

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of a Request for Expansion of the )  
St. Louis Metropolitan Calling Area Plan to Include the ) **Case No. TO-2005-0141**  
Exchanges of Washington, Union, Wright City, St. Clair, ) (consolidated with  
Marthasville, Beaufort, Foley and Warrenton. ) Case No. TO-2003-0298)

### **ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: March 30, 2006

Effective Date: March 30, 2006

The Commission has reviewed the proposed procedural schedule filed by CenturyTel of Missouri, LLC, and the Office of the Public Counsel on March 22, 2006. The Commission finds the proposed schedule to be appropriate and will adopt it with the addition of several procedural items.

The Commission also finds that the following conditions shall apply to the procedural schedule:

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall 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) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any

issue not included in the issues list will be presumed to not require determination by the Commission.

(C) The parties shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall propose the order of cross-examination and file a joint pleading indicating the same.

(D) 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.

(E) Because much of the evidence will have been filed before the hearing, the Commission will require pretrial briefs that address all the issues in dispute and all the relevant prefiled testimony.

(F) Because the testimony will largely have been prefiled in this matter, the Commission directs that any objections to the prefiled testimony that can be raised before the hearing shall be made before the hearing as ordered below.

(G) All pleadings and briefs shall be filed in accordance with 4 CSR 240-2.080 except as otherwise ordered. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Because a majority of the issues will have been addressed by the pretrial briefs, the post-trial briefs will only need to update the arguments with testimony received at hearing. Therefore, the Commission will limit the post-trial briefs to ten pages.

(H) 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 been prefiled, and

served on the other parties, only one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it shall bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(I) 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.

(J) 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 procedural schedule is adopted as follows:

Direct testimony (all parties)	April 28, 2006
Rebuttal testimony (all parties)	June 2, 2006
Surrebuttal testimony (all parties)	June 9, 2006
Prehearing conference	June 15, 2006 10:00 a.m.
Pretrial briefs, and objections to prefiled testimony	June 26, 2006
Hearing	July 6-7, 2006 beginning at 8:30 a.m.

2. The prehearing conference and hearing will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a facility which meets the accessibility standards of the Americans with Disabilities Act (ADA). The prehearing conference will be held in Room 305, and the hearing will be held in Room 310. Any person who needs additional accommodations to participate in the

prehearing or hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the prehearing or hearing.

3. The parties are directed to comply with the conditions set out in this order.
4. This order shall become effective on March 30, 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 )

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

Dated at Jefferson City, Missouri,  
on this 30th day of March, 2006.