

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Big River)
Telephone Company, LLC to Expand Its)
Certificate of Basic Local Service Authority)
to Include Provision of Basic Local Exchange)
Telecommunications Service in the Exchanges)
of BPS Telephone Company and to Continue)
to Classify the Company and Its Services as)
Competitive)

Case No. TA-2007-0093

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: October 13, 2006

Effective Date: October 13, 2006

On August 30, 2006,¹ Big River Telephone Company, L.L.C. ("Big River") applied for a certificate of service authority to provide basic local exchange telecommunications services within the state of Missouri, and for competitive classification. Big River seeks certification to provide basic local service in portions of Missouri that are currently being served by BPS Telephone Company ("BPS").

On September 5, the Commission issued its Notice of Applications, establishing a 15-day deadline for intervention. BPS filed a timely request to intervene, and was granted intervention on September 29. A prehearing conference was held on October 10, and the parties filed a Joint Motion to Establish Procedural Schedule on October 12.

The Commission finds that the procedural schedule proposed by the parties is generally reasonable. The Commission finds that the following conditions should be applied:

¹ All dates throughout this order refer to the year 2006 unless otherwise noted.

(A) The Commission will require that testimony be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must 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 Commission Rule 4 CSR 240-2.130(15), testimony and schedules may 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 will 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 will 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 may not contain argument about why the party believes its position to be the correct one.

(E) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case 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.

(F) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(G) 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 further, such request shall be tendered in writing to the Presiding Judge at least five days prior to the date of the hearing.

(H) A settlement shall not be grounds for continuing the hearing unless a written settlement agreement resolving all issues is filed with the Commission prior to the request for continuance.

(I) The parties may file proposed findings of fact and proposed conclusions of law. To be considered, the proposed findings of fact must cite to the proper portions of the record.

IT IS ORDERED THAT:

1. The following procedural schedule is established:

Direct Testimony by Applicant	-	December 15, 2006
Rebuttal Testimony by Other Parties	-	January 17, 2007
List of Issues	-	January 26, 2007
Surrebuttal Testimony by All Parties	-	January 31, 2007
Position Statements, List of Witnesses , and Order of Witnesses/Cross	-	February 2, 2007
Hearing	-	February 13, 2007, beginning at 8:30 a.m.

2. The hearing will be held in Room 305 at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. This order shall become effective on October 13, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of October, 2006.