

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

Halo Wireless, Inc.,

Complainant,

v.

Craw-Kan Telephone Cooperative, Inc.,

Ellington Telephone Company,

Goodman Telephone Company,

Granby Telephone Company,

Iamo Telephone Company,

Le-Ru Telephone Company,

McDonald County Telephone Company,

Miller Telephone Company,

Ozark Telephone Company,

Rock Port Telephone Company,

Seneca Telephone Company,

Alma Communications Company, d/b/a Alma Telephone Company,

Choctaw Telephone Company;

MoKan Dial, Inc.,

Peace Valley Telephone Company, Inc.,

and,

Southwestern Bell Telephone Company, d/b/a AT&T Missouri

Respondents.

**File No: TC-2012-0331**

**ORDER SETTING PROCEDURAL SCHEDULE**

Issue Date: May 3, 2012

Effective Date: May 3, 2012

The Commission will set the procedural schedule. This order also addresses specific procedural guidelines.

## **THE COMMISSION ORDERS THAT:**

1. An evidentiary hearing is scheduled for July 2-3, 2012, beginning at 8:30 a.m. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. July 5, 2012 will be reserved should additional time for hearing be required.

2. Discovery conferences may be requested at any time by contacting the Regulatory Law Judge and shall be requested without delay if a dispute occurs.

3. All hearings and conferences set in this order will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in any hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. The following procedural schedule is established:

<b>Halo Wireless Responses to Pending Motions and Counterclaims</b>	<b>- May 11, 2012</b>
<b>Direct Testimony – All Parties</b>	<b>- June 4, 2012</b>
<b>Rebuttal Testimony – All Parties</b>	<b>- June 19, 2012</b>
<b>Joint Issues List</b>	<b>- June 21, 2012</b>
<b>Separate Issues Lists if Joint Agreement on Issues is not Reached</b>	<b>- June 22, 2012</b>
<b>Position Statements</b>	<b>- June 25, 2012</b>
<b>Witnesses List, Order of Witnesses, Order of Cross-Examination Order of Opening Statements (compiled by Staff)</b>	<b>- June 25, 2012</b>
<b>Deadline for Applicable Case Law and Statutory Law filings (See Paragraph 5G)</b>	<b>- June 29, 2012</b>

- |   |  |
|---|--|
| <b>Evidentiary Hearing</b>  | - <b>July 2-3, 2012<br/>beginning at 8:30 a.m.</b> |
| <b>Reserved Date for Hearing</b>  | - <b>July 5, 2012</b>                              |
| <b>Transcript Expedited</b>   | - <b>July 6, 2012</b>                              |
| <b>Proposed Orders with Proposed Findings of Fact and Conclusions of Law*</b> | - <b>July 23, 2012</b>                             |
| <b>Reply Briefs</b>   | - <b>July 30, 2012</b>                             |

**\* The requirement for filing proposed orders is optional for Staff and Public Counsel. If Staff or Public Counsel elect not to file a proposed order then they shall file a brief.**

5. The parties shall comply with the following additional procedural requirements:
  - A. Discovery requests will be served on counsel electronically, if feasible and not be voluminous.
  - B. The response time for all discovery requests shall be 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information. Responses shall be sent to the requesting party electronically, if feasible.
  - C. If either highly confidential or proprietary information must be included in response to discovery requests, the parties shall follow Commission Rule 4 CSR 240-2.135 for properly designating such information.
  - D. If a party desires the response to a discovery request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the discovery request – in this manner the party providing a response to a data request has the opportunity to object to providing the response to another party and is responsible for copying information purported to be highly confidential or proprietary.
  - E. Documents filed in EFIS are considered properly served by serving the same on counsel of record for all other parties via e-mail contemporaneously with the EFIS filing.

- F. The parties shall agree upon and Staff shall file a list of the witnesses to appear on each day of the hearing, the order in which they will be called, the order of party cross-examination for each witness, and the order of opening statements.
- G. If the parties intend to refer to state or federal statutes, court opinions, Commission decisions, FCC orders, the Code of State Regulations, the Code of Federal Regulations, the United States Code, etc., they shall prefile a copy of said documents, no later than June 29, 2012.
- H. All parties shall 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 must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.
- I. The parties shall pre-number their hearing exhibits sequentially with individual party designation as follows:
  - a.) Halo Exhibit No. 1, Halo Exhibit No. 2, Halo Exhibit No. 3, etc.
  - b.) Alma Exhibit No. 1, Alma Exhibit No. 2, Alma Exhibit No. 3, etc.
  - c.) Craw-Kan Exhibit No. 1, Craw-Kan Exhibit No. 2, etc.
  - d.) AT&T Missouri Exhibit No. 1, AT&T Missouri Exhibit No. 2, etc.
  - e.) OPC Exhibit No. 1, OPC Exhibit No. 2, OPC Exhibit No. 3, etc.
  - f.) Staff Exhibit No. 1, Staff Exhibit No. 2, Staff Exhibit No. 3, etc.
- J. Each party shall prepare a comprehensive exhibit list before the evidentiary hearing with the listed exhibits numbered sequentially as directed in paragraph I. Copies of the exhibit lists shall be provided to the Commissioners, the Regulatory Law Judge and the Court Reporter at the beginning of the hearing.
- K. In the event that the parties reach a settlement of all of the issues, such settlement shall not be grounds for a continuance of the hearing unless the agreement is final, has been submitted to the Commission in writing, and there are no objections to the agreement.

6. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. C. Reed', written in a cursive style.

Steven C. Reed  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 3<sup>rd</sup> day of May, 2012.