

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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

ORDER REGARDING MOTION FOR REHEARING

Issue Date: January 12, 2006

Effective Date: January 12, 2006

On January 9, 2006, the Arbitrator issued an order setting aside his order dismissing Issues A and B between T-Mobile USA, Inc. and Petitioners. T-Mobile now seeks rehearing of the former order.

Because the Telecommunications Act of 1996 requires the state commission to resolve each issue set forth in the petition¹, the Arbitrator will present this issue in his report to the Commission along with all other issues presented in this arbitration. That the arbitrator intends to do so is a reflection of his intent to abide by the procedural requirements of the Telecommunications Act and dispose of all issues in his report to the Commission, rather than his determination that Issues A and B are relevant to this arbitration.

IT IS THEREFORE ORDERED:

1. That Issues A and B will remain a part of this arbitration to be presented to the Commission in the Arbitrator's report.

¹ 47 U.S.C. Section 252(b)(4)(C).

2. That this order shall become effective on January 12, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of January, 2006.