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**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of )  
Green Hills Communications, Inc., for )  
a Certificate of Service Authority to )  
Provide Local Exchange and Intrastate )  
Interexchange Telecommunications )  
Services to the Public Within the )  
State of Missouri. )

**CASE NO. TA-98-157**

**ORDER ADOPTING PROCEDURAL SCHEDULE**

Green Hills Communications, Inc. (Green Hills) filed an application requesting a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services in the State of Missouri on October 10, 1997. Green Hills is a wholly-owned subsidiary of Green Hills Telephone Corporation (Green Hills Corp.). On November 18, the Missouri Public Service Commission (Commission) issued its Order Granting Intervention and Suspending Tariff, which granted intervention to Southwestern Bell Telephone Company (SWBT), and suspended the tariff filed by Green Hills for a period of 120 days, from November 24, 1997 to March 24, 1998. The order also scheduled an early prehearing conference for December 3, and required the parties to file a proposed procedural schedule by December 9.

On December 9, the Staff of the Commission (Staff) filed a proposed procedural schedule, in which Green Hills and SWBT concur. The Commission has reviewed the proposed procedural schedule, and will adopt it as proposed. Further, the Commission finds that the following conditions shall be applied to the procedural schedule.

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.030. 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) Testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless a protective order has first been established by the Commission. The party that considers information to be proprietary or highly confidential should request a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall file a hearing memorandum setting out the issues to be considered and the order of the witnesses who will appear on each day of the hearing, definitions of terms, each party's position on the issues, and the order of cross-examination. 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, and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(D) The Commission emphasizes the importance of the deadline for filing the hearing memorandum. The Commission Staff will be responsible for preparing and filing the hearing memorandum, and, 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 prior to the due date.

(E) Nothing in this order shall preclude a party from addressing, or having a reasonable opportunity to address, matters not previously disclosed and arising at the hearing.

(F) 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 a request shall be tendered, in writing, to the Regulatory Law Judge at least five days prior to the date of hearing. The Regulatory Law Judge will determine whether the request should be granted.

(G) The length of the briefs shall be limited to 30 pages. All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080(7).

(H) 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 opposing counsel.

### **IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is adopted for this case:

|  |                               |
|--|-------------------------------|
| Green Hills files direct<br>3:00 p.m. testimony  | January 9, 1998               |
| Staff, OPC, and SWBT file<br>rebuttal testimony  | January 21, 1998<br>3:00 p.m. |
| Green Hills files<br>surrebuttal/Staff, OPC, and<br>SWBT file cross-surrebuttal<br>testimony | February 2, 1998<br>3:00 p.m. |
| Hearing memorandum   | February 3, 1998              |
| Evidentiary hearing  | February 9, 1998<br>9:00 a.m. |
| Briefs   | March 6, 1998                 |

The hearing will be held in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 W. High Street, Jefferson City, Missouri. Anyone with special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

2. That this order shall become effective on December 15, 1997.

**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 15th day of December, 1997.