestern Bell Telephone Company,  
d/b/a AT&T Missouri, )

Respondent. )

**Case No. TC-2008-0182**

**ORDER DENYING APPLICATION FOR REHEARING**

Issue Date: August 7, 2008

Effective Date: August 7, 2008

On November 28, 2007, Sprint Communications Company, L.P., Sprint Spectrum, L.P., Nextel West Corp., and NPCR, Inc., ("Sprint") filed a complaint against Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T Missouri"). The gist of the complaint is that AT&T Missouri has failed to comply with merger commitments it made to the FCC in the BellSouth merger case.<sup>1</sup>

The Commission dismissed the complaint on June 24, finding that it did not have jurisdiction under state or federal law to enforce those merger commitments. Sprint filed an

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<sup>1</sup> *In the Matter of AT&T Inc. and BellSouth Corporation Application for Transfer of Control*, Memorandum Opinion and Order, 22 FCC Rcd 5662, 6285 (March 26, 2007)(hereafter the AT&T/BellSouth Order).

Application for Rehearing on July 1. AT&T responded on July 9, and Staff responded on July 23.

Section 386.500 RSMo states that the Commission may grant rehearing if “in its judgment sufficient reason therefore be made to appear.” Sprint’s application merely rehashes arguments that the Commission has considered and found unpersuasive. Therefore, the Commission will deny Sprint’s application.

**IT IS ORDERED THAT:**

1. The Application for Rehearing filed by Sprint Communications Company, L.P., Sprint Spectrum, L.P., and Nextel West Corp. is denied.
2. All other pending motions are denied.
3. This order shall be effective on August 7, 2008.
4. This case shall be closed on August 8, 2008.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

(S E A L)

Davis, Chm., Murray and Jarrett, CC., concur.  
Clayton and Gunn, CC., dissent.

Pridgin, Senior Regulatory Law Judge