

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Project)
Management Solutions, Inc. d/b/a Talk)
Solutions for a Certificate of Service) Case No. TA-99-617
Authority to Provide Basic Local Telecommuni-)
cations Services in the State of Missouri)
and for Competitive Classification)

ORDER ADOPTING PROCEDURAL SCHEDULE

Project Management Solutions, Inc., d/b/a Talk Solutions (Talk Solutions), filed an application for a certificate of service authority to provide basic local telecommunications services in the state of Missouri on June 30, 1999.

Southwestern Bell Telephone Company (SWBT) was granted intervention on August 31, 1999, and the parties were directed to file a proposed procedural schedule no later than October 15, 1999. On October 20, 1999, the Commission granted a motion for extension of time to file stipulation and agreement, directing that the parties shall file either a stipulation and agreement, or in the alternative, a proposed procedural schedule, no later than November 5, 1999. On November 5, 1999, the Commission issued a second order extending the deadline to December 3, 1999.

On December 3, 1999, Talk Solutions filed a proposed procedural schedule. The motion indicates that applicant has discussed the proposed procedural schedule with Staff and understands that the Staff has no objection. Applicant further notes that it is still

hopeful that the parties will be able to execute and file a stipulation and agreement in this case, but they have been unable to do so in time to meet the required December 3, 1999, filing period. The proposed procedural schedule suggests dates for the filing of direct testimony, rebuttal testimony, and surrebuttal testimony, and suggests that a hearing date be set as soon as practical after May 1, 2000.

The Commission has reviewed the proposed procedural schedule and finds it to be generally appropriate. However, the proposed procedural schedule does not include a date for a prehearing conference. The Commission believes that a prehearing conference is necessary to allow the parties to have one more face-to-face discussion about the case prior to the filing of surrebuttal testimony and submission of the list of issues and statements of position. Therefore, a prehearing conference will be scheduled. The Commission will also include the dates for the filing of the list of issues and the statements of positions.

The Commission will apply the conditions set out below to the procedural schedule in this case.

(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) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, 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 Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution.

(D) 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.

(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. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits that 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, subject to the conditions discussed above:

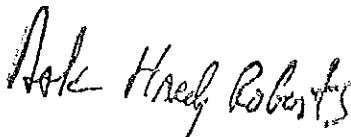
Applicant files direct testimony	-	March 1, 2000 3:00 p.m.
Rebuttal testimony	-	April 3, 2000 3:00 p.m.
Prehearing conference	-	April 11, 2000 10:00 a.m.
List of issues to be filed Staff	-	April 17, 2000 3:00 p.m.
Surrebuttal testimony	-	April 21, 2000 3:00 p.m.
Statements of position to be filed by all parties	-	April 27, 2000 3:00 p.m.
Hearing	-	May 3, 2000 8:30 a.m.

2. That the prehearing conference and the evidentiary hearing will be held in the Commission's office 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.

3. That this order shall become effective on January 7, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, 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 28th day of December, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION