

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

In the Matter of the Application of Big River Telephone )  
LLC to Expand its Certificate of Basic Local Service )  
Authority to Include Provision of Basic Local Exchange )  
Telecommunications Service in the Exchanges of BPS ) **Case No. LA-2006-0347**  
Telephone Company and to Continue to Classify the )  
Company and its Services as Competitive )

**ORDER GRANTING INTERVENTION, SETTING**  
**PREHEARING CONFERENCE AND REQUIRING**  
**PROPOSED PROCEDURAL SCHEDULE**

Issue Date: April 21, 2006

Effective Date: April 21, 2006

On March 9, 2006, Big River Telephone, LLC, applied to the Missouri Public Service Commission for authority to expand its certificate of service authority into the exchanges of BPS Telephone Company. The Commission established April 12 as the deadline for interested parties to intervene. BPS filed an Application to Intervene on April 10.

In its Application to Intervene, BPS stated that it is the certified ILEC providing local exchange services in the exchanges in which Big River seeks authority to expand. As such, BPS has an interest different from that of the general public which may be affected by a final order in this case.

Commission Rule 4 CSR 240-2.080(15) allows parties ten days to respond to pleadings. Big River did not respond within those ten days.

Commission Rule 4 CSR 240-2.075 governs intervention before the Commission. That rule states that the Commission may allow a party to intervene if the proposed

intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case, or granting the proposed intervention would serve the public interest.

Upon review of the application, and in light of Big River's lack of objection, the Commission finds that BPS has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case. Therefore, the Commission will grant the application to intervene.

This matter is now at issue and a prehearing conference and procedural schedule are appropriate to ensure its prompt resolution. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives should also be prepared to discuss the current status of any settlement negotiations. It is expected that the prehearing conference will provide an opportunity for the parties to further pursue settlement discussions.

The parties shall jointly file a proposed procedural schedule as directed below. The proposed procedural schedule shall establish dates for the filing of a list of the issues to be determined by the Commission and statements by the parties of their position on each such issue. The proposed procedural schedule shall also include a date for the filing of a list of the witnesses to be called on each day of hearing, the order in which they shall appear and the order of cross-examination agreed upon by the parties. The proposed procedural schedule shall also propose dates for the hearing of this matter.

**IT IS ORDERED THAT:**

1. The applications to intervene filed by BPS Telephone Company is granted.
2. That a prehearing conference shall be held on May 9, 2006, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices at the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building is a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodations to participate in the prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the prehearing conference.
3. That the parties shall jointly prepare and file a proposed procedural schedule no later than May 16, 2006.
4. This order shall become effective on April 21, 2006.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Ronald D. Pridgin, Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21<sup>st</sup> day of April, 2006.