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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

March 13, 2003
Jefferson City, Missouri
Volume 1

In the Matter of the Tariff Filing)
of Sprint Missouri, Inc. d/b/a) Case No. IT-2003-0292
Sprint to Increase the Rate for the)
Metropolitan Calling Area Plan.)

KEVIN A. THOMPSON, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

REPORTED BY:

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1 P R O C E E D I N G S

2 JUDGE THOMPSON: Good morning. My name is
3 Kevin Thompson. I'm filling in for Lewis Mills, who is the
4 Regulatory Law Judge assigned to this case. He's busy
5 running the agenda meeting this morning.

6 We are here for a prehearing conference in the
7 matter of the tariff filing of Sprint Missouri, Inc., doing
8 business as Sprint, to increase the rate for the
9 metropolitan calling area plan. This is Case IT-2003-0292.

10 Let's go ahead and take oral entries of
11 appearance. We can begin with Sprint.

12 MS. HENDRICKS: Lisa Creighton Hendricks,
13 6450 Sprint Parkway, Overland Park, Kansas 66251, appearing
14 on behalf of Sprint, Missouri, Inc.

15 JUDGE THOMPSON: Thank you. Staff.

16 MR. POSTON: Marc Poston appearing for the
17 Staff of the Missouri Public Service Commission.

18 JUDGE THOMPSON: Public Counsel.

19 MR. DANDINO: Michael Dandino, Office of the
20 Public Counsel, Post Office Box 7800, Jefferson City,
21 Missouri 65102, representing the Office of the Public
22 Counsel and the Public.

23 JUDGE THOMPSON: Very well.

24 MS. MacDONALD: Your Honor, and then there's
25 me.

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1 JUDGE THOMPSON: I'm sorry.

2 MS. MacDONALD: That's okay. Mimi MacDonald,
3 One SBC Center, Room 3510, St. Louis, Missouri 63101,
4 appearing on behalf of Southwestern Bell Telephone, LP,
5 doing business as SBC Missouri.

6 JUDGE THOMPSON: Please excuse me.

7 MS. MacDONALD: That's okay.

8 JUDGE THOMPSON: I wouldn't want you to think
9 I would ever forget Southwestern Bell.

10 Any other telephone companies lurking in the
11 room, intervenors? Very well. I gather that we're here
12 because Sprint proposed a tariff and it has since been
13 suspended. Was that at the request of Public Counsel?

14 MR. DANDINO: No, on the Commission's own
15 motion.

16 JUDGE THOMPSON: The Commission's own motion.

17 MR. DANDINO: Which I concur.

18 JUDGE THOMPSON: Okay. You're supposed to
19 tell me about the discovery, the number of witnesses, how
20 long the hearing's going to be. I bet you're not really
21 prepared to talk about that stuff, are you?

22 MS. HENDRICKS: Well, I have something I can
23 say on that topic. I believe this issue -- and we haven't
24 had a chance to confer among the parties, but this is
25 strictly a legal issue involved in this case, and I don't

1 think that discovery is needed or a hearing in that it can
2 be decided on Briefs and pleadings.

3 JUDGE THOMPSON: Would this be whether or not
4 the metropolitan calling area plan is subject to the
5 8 percent increase under the price cap statute?

6 MS. HENDRICKS: Yes, your Honor.

7 JUDGE THOMPSON: Okay. Does anyone else have
8 any comments on that?

9 MR. DANDINO: I would agree. I think we just
10 need a very -- probably very simple statement of facts, you
11 know, who we are and what the rates are and that, and then,
12 you know, whether it's Briefs or cross Motions for Summary
13 Judgment, whatever.

14 JUDGE THOMPSON: Okay. Marc.

15 MR. POSTON: The Staff, we find that
16 acceptable.

17 JUDGE THOMPSON: So are we going to have a
18 stipulated set of facts, is that what I see emerging here?

19 MS. HENDRICKS: I anticipate we can stipulate
20 to facts.

21 MR. DANDINO: Oh, yes. I don't think any of
22 the facts are in dispute.

23 JUDGE THOMPSON: I assume you've been
24 following the Western District and its practice of sending
25 Commission decisions back for inadequate findings of fact.

1 So I hope you will make your stipulated facts adequate.

2 The other thing you're supposed to do today is
3 to, of course, prepare a procedural schedule. So you've all
4 brought your calendars, right? Very good. Very good. And
5 you can make whatever sort of procedural schedule you would
6 like.

7 How about settlement discussions, have we had
8 any settlement discussions?

9 MS. MacDONALD: Be pretty hard to settle.

10 MR. DANDINO: I don't think it's a
11 possibility.

12 JUDGE THOMPSON: Not likely in this case.
13 Darn. You know, those rate cases have been settling lately.
14 We're always hoping.

15 Do any of the parties have anything to bring
16 to my attention at this time?

17 MS. HENDRICKS: Your Honor, I just want to
18 confirm that there was another case that was filed by
19 Sprint, and I believe it was dismissed as the prehearing was
20 also set to run simultaneous with this proceeding.

21 JUDGE THOMPSON: Judge Mills mentioned
22 IT-2003-0291.

23 MS. HENDRICKS: Correct.

24 JUDGE THOMPSON: He indicated that Sprint had
25 withdrawn that tariff.

1 MS. HENDRICKS: Correct.

2 JUDGE THOMPSON: So I think that case is gone.

3 MS. HENDRICKS: Thank you.

4 JUDGE THOMPSON: Very well. If there is

5 nothing further, I will go ahead and adjourn the recorded

6 portion of the prehearing conference. It has been, as

7 always, thrilling to see each and every one of you today,

8 and I hope you will use your time in this room to construct

9 a nice procedural schedule.

10 All right. I'll be in the building if you

11 should need me for any reason. Thank you. We are in

12 recess.

13 WHEREUPON, the recorded portion of the

14 prehearing conference was concluded.

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