

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the )  
Application of Missouri RSA )  
No. 7 Limited Partnership d/b/a )  
Mid-Missouri Cellular for )  
Designation as a )  
Telecommunications Company ) Case No. TO-2003-0531  
Carrier Eligible for Federal )  
Universal Service Support )  
Pursuant to Section 254 of the )  
Telecommunications Act of 1996.)  
)  
)

 **ORIGINAL**

**FILED**

NOV 10 2003

PREHEARING CONFERENCE *Missouri*  
*Public Service Commission*

Thursday, October 1, 2003  
Governor Office Building  
200 Madison Street  
Room 305  
Jefferson City, Missouri 65101

BEFORE:

JUDGE NANCY DIPPELL

Reported by:

JOANN RENEE RICHARDSON  
Bredeman & Associates, Inc.  
311 Jackson Street  
Jefferson City, Missouri 65101

A P P E A R A N C E S:

For Spectra Communications Group/Centurytel:

LARRY W. DORITY  
Attorney at Law  
Fischer & DORITY, P.C.  
101 Madison Street, Suite 400  
Jefferson City, Missouri 65101  
tel: (573) 636-6758

For Mid-Missouri Cellular Telephone Co.:

PAUL DeFORD  
Attorney at Law  
Lathop & Gage  
2345 Grand Boulevard  
Kansas City, Missouri 64108  
tel: (816) 292-2000

For Alma Telephone Co.:

LISA CHASE  
Attorney at Law  
Andereck, Evans, Milne, Peace & Johnson  
700 E. Capitol  
Jefferson City, Missouri 65102  
tel: (573) 634-3422

For Staff of the Missouri Public Service Commission:

MARC POSTON  
Attorney at Law  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, Missouri 65101  
tel: (573) 751-8701

For OPC:

MICHAEL DANDINO  
Attorney at Law  
Office of Public Counsel  
P. O. Box 2800  
Jefferson City, Missouri 65102  
tel: (573) 751-5559

A P P E A R A N C E S C O N T I N U E D

A P P E A R A N C E S:

For Sprint Missouri, Inc., Sprint Spectrum:

PAUL H. GARDNER  
Attorney at Law  
Goller, Gardner & Feather  
131 E. High Street  
Jefferson City, Missouri 65102  
tel: (573) 635-6187

For Citizens Telephone Company of Higginsville, Mo:

SONDRA B. MORGAN  
Attorney at Law  
Brydon, Swearengen & England  
312 East Capitol Avenue  
Jefferson City, Missouri 65102  
tel: (573) 635-7166

---

EXHIBIT INSTRUCTIONS:

No exhibits marked.

---

I N D E X

	<u>Page</u>
Hearing convened by Judge Dippell . . . . .	5
Roll call . . . . .	5
Discussion on witnesses. . . . .	7
Hearing concluded. . . . .	10
Reporter's Certificate . . . . .	11

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

JUDGE DIPPELL: Let's go ahead and go on the record. This is Case No. TO-2003-0531: In the Matter of the Application of Missouri RSA No. 7 Limited Partnership doing business as Mid-Missouri Cellular for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to Section 254 of the Telecommunications Act of 1996.

My name is Nancy Dippell. I'm the judge assigned to this matter, and I have asked you all to come today for a prehearing conference, and we'd like to begin with entries of appearance. The attorneys have all made written entries, so I'll just ask you to state your name and the party that you're representing. Let's just start over against the wall.

MR. GARDNER: Paul H. Gardner. I'm with Goller, Gardner & Feather, appearing on behalf of Sprint Missouri, Inc., and Sprint Spectrum d/b/a Sprint PCS.

MR. DeFORD: Paul DeFord with Lathop & Gage, appearing on behalf of the applicant, Mid-Missouri Cellular.

MR. POSTON: Marc Poston, appearing for the Staff of the Missouri Public Service Commission.

MS. MORGAN: Sondra Morgan and Trip England of the law firm Brydon, Swearngen & England, appearing on behalf of Citizens Telephone Company of Higginsville,

1 Missouri.

2 MS. CHASE: Lisa Chase with the law firm  
3 Andereck, Evans, Milne, Peace & Johnson, appearing on behalf  
4 of Alma Telephone Company.

5 MR. DORITY: Larry DORITY with Fischer and  
6 DORITY, P.C., appearing on behalf of Spectra Communications  
7 Group, LLC, doing business as Centurytel and Centurytel of  
8 Missouri, LLC.

9 MR. DANDINO: Michael Dandino, appearing on  
10 behalf of the Office of Public Counsel.

11 JUDGE DIPPELL: Okay. It looks like  
12 everybody is here. And I did request that you file proposed  
13 procedural schedules due next week on the eighth. I expect  
14 that since this is a new proceeding before the commission,  
15 you all might want to discuss that at some length, how you  
16 think this case should go forward, and make suggestions to  
17 me so that I can have a little guidance on that. And I'd  
18 like to ask if anybody has been involved with this kind of  
19 proceeding in another state?

20 MR. DeFCRD: I'm actually involved in a  
21 proceeding in Kansas, but it's not as far along as this one  
22 here.

23 JUDGE DIPPELL: So no help there as far as  
24 proceedings in another state. I thought I might be able to  
25 learn from other state's mistakes.

1                   MR. DeFORD: I will have witnesses that have  
2 been in other states.

3                   JUDGE DIPPELL: That's my next question, is  
4 about the types and numbers of witnesses. I'll start with  
5 you, Mr. DeFord.

6                   MR. DeFORD: I'll only have two witnesses at  
7 least from my direct case. Depending upon what I see in  
8 rebuttle, I may have to add a witness and insert a couple.

