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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Investigation into the) Case No. TR-98-343
Earnings of Mid-Missouri Telephone Company.)

ORDER MODIFYING PROCEDURAL SCHEDULE

On October 8, 1998, Mid-Missouri Telephone Company (Mid-Missouri) filed a Motion for Continuance of Hearing and Extension of Hearing Memorandum Date. The Motion notes that on July 13, 1998, the Commission issued an order adopting a procedural schedule wherein an evidentiary hearing was scheduled for October 28 and 30, 1998, and a hearing memorandum was scheduled to be filed on October 15, 1998.

Mid-Missouri notes that after reviewing the rebuttal testimony of Southwestern Bell Telephone Company filed on August 31, 1998, pertaining to the issue of elimination of Mid-Missouri's intraLATA carrier common line (CCL) cap, Mid-Missouri retained the services of Robert Schoonmaker, GVNW, to testify regarding the negotiations and agreements regarding the establishment of the CCL cap. Mr. Schoonmaker's surrebuttal testimony in this regard was filed on September 28, 1998. The Motion notes that at the time of retaining Mr. Schoonmaker, it was ascertained that he had a personal conflict on October 30, 1998, and could only be available to testify at the hearing on October 29. However, shortly before October 1, Mr. Schoonmaker informed counsel for Mid-Missouri that his conflict extended to October 29 as well as October 30.

Consequently, counsel for Mid-Missouri sent a request on October 1 to all attorneys of record attempting to accommodate the scheduling conflict without having to file a motion for continuance. The October 1 letter offered several alternatives, but none of the alternatives were acceptable to all counsel. The Motion indicates that counsel for Mid-Missouri then checked the Commission's calendar, checked with Staff, and all attorneys of record, and learned that continuing this case to December 16 and 17, 1998, was acceptable to all parties.

The Motion also notes that Mid-Missouri learned that the General Counsel's Office is in the process of reassigning responsibility for this case. Staff counsel requested that if Mid-Missouri filed a motion for continuance, that Mid-Missouri also request an extension of the hearing memorandum date to be consistent with any continuance granted. The Motion requests that the scheduling order be modified to require the hearing memorandum to be filed by December 1, 1998.

The Commission has reviewed the motion and finds that the request is reasonable and should be granted. The Commission will reschedule the hearing from October 29 and 30, 1998, to December 16 and 17, 1998, and will direct that the hearing memorandum be filed by December 1, 1998.

IT IS THEREFORE ORDERED:

1. That the Motion for Continuance of Hearing Date and Extension of Hearing Memorandum Date filed by Mid-Missouri Telephone Company on October 8, 1998, is granted.

2. That the procedural schedule for this case is modified as follows:

Hearing memorandum December 1, 1998

Evidentiary hearing December 16-17, 1998, 9:00 a.m.

3. That this order shall become effective on October 19, 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)

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 19th day of October, 1998.