

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 7, 2008

IN RE:)	
)	
JOINT PETITION FOR ARBITRATION OF NEWSOUTH)	DOCKET NO.
COMMUNICATIONS CORP, NUVOX)	04-00046
COMMUNICATIONS, INC. KMC TELECOM V, INC.,)	
KMC TELECOM III LLC, AND XSPEDIUS)	
COMMUNICATIONS, LLC ON BEHALF OF ITS)	
OPERATING SUBSIDIARIES XSPEDIUS MANAGEMENT)	
CO. SWITCHED SERVICES, LLC AND XSPEDIUS)	
MANAGEMENT CO. OF CHATTANOOGA, LLC OF AN)	
INTERCONNECTION AGREEMENT WITH BELL SOUTH)	

ORDER GRANTING PETITION FOR RECONSIDERATION

This matter is before the Pre-Arbitration Officer of the Tennessee Regulatory Authority ("Authority") upon the December 20, 2007 filing of the *Petition for Reconsideration and Clarification* ("Petition") by NuVox Communications, Inc. ("NuVox").¹

In its *Petition*, NuVox seeks reconsideration and clarification of the *Final Order of Arbitration Award* ("Final Order") issued on December 5, 2007. The *Petition* specifically requests that the Arbitration panel reconsider and clarify its findings in the *Final Order* with regard to Items 26, 36, 37 and 51.²

On January 2, 2008, the Hearing Officer granted a motion for reconsideration of a similar issue in Docket No. 04-00381, the merits of such motion will be considered by the Authority at a

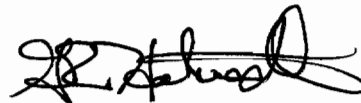
¹ See *Order Appointing Pre-Arbitration Officer* issued on May 18, 2004, which orders that: "The Authority's General Counsel or his designee is appointed Pre-Arbitration Officer in this matter to consider acceptance of the arbitration and, if the docket is accepted for arbitration, adopting issues, determining parties to each issue, establishing a procedural schedule, considering BellSouth's motion to sever or impose procedural restrictions and any other matters that are necessary." (Emphasis added).

² On December 26, 2007, Xspedius Communications, LLC filed its *Notice of Withdrawal from Arbitration*.

later date. Because of the action concerning Docket No. 04-00381, the Pre-Arbitration Officer hereby grants the *Petition* in this docket, and recommends that the Arbitration panel consider the merits of the *Petition* after the Authority considers the merits of the issues in Docket No. 04-00381. By agreement of the parties, AT&T, Inc., formerly BellSouth Telecommunications, Inc., will file its response to the merits of the *Petition* by January 22, 2008.

IT IS THEREFORE ORDERED THAT:

The *Petition for Reconsideration and Clarification* is hereby granted, the merits of which the Arbitration panel will determine at a later date.

A handwritten signature in black ink, appearing to read 'G. Hotvedt', written over a horizontal line.

Gary Hotvedt
Pre-Arbitration Officer