

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Joint Application )  
of GTE Midwest Incorporated and Spectra )  
Communications Group LLC for Authority to )  
Transfer and Acquire Part of GTE Midwest )  
Incorporated's Franchise, Facilities or )  
System Located in the State of Missouri and )  
for Issuance of Certificates of Service )  
Authority to Spectra Communications Group ) Case No. TM-2000-182  
LLC and for Authority for Spectra Communica- )  
tions Group LLC to Borrow an Amount not to )  
Exceed \$250,000,000 from CenturyTel, Inc., )  
and in Connection Therewith to Execute a )  
Telephone Loan Contract, Promissory Notes, )  
and a Mortgage, Security Agreement and )  
Financing Statement. )

**ORDER ADOPTING PROCEDURAL SCHEDULE**

On November 5, 1999, a prehearing conference was held in this matter. Thereafter, on November 9, 1999, the Staff of the Missouri Public Service Commission on behalf of all the parties filed a proposed procedural schedule. The Commission has reviewed the proposed schedule and finds the dates generally appropriate for this case. Therefore, the Commission adopts the proposed schedule, with certain modifications, and finds that the following conditions should be applied to the schedule:

(A) The Commission will require the prefiling of 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.

(B) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(C) Each party shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called.

(D) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues list, and shall not contain argument about why the party believes its position to be the correct one. The position statement shall be filed in both paper form and electronically, either on computer disk or by e-mail. Electronically-submitted documents should be in Word, WordPerfect, or ASCII format. The Regulatory Law Judge's e-mail address is: ktomp099@mail.state.mo.us.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Each principal brief shall not exceed 30 pages in length; reply briefs shall not exceed 15 pages in length. The presiding officer will establish a briefing schedule at the close of the hearing.

(G) All parties are required to bring an adequate number of copies of exhibits which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

**IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is adopted for this case:

Applicants' direct testimony	December 1, 1999 3:00 PM
Rebuttal testimony All other parties	December 22, 1999 3:00 PM
Surrebuttal testimony	January 7, 2000 3:00 PM
List of Issues	January 10, 2000 3:00 PM

Position Statements of each party on all issues	January 14, 2000 3:00 PM
List and order of witnesses	January 14, 2000 3:00 PM
Evidentiary Hearing	January 27 and 28, 2000 9:00 AM

The hearing will be held on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211, or TDD Hotline - 1-800-829-7541.

2. The Staff of the Missouri Public Service Commission need not file a recommendation as previously ordered herein.

3. That this order shall become effective on November 17, 1999.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Kevin A. Thompson, Deputy Chief  
Regulatory Law Judge, by delegation  
of authority pursuant to 4 CSR  
240-2.120(1), (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 17th day of November, 1999.

**RECEIVED**  
NOV 17 1999  
COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION