

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: AT&T WIRELESS, n/k/a NEW CINGULAR WIRELESS PCS, LLC	DOCKET NO. FCU-06-3
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**ORDER CANCELING SHOW CAUSE HEARING
AND CLOSING DOCKET**

(Issued September 22, 2006)

PROCEDURAL HISTORY

On January 18, 2006, the Utilities Board (Board) issued an order opening Docket No. FCU-06-3 and giving notice pursuant to Iowa Code § 476.51 in which the Board directed AT&T Wireless, n/k/a New Cingular Wireless PCS, LLC (New Cingular Wireless), to submit to the Board certain information required by Iowa Code § 477C.7. The Board directed New Cingular Wireless to (1) file an initial report with the Board providing company contact information and specific line count information as of May 31, 2005, (2) file a report by January 31, 2006, of the numbers in service for the months of July, August, and September 2005, and (3) submit to the Board an assessment payment equal to 3 cents per month per number providing service in Iowa with the report of the numbers in service.

On January 25, 2006, New Cingular Wireless filed a response to the Board's January 18, 2006, order, stating that it operates in Iowa subsequent to its acquisition of AT&T Wireless, which had previously acquired TeleCorp PCS. New Cingular

Wireless stated that it had filed two reports in October 2005, one under New Cingular Wireless PCS and another under TeleCorp PCS, and filed checks for assessments under those company names. New Cingular Wireless requested the Board close Docket No. FCU-06-3.

The Board reviewed the October reports filed by New Cingular Wireless and TeleCorp PCS. Those reports revealed large variances in the number of lines reported from month to month and these variances have continued in subsequent reports. Board staff made multiple attempts to contact New Cingular Wireless to informally obtain additional information about the variances without the necessity of additional Board orders, without meaningful response.

Based upon the failure of New Cingular Wireless to provide the information necessary to complete the review of its October and January reports, the Board determined that it should set this matter for a show cause hearing and issued an order to that effect on August 7, 2006. The hearing was scheduled for October 12, 2006.

On August 25, 2006, New Cingular Wireless filed a response to the Board's show cause order and a motion to cancel the hearing. New Cingular Wireless explained its failure to respond to the staff inquiries, explained the four categories of errors that caused the variations in its subscriber line counts, and explained the differences between the numbers it reported to the Board and the information on its Number Resource Utilization Report submitted to the North American Numbering Plan Administrator. New Cingular Wireless then described the corrective measures it

was taking to prevent recurrence of these problems. Those measures include the filing of corrected reports for October 2005, January 2006, April 2006, and July 2006, along with any additional payments that may be necessary. New Cingular Wireless also committed that for the remainder of the calendar year it would prepare and file its reports for itself, rather than rely on a third-party vendor. The vendor will be educated during this time period to improve the reporting and communications processes. Finally, New Cingular Wireless designated new contact persons for these matters.

On September 8, 2006, New Cingular Wireless filed corrected Dual Party Relay Service filings for New Cingular Wireless and Telecorp Communications, LLC to replace the reports filed August 25, 2006

Based on its explanation of the past problems and the actions being taken to prevent future problems, New Cingular Wireless requested that the hearing in this matter be canceled and the matter be closed.

No objections or responses to New Cingular Wireless's request have been filed.

ANALYSIS AND RULING

The Board finds that New Cingular Wireless has adequately explained the past issues and it appears that New Cingular Wireless has taken appropriate steps to prevent recurrence of these problems. The Board's staff has not yet completed its review of the corrected reports, but based on a preliminary review it appears the corrections are appropriate. Moreover, if there are any further questions, they will

provide an opportunity to test the new communications processes. Accordingly, the Board will grant New Cingular Wireless's request, cancel the hearing, and close this docket. If, however, there are unresolved issues with the corrected reports, or if these or similar problems recur in the future, the Board reserves the right to consider these past problems along with any future problems in an appropriate new proceeding.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. The "Response to Show Cause Order and Motion to Cancel Hearing" filed on August 25, 2006, by New Cingular Wireless PCS, LLC, is hereby accepted.
2. The hearing in this matter scheduled for October 12, 2006, is canceled.
3. Docket No. FCU-06-3 is closed, subject to the provisions described in the body of this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 22nd day of September, 2006.