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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of Southwestern Bell	)	
Telephone Company's Tariff Revisions	)	
Designed to Introduce a LATA-wide	)	<b><u>Case No. TT-98-351</u></b>
Extended Area Service (EAS) Called	)	
Local Plus, and a One-Way COS Plan.	)	

**ORDER ADOPTING PROCEDURAL SCHEDULE**

On February 5, 1998, Southwestern Bell Telephone Company (SWBT) submitted proposed revisions to its Local Exchange Tariff, P.S.C. Mo. No. 24, which include tariff changes associated with the offering of a local one-way Community Optional Service (COS) plan and the introduction of a LATA-wide Extended Area Service (EAS) plan. The tariff sheets were suspended on February 25, and an early prehearing conference was held on March 17. The parties filed a proposed procedural schedule on March 24.

The parties have included a deadline for the first draft of the issues and positions of the parties. Since this draft will not be formally filed with the Commission, it will not be included in the procedural schedule per se, but will be separately referenced in the ordered sections. The procedural schedule also anticipates that an expedited transcript will be prepared. The Commission will treat this as a written request for an expedited transcript, and will accomodate the parties' request. Finally, because of the short time frame, the parties have agreed to hand-deliver or fax all prefiled testimony and the intial briefs to the other parties on the date they are filed with the Commission.

The Commission will adopt the proposed procedural schedule as set out in the ordered paragraphs below. In addition, the Commission finds that the following conditions shall be applied to the schedule.

A. The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. 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 in the proceedings caused by allegations of unfair surprise at the hearing. The Commission expects the parties to comply with the requirements of 4 CSR 240-2.130, including the filing of testimony on line-numbered pages.

B. The parties shall file a Hearing Memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing, definitions of terms used in describing those issues, and each party's position on those issues. The Commission Staff will be responsible for preparing and filing the Hearing Memorandum. The Commission wishes to emphasize the importance of the deadline for filing the Hearing Memorandum. Unless the Commission orders otherwise, the Hearing Memorandum shall be filed on the date set. Each party is expected to provide Staff with its position on each unresolved issue at least two business days before the due date. If a party fails to provide its position by that date, the Staff is not obligated to include the party's position in the Hearing Memorandum.

The Hearing Memorandum will set forth the issues that are to be heard and decided by the Commission. Any issue not contained in the Hearing Memorandum will be viewed as uncontested and not requiring resolution by the Commission. The briefs to be submitted by the parties shall follow the same format established in the hearing memorandum. Initial 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.

C. Initial briefs shall be limited to 30 pages and reply briefs to 15 pages. The briefs to be submitted by the parties shall follow the same format established in the hearing memorandum. Initial 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. All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080(7).

**IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is adopted for this proceeding, subject to the conditions discussed above:

Direct Testimony (SWBT)	-	April 6, 1998 3:00 p.m.
Rebuttal Testimony (all parties except SWBT)	-	April 20, 1998 3:00 p.m.
Surrebuttal Testimony (all parties)	-	April 29, 1998 3:00 p.m.
Hearing Memorandum	-	April 30, 1998
Evidentiary Hearing	-	May 4, 5, 6, 7, 1998 (first day 9:00 a.m., other days 8:30 a.m.)
Initial Briefs	-	May 26, 1998
Reply Briefs	-	June 1, 1998

2. The evidentiary hearing will be held in the Commission's hearing room 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 days before the hearing at: Consumer Services Hotline -- 1-800-392-4211 or TDD Hotline -- 1-800-829-7541.

3. As agreed by the parties in the proposed procedural schedule filed on March 24, 1998, the first draft of the issues and positions of the parties shall be submitted to the Staff of the Commission by April 23, 1998.

4. As agreed by the parties in the proposed procedural schedule filed on March 24, 1998, the parties will hand-deliver or fax all prefiled testimony and the initial briefs to the other parties on the date they are filed with the Commission.

5. That this order shall become effective on April 3, 1998.

**BY THE COMMISSION**



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

(S E A L)

Elaine E. Bensavage, 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 3rd day of April, 1998.