

Dr
PB

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 SETTING PREHEARING CONFERENCE
AND REQUIRING FILING OF PROCEDURAL SCHEDULE

On April 13, 1999, Sprint Communications Company, L.P. (Sprint), filed its petition for arbitration with the Commission pursuant to the Telecommunications Act of 1996 (the Act) and Section 386.230 of the Revised Statutes of Missouri.¹ The petition asks the Commission to arbitrate issues related to the amendment of Sprint's existing interconnection agreement with Southwestern Bell Telephone Company (SWBT) to add language regarding xDSL services. Specifically, the parties are unable to agree on the pricing of those xDSL services.

On April 15, 1999, the Commission issued a Notice of Petition for Arbitration, making SWBT a party, directing that a copy of the petition be served upon SWBT by the Commission's Records Department, and setting May 10, 1999, as the date by which SWBT's response to the petition, if any, must be filed. On that day, SWBT filed its motion seeking an extension, up to and including May 17, 1999, within which to file its response to Sprint's petition. SWBT filed its response to

¹All references herein to the Revised Statutes of Missouri (RSMo), unless otherwise specified, are to the revision of 1994.

the petition for arbitration on May 17, 1999, and the Commission granted the requested extension on May 18, 1999.

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' 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' representatives should also be prepared to discuss the current status of settlement negotiations.

The parties shall jointly file a proposed procedural schedule. The proposed procedural schedule shall establish dates for the prefiling of direct, rebuttal and surrebuttal testimony according to Commission rule, as well as dates for the filing of a joint statement of issues and the position of the parties with respect to each such issue. The proposed procedural schedule shall also establish dates for the hearing of this matter.

IT IS THEREFORE ORDERED:

1. That a prehearing conference shall be held on June 11, 1999, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing

conference at: Consumer Services Hotline - 1-800-392-4211 or
TDD Hotline - 1-800-829-7541.

2. That the parties shall jointly prepare and file a proposed
procedural schedule no later than June 18, 1999.

3. That this order shall become effective on June 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 20th day of May, 1999.

RECEIVED

MAY 20 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION