

DS 212

In the Matter of the Petition of Sprint
Communications Company, L.P., for Arbitration
of Unresolved Interconnection Issues Regarding
xDSL with Southwestern Bell Telephone Company.

ORDER ADOPTING PROCEDURAL SCHEDULE

On May 26, 1999, the parties filed a joint proposed procedural schedule. The Commission has reviewed the proposed schedule and finds the dates appropriate for this case. Therefore, the Commission adopts the proposed schedule 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. The Commission acknowledges the agreement of the parties to provide one another with electronic copies of all testimony by 3:00 p.m. on the same day that it is filed with the Commission.

(B) The parties shall agree upon and shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each

witness. The parties have already filed their lists of issues. The Commission reminds the parties that any issue not contained in these lists of issues will be viewed as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, 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, Word Perfect, or ASCII format.

(D) 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.

(E) 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 lists 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. Given the expedited timeframe applicable to this matter, there shall be one, simultaneous round of briefing. Each brief shall not exceed 30 pages in length.

(F) 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:

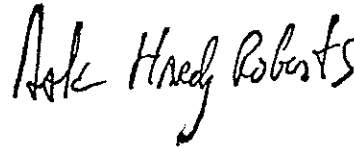
Simultaneous direct testimony	June 25, 1999 3:00 PM
List and order of witnesses, order of cross-examination	July 2, 1999 3:00 PM
Simultaneous rebuttal testimony	July 2, 1999 3:00 PM
Position Statements of each party on all issues	July 2, 1999 3:00 PM
Evidentiary Hearing	July 9, 1999 9:00 AM
Simultaneous briefs	July 20, 1999 3:00 PM
Operation of Law Date	August 4, 1999

The prehearing conference and 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. That this order shall become effective on July 2, 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 22nd day of June, 1999.

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JUN 22 1999
COMMISSION COUNCIL
PUBLIC SERVICE COMMISSION