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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 4th day of June, 1998.

In the Matter of the Application of LDD, Inc. for)
a Certificate of Authority to Provide Basic) Case No. TA-98-338
Exchange and Local Exchange Intrastate Telecom-)
munications Services Within the State of Missouri.)
)

ORDER REJECTING PROPOSED PROCEDURAL SCHEDULE

LDD, Inc. (LDD) filed an application on February 9, 1998 for a certificate of authority to provide basic local and non-switched local exchange telecommunications services in the state of Missouri. The Commission granted intervention to Southwestern Bell Telephone Company on April 22 and directed the parties to file a proposed procedural schedule no later than May 20.

On May 20 LDD filed a proposed procedural schedule, stating that the parties expect the case to be resolved by the filing of a stipulation and agreement. However, LDD offered a proposed procedural schedule that includes a deadline for the filing of a stipulation, as well as dates for the filing of testimony and a hearing should the parties not be able to resolve the case by agreement. No party filed a response to LDD's proposal.

The Commission has reviewed the proposed procedural schedule and, although no other party has objected, the Commission cannot adopt LDD's proposal. None of the parties communicated with the Regulatory Law Judge (RLJ) to reserve hearing dates ahead of time, and the October 26-27 hearing

dates are not available. In addition, the proposed date for the filing of a hearing memorandum is October 23, the last working day before the proposed hearing date. The purpose of the hearing memorandum is to inform the RLJ and the Commissioners of what the issues are and of the order of witnesses and cross-examination. In order for the hearing memorandum to be of benefit, it must be filed in time to permit the RLJ to brief the Commissioners on the expected issues and procedure. Accordingly, the parties are advised that in future all proposed procedural schedules should include a date for the filing of the hearing memorandum that is at least seven working days before the first day of hearing.

Since this proposed schedule cannot be adopted, the Commission will direct the parties to file either a stipulation and agreement or a proposed procedural schedule no later than June 15. The parties are cautioned not to propose prehearing conference or hearing dates that have not been confirmed as to availability with the RLJ and the Commission's calendar.

IT IS THEREFORE ORDERED:

1. That LDD, Inc.'s proposed procedural schedule filed on May 20, 1998 is rejected.
2. That the parties shall file either a stipulation and agreement resolving this matter, or a proposed procedural schedule, no later than June 15, 1998.

3. That this order shall become effective on June 16, 1998.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray
and Schemenauer, CC., concur.
Crompton, C., absent.

Wickliffe, Deputy Chief Regulatory Law Judge