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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

In the Matter of the Application)
of The Free Network, LLC, for) Case No.
approval to Transfer Certain) TM-2003-0530
Assets to Lightyear)
Communications, Inc.)

PREHEARING CONFERENCE
Volume 1
Monday, September 8th, 2003
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

NANCY DIPPELL, Presiding,
SENIOR REGULATORY LAW JUDGE

REPORTED BY:
Patricia A. Stewart
RMR, RPR, CCR, CSR
ASSOCIATED COURT REPORTERS
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Jefferson City, Missouri 65101

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APPEARANCES:

JAMES M. FISCHER, Attorney at Law
FISCHER & DORITY
101 Madison, Suite 400
Jefferson City, Missouri 65101

FOR: The Free Network and Lightyear
Communications, Inc.

CLIFF SNODGRASS, Senior Counsel
PUBLIC SERVICE COMMISSION
P. O. Box 360
Jefferson City, Missouri 65102

FOR: Staff of the Missouri Public Service
Commission.

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P R O C E E D I N G S

JUDGE DIPPELL: This is Case No. TM-2003-0530,
in the matter of the application of The Free Network LLC
for approval to transfer certain assets to Lightyear
Communications, Inc.

My name is Nancy Dippell. I'm the judge
assigned on this matter, and we come here today for a
prehearing conference which was rescheduled, and I
understand, perhaps, the parties have already gotten
things worked out, but I'll let you go ahead and make
entries of appearance and then you can tell me the
status.

Mr. Fischer, do you want to begin?

MR. FISCHER: Yes. Let the record reflect the
appearance of James M. Fischer, Fischer & Dority PC,
101 Madison Street, Suite 400, Jefferson City, Missouri
65101, appearing today on behalf of the joint applicants,
The Free Network LLC and Lightyear Communications, Inc.

JUDGE SNODGRASS: Mr. Snodgrass.

MR. SNODGRASS: Yes. Good morning, Judge.

Let the record reflect Cliff Snodgrass
appearing on behalf of the Staff of the Missouri Public
Service Commission.

My formal address is Governor's Office
Building, Suite 800, 200 Madison Street, P. O. Box 360,

1 Jefferson City, Missouri 65102.

2 JUDGE DIPPELL: Thank you.

3 And so right now what was in dispute were a
4 couple of older annual reports. And, Mr. Fischer, it's
5 my understanding that you've either filed those or are
6 prepared to file those.

7 MR. FISCHER: Yes, they have been filed,
8 your Honor, for the years 1999, 2000 through 2001, which,
9 I think, were the older ones that you're referring to.
10 And I believe that was the last outstanding issue that
11 needed to be addressed.

12 The assessments have been paid now, and I think
13 The Free Network is now up to date.

14 JUDGE DIPPELL: Okay.

15 Mr. Snodgrass, do you agree with that?

16 MR. SNODGRASS: Yes, Judge.

17 I called Helen Davis this morning, and she
18 called me back indicating that all assessment issues that
19 Staff had concerns with have been taken care of, and that
20 The Free Network had filed its annual reports for 1999
21 through 2001, and I believe they also filed 2002.

22 I heard from my staff member, Janis Fischer,
23 and she was okay with cancelling the prehearing
24 conference today, and I believe Staff's concerns have all
25 been taken care of.

1 JUDGE DIPPELL: And will Staff -- I guess, I
2 mean, just ask: Are you prepared today to say that Staff
3 is willing for this application to be granted or do you
4 need time to file additional --

5 MR. SNODGRASS: I don't think we need a delay
6 with Mr. Fisher and his clients any longer.

7 Looking at my client here, Sherri Kohly, she's
8 giving me the nod to go forward with the transaction.

9 JUDGE DIPPELL: The record will reflect that
10 the Staff has recommended that the application go ahead
11 and be approved, and without the condition that it
12 previously included in its recommendation.

13 MR. FISCHER: I'd like to apologize for the
14 confusion that these clients created by not getting their
15 annual reports in and also by not filing all of them.

16 JUDGE DIPPELL: All right. Well, I'm glad that
17 we could get this taken care of today then, and I will
18 prepare an order for the Commissioners.

19 Is there anything further?

20 MR. SNODGRASS: Nothing from Staff, Judge.

21 MR. FISCHER: Thank you.

22 JUDGE DIPPELL: Then thank you all for coming.
23 I apologize for being detained. And we can go off the
24 record.

25 MR. SNODGRASS: Thank you, Your Honor.

1 WHEREUPON, the on-the-record portion of the
2 Prehearing Conference was concluded.
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