

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of Sprint Missouri, Inc.,     )  
for Competitive Classification Under Section 392.245.5,     ) **Case No. IO-2006-0092**  
RSMo 2005.     )

**ORDER DIRECTING NOTICE, ESTABLISHING**  
**PROCEDURAL SCHEDULE, RESERVING HEARING DATE,**  
**AND GRANTING PROTECTIVE ORDER**

Issue Date: September 2, 2005

Effective Date: September 2, 2005

On August 30, 2005, Sprint Missouri, Inc., filed its Application for Competitive Classification pursuant to Section 392.245.5, RSMo. In its application, Sprint requests that the Commission classify all of Sprint's residential services, other than exchange access service, for the Ferrelview, Platte City, and Weston exchanges as competitive. In addition, Sprint requests competitive classification of all of its business services, other than exchange access service, in the St. Robert, Waynesville, Fort Leonard Wood, Platte City, and Ferrelview exchanges.

Section 392.245.5, RSMo, requires that the Commission make a determination within thirty days as to "whether the requisite number of entities are providing basic local telecommunications service . . . in an exchange and if so, shall approve tariffs designating all such business or residential services other than exchange access service, as competitive . . . ." Because of the need to proceed expeditiously, the Commission will issue notice, set a procedural schedule, and reserve a date for a hearing if one should become necessary, as set out below.

The Commission also finds that there may be a need to protect confidential information. The Commission has previously recognized the need to protect confidential information, and the issuance of protective orders has helped to minimize disputes in past cases. Therefore, the Commission concludes that a protective order shall be granted.

In addition, if a hearing becomes necessary, the following procedures will apply:

(A) The Commission will require all parties to prefile testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing. The parties will be allowed to present rebuttal witnesses at the hearing.

(B) The Commission will direct that the transcript be expedited and submitted within one business day of the hearing.

(C) Because much of the evidence will have been filed before the hearing, the Commission will require pretrial briefs that address all the issues in dispute and all the relevant prefiled testimony. Because of the expedited nature of the hearing, no post-trial briefs will be allowed. The Commission will allow the opportunity for closing arguments at the end of the hearing.

(D) The parties shall file with their briefs a list of the witnesses it expects to call and the order in which they shall be called.

(E) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, and served on the other parties, only one copy of the exhibit is necessary for the court reporter.

If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(F) All parties must file proposed findings of fact, including citations to prefiled testimony and other evidence available. The parties may also file proposed conclusions of law.

**IT IS THEREFORE ORDERED:**

1. That the Data Center of the Missouri Public Service Commission shall send notice of this application to all certificated competitive local exchange carriers and to all incumbent local exchange carriers in the state of Missouri.

2. That the Public Information Office of the Missouri Public Service Commission shall provide notice of the application to the members of the General Assembly and to the news media.

3. That any party wishing to intervene in this matter must file an application no later than September 7, 2005, with:

Colleen M. Dale, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102-0360

and send copies to:

Brett D. Leopold, Esq.  
Sprint Missouri, Inc.  
6450 Sprint Parkway  
KSOPHN0212-2A353  
Overland Park, Kansas 66251

and to:

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102-2230

4. That the Staff of the Missouri Public Service Commission shall file a recommendation or any objections to the petition no later than September 9, 2005.

5. That the Office of the Public Counsel and any other interested party shall file any objections or recommendations regarding the petition on September 9, 2005.

6. That if an objection is filed the following other procedural dates will apply:

Testimony – all parties	September 12, 2005
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Pretrial Briefs, List of Witnesses, and Proposed Findings of Fact	September 13, 2005
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7. That the parties are hereby notified that if any party opposes the petition, a hearing will be set for September 15, 2005, beginning at 8:30 a.m., in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

8. That the parties shall comply with the procedural requirements set out in the body of this order.

9. That the protective order attached to this order (Attachment A) is adopted.

10. That this order shall become effective on September 2, 2005.

**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 )

Nancy Dippell, Senior Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 2nd day of September, 2005.