

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Petition for Arbitration)	<u>Case No. TO-2006-0147</u>
of Unresolved Issues in a Section 251(b)(5))	consolidated with
Agreement with T-Mobile USA, Inc.)	Case No. TO-2004-0151

ORDER DENYING MOTION FOR CLARIFICATION

Issue Date: February 22, 2006

Effective Date: February 22, 2006

On February 16, 2006, prior to issuing a Preliminary Arbitration Report, the Arbitrator issued an Order Directing Filing. The Order directed Petitioners, a number of small rural carriers, to file revised cost studies based on assumptions and conclusions set forth in the Arbitrator's report. Respondents, T-Mobile and Cingular, were given the alternative to either also file revised studies or respond to those filed by Petitioners.

On February 17, 2006, Respondents filed a motion for clarification requesting that certain conclusions and assumption made in the report be clarified. On February 21, 2006, Petitioners filed a response in opposition to the motion.

The Arbitrator notes that the decisions made in the report can only be as clear or complete as the issue being addressed and certainly no better than the positions offered by the parties. Additionally, Respondents can run their own cost studies or file a response to Petitioners' cost studies. Finally, aside from the Order Directing Filing, the parties are to file comments to the report. Respondents might address their concerns in their comments. For these reasons, the Arbitrator will deny Respondents' motion.

IT IS ORDERED THAT:

1. Respondents' Motion for Expedited Clarification is denied.
2. This order shall become effective on February 22, 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 22nd day of February, 2006.