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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

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In the Matter of the Application of )  
ALLTEL Communications, Inc. for a )  
Certificate of Service Authority to )  
Provide Basic Local Telecommunications ) Case No. TA-99-298  
Service in Portions of the State of )  
Missouri and to Classify Said Services )  
and the Company as Competitive. )

**ORDER ADOPTING PROCEDURAL SCHEDULE**

ALLTEL Communications, Inc. (ALLTEL) filed an Application with the Commission on January 7, 1999, for a certificate of service authority to provide basic local exchange telecommunications services in the State of Missouri. Southwestern Bell Telephone Company's (SWBT's) application to intervene was granted by order of the Commission on March 5. That Order also directed the parties to file a proposed procedural schedule no later than March 25. Subsequently, the Commission extended the date for the filing of a proposed procedural schedule to April 1. ALLTEL filed a Proposed Procedural Schedule on April 1. ALLTEL represents that the Staff of the Public Service Commission and SWBT have reviewed the proposed procedural schedule and agree that it is reasonable.

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. Therefore, a prehearing conference will be scheduled.

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. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(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 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, subject to the conditions discussed above:

<u>Date</u>	<u>Event</u>
April 26, 1999, 3:00 p.m.	Direct Testimony
May 10, 1999, 3:00 p.m.	Rebuttal Testimony
May 20, 1999, 10:00 a.m.	Prehearing Conference
May 27, 1999, 3:00 p.m.	List of Issues to be filed by Staff
June 2, 1999, 3:00 p.m.	Surrebuttal Testimony
June 7, 1999, 3:00 p.m.	Statements of Position to be filed by all parties
June 16, 1999, 8:30 a.m.	Hearing

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 April 29, 1999.

**BY THE COMMISSION**



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

(S E A L)

Morris L. Woodruff, 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 19th day of April, 1999.