

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

Staff of the Public Service Commission	)	
of the State of Missouri,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. TC-2005-0357</u></b>
	)	
Cass County Telephone Company	)	
Limited Partnership,	)	
	)	
Respondent.	)	

**ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: August 4, 2005

Effective Date: August 4, 2005

The Staff of the Commission has filed a complaint against Cass County Telephone Company Limited Partnership (CassTel). On July 22, 2005, Staff filed a proposed procedural schedule. CassTel filed a response to Staff's proposal on July 28. Public Counsel has not responded to either proposal.

Staff proposed that the hearing of the complaint be conducted live, beginning on Monday, October 31, and continuing through Friday, November 4. Since all testimony would be presented live, there would be no prefiled testimony. Staff also proposed that the parties complete all discovery by 5:00 p.m. on October 21.

CassTel's response indicates no objection to Staff's proposal to present all testimony live and agrees that the hearing can begin on October 31. However, CassTel indicates that

its primary witness will not be available on November 4, so it requests that the hearing be scheduled for only four days, ending on November 3. CassTel does not object to Staff's proposal that all discovery be completed by October 21. CassTel also requests that a post-hearing briefing schedule be established to facilitate the presentation of what it believes are significant issues of law.

The Commission finds that the hearing dates proposed by the parties are reasonable, and that they are available on the Commission's calendar. Staff requests that the hearing be scheduled for five days, while CassTel opposes the scheduling of a fifth day of hearing because its primary witness would not be available on November 4, the fifth day. The Commission will schedule the fifth day of hearing, mindful, of course, of the need to work around the availability of witnesses. As the parties request, there will be no prefiled testimony. The Commission will order that all discovery be completed by October 21, as agreed upon by the parties.

The Commission will also direct the parties to file a list of the issues to be heard, the witnesses to appear on each day of the hearing, 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. In addition, the parties will be required to file a pre-hearing brief setting out the facts that they expect to prove at the hearing, as well as explaining the legal issues that they believe should govern the Commission's decision. Any post-hearing briefing schedule will be established after completion of the evidentiary hearing.

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.

**IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is established:

<b>Completion of All Discovery</b>	-	<b>October 21, 2005, at 5:00 p.m.</b>
<b>Statement of Issues, Order of Issues, List of Witnesses, Order of Witnesses, and Order of Cross</b>	-	<b>October 24, 2005</b>
<b>Prehearing Briefs</b>	-	<b>October 26, 2005</b>
<b>Hearing</b>	-	<b>October 31, November 1, 2, 3, &amp; 4, 2005, beginning at 8:30 a.m.</b>

2. That the hearing will be held in the offices of the Missouri Public Service Commission in Jefferson City, Missouri. This hearing will be held in 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. That this order shall become effective on August 4, 2005.

**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 )

Morris L. Woodruff, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4th day of August, 2005.