

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

In the matter of the application of USCOC of)
Greater Missouri, LLC for designation as an) Case No. TO-2005-0384
eligible telecommunications carrier pursuant to)
the Telecommunications Act of 1996.)

**PROPOSED LIST OF ISSUES, ORDER OF WITNESSES AND
ORDER OF CROSS-EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and states:

1. On June 15, 2005, the Commission issued its *Order Adopting Procedural Schedule* (“*Order*”). The procedural schedule adopted in the Commission’s *Order* directs the parties to file an issues list, order of witnesses and order of cross-examination no later than October 5, 2005.

2. The Staff, Office of the Public Counsel (“OPC”), USCOC of Greater Missouri, LLC, d/b/a U.S. Cellular (“U.S. Cellular”), Southwestern Bell Telephone, L.P. d/b/a SBC Missouri (“SBC”), CenturyTel¹ and The Small Telephone Company Group (“STCG”)² agree upon the following issues arising under the Telecommunications Act of 1996 (“the Act”):

ISSUES

Issue 1. Telecommunications companies seeking eligible telecommunications carrier (“ETC”) status must meet the requirements of Section 214(e)(1) throughout the service area for which designation is received. Section

¹ “CenturyTel” refers to Spectra Communications Group, LLC d/b/a CenturyTel and CenturyTel of Missouri, LLC.

² “STCG” refers to BPS Telephone Company, Choctaw Telephone Company, Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Fidelity Telephone Company, Goodman Telephone Company, Granby Telephone Company, Grand River Mutual Telephone Company, Holway Telephone Company, IAMO Telephone Corporation, Kingdom Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, Mid-Missouri Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Northeast Missouri Rural Telephone Company, Orchard Farm Telephone Company, Peace Valley Telephone Company, Inc., Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company.

214(e)(1) requires carriers to offer the services that are supported by Federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and to advertise the availability of such services and the charges therefor using media of general distribution. Does U.S. Cellular meet the requirements of Section 214(e)(1) throughout the service area for which U.S. Cellular seeks ETC designation?

Issue 2. ETC designations by a state commission must be consistent with the public interest, convenience and necessity pursuant to Section 214(e)(2). All parties agree that ETC designations must be consistent with the public interest, convenience and necessity for areas served by rural carriers, and all parties but U.S. Cellular agree that ETC designations in areas served by non-rural carriers must also be consistent with the public interest, convenience and necessity. The Federal Communications Commission's ("FCC's") ETC Report and Order³ determined that this public interest standard applies regardless of whether the area is served by a rural or non-rural carrier.

A. Is granting ETC status to U.S. Cellular in areas served by rural carriers consistent with the public interest, convenience and necessity?

B. Must ETC designations in areas served by non-rural carriers be consistent with the public interest, convenience and necessity?

³ In the Matter of Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 20 FCC Rcd 6371 (2005) ("ETC Report and Order").

C. If the answer to B is “no,” should the Commission nonetheless ensure that all ETC designations in areas served by non-rural carriers are consistent with the public interest, convenience and necessity?

D. If the answer to either B or C is “yes,” is granting ETC status to U.S. Cellular consistent with the public interest, convenience and necessity in areas served by non-rural carriers?

Issue 3. The FCC’s ETC Report and Order determined that carriers seeking ETC designation from the FCC must meet certain requirements. The FCC encouraged state commissions to apply these requirements. Should the Commission apply the guidelines included in the FCC’s ETC Report and Order in its evaluation of the application filed by U.S. Cellular?

3. All parties agree on the following order of witnesses and order of cross examination:

Witness

Order of Cross-Examination

Mr. Kevin Lowell (U.S. Cellular)	OPC, Staff, CenturyTel, STCG, SBC
Mr. Nick Wright (U.S. Cellular)	OPC, Staff, CenturyTel, STCG, SBC
Mr. Don J. Wood (U.S. Cellular)	OPC, Staff, CenturyTel, STCG, SBC
Ms. Barbara Meisenheimer (OPC)	Staff, CenturyTel, STCG, SBC, U.S. Cellular.
Mr. Adam McKinnie (Staff)	U.S. Cellular, OPC, CenturyTel, STCG, SBC
Mr. Glenn H. Brown (CenturyTel)	STCG, SBC, Staff, OPC, U.S. Cellular
Mr. Robert C. Schoonmaker (STCG)	CenturyTel, SBC, Staff, OPC, U.S. Cellular
Mr. James E. Stidham, Jr. (SBC)	CenturyTel, STCG, Staff, OPC, U.S. Cellular

4. While not specifically addressed in the *Order*, all parties further recommend that the Commission take opening statements in the following order: U.S. Cellular, OPC, Staff, CenturyTel, STCG and SBC.

WHEREFORE, the Staff respectfully proposes this list of issues, order of witnesses and order of cross-examination.

Respectfully submitted,

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/s/ Marc Poston

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 5th day of October 2005.

/s/ Marc Poston