9                   JUDGE DIPPELL: How long would you expect  
10 those witnesses to need at the hearing?

11                  MR. DeFORD: I would think no longer than a  
12 day.

13                  JUDGE DIPPELL: I guess you probably wouldn't  
14 know because they would be under cross, wouldn't they.

15                  What about the intervenors? Do you all have  
16 any idea yet as to how many witnesses you might have?

17                  MS. MORGAN: We will probably have two  
18 witnesses, Your Honor. I'm not sure how long it would take  
19 with them. It depends on, of course, what we hear from  
20 Mid-Missouri.

21                  MR. DORITY: Your Honor, I believe we will  
22 have only one to two witnesses and these witnesses will have  
23 been like Mr. DeFord's, these witnesses will have been  
24 involved in another state's proceedings.

25                  JUDGE DIPPELL: Mr. Dandino?

1 MR. DANDINO: Public counsel will only have  
2 one witness and I really couldn't estimate how long it would  
3 be. I wouldn't imagine it would be more than half a day,  
4 though.

5 JUDGE DIPPELL: Ms. Chase?

6 MS. CHASE: Alma Telephone Company would  
7 likely have two witnesses, possibly one or two. But I  
8 anticipate that one would be a shared witness with Ms.  
9 Morgan.

10 JUDGE DIPPELL: So I'm hearing maybe  
11 somewhere between, like, three days to a week even for a  
12 hearing. I would hope it wouldn't have to take that long,  
13 but it sounds like quite a few witnesses, depending on what  
14 you all get worked out amongst yourselves ahead of time.

15 How quickly do you all anticipate -- I know  
16 the commissioner's calendar is really booked up; but setting  
17 that aside and pretending that's not so, how quickly would  
18 you all anticipate having a hearing?

19 Mr. DeFord, what is the schedule Mid-Missouri  
20 is having?

21 MR. DeFORD: We're prepared to file our  
22 direct case within two weeks, so by October 15th we could  
23 have our direct case in order.

24 JUDGE DIPPELL: And do the intervenors have  
25 any handle on how quickly they might be prepared to respond?



1 MR. ENGLAND: Your Honor, I'm Trip England.  
2 I'll speak on behalf of Citizens. I would imagine that we  
3 would need at least 30 days after the testimony, direct  
4 testimony is filed, for purposes of rebuttle. Obviously,  
5 we'll want to do some discovery. And as you're well aware,  
6 the commission rules allow 20 days for data requests, at  
7 least responses to data requests, so I expect that we need  
8 at least 30.

9 My personal problem with hearings later this year  
10 are the water company rate cases that are sandwiched around  
11 the Christmas holidays. We've got seven days of hearings  
12 before Christmas and five after the new year, so that's  
13 going to prove to be problematic for me for purposes of  
14 trying this case. I know the commission itself is going to  
15 have quite a few hearings even beyond that, so I think the  
16 hearing days may be the real problem.

17 JUDGE DIPPELL: Well, obviously the rate  
18 cases by statute have to be given priority, but I believe  
19 the commission in the beginning of this was anxious to move  
20 this case along, too, so we'll have to see how that shakes  
21 out, and I'll let you all compare your calendars and discuss  
22 that without -- you know, we don't need to do that on the  
23 record.

24 I just wanted to get some idea if you had some  
25 concept that -- some of you are involved in some of the rate

1 cases, and there are several rate cases on the calendar.  
2 Those tend to -- some of those tend to settle and go away  
3 and free up space at later times, so we'll keep our fingers  
4 crossed on that one.

5 Are there any other procedural matters that  
6 you all would like to address or substantive matters that  
7 you would like to address on the record?

8 (No response.)

9 JUDGE DIPPELL: Okay. I will leave you all  
10 to discuss what you think the procedures will look like in  
11 this case and what the schedules are going to look like and  
12 any issues, if you have any discovery issues that you know  
13 are going to be problematic, I encourage you to go ahead and  
14 get those taken care of right now and let me know if you  
15 need anything else. Mr. England?

16 MR. ENGLAND: Your Honor, would it be  
17 possible to get, perhaps, a calendar of the commission's  
18 hearing room availabilities?

19 JUDGE DIPPELL: Sure. I'll print you up a  
20 calendar and bring it back down for you.

21 Anything else? I will go off the record,  
22 then. Thank you.

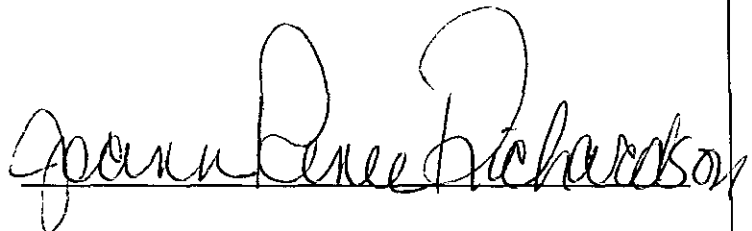
23 [WHEREUPON, this hearing is concluded.]

24  
25

C E R T I F I C A T E

I, Joann Renee Richardson, a Certified Court Reporter of the firm of Bredeman & Associates, Inc., Shorthand Reporters, do hereby certify that I was employed by the Public Service Commission to record verbatim, by machine shorthand, the proceedings herein and thereby became the official reporter for the hearing in this matter; that I was personally present at said hearing and reported said proceedings; that the machine shorthand notes so made at the time and place mentioned on the title page hereof were transcribed by means of computer-aided transcription, and the foregoing 11 pages constitute a true, complete and accurate transcript of my said machine shorthand notes.

Given at my office in the City of Rolla, County of Phelps, State of Missouri, this 5th day of November, 2003.

A handwritten signature in cursive script, reading "Joann Renee Richardson", written over a horizontal line.

Joann Renee Richardson, CCR  
Certified Court Reporter