

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Missouri RSA No. 5 Partnership for)
Designation as an Eligible Telecommunications Carrier)
Pursuant to the Telecommunications Act of 1996) **Case No. TO-2006-0172**

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: January 3, 2006

Effective Date: January 3, 2006

Missouri RSA No. 5 Partnership has applied to the Commission for designation as an Eligible Telecommunications Carrier pursuant to the Telecommunications Act of 1996. If Missouri RSA No. 5's application is granted, it will be eligible to receive support from the federal Universal Service Fund. On November 22, 2005, the Commission issued an order permitting several parties to intervene and directed the parties to file a proposed procedural schedule. On December 30, 2005, the Staff of the Commission filed a proposed procedural schedule that has been agreed upon by all the parties.

The Commission finds that the procedural schedule proposed by the parties is reasonable and it will be adopted. The Commission finds that the following conditions should be applied:

(A) The Commission will require that testimony be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must 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) Pursuant to Commission Rule 4 CSR 240-2.130(15), testimony and schedules may not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established will be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and 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.

(D) Each party shall file a prehearing brief. The position statement shall set forth that party's position on each disputed issue. The brief shall state each issue in question, the law that applies to the issue, the facts that the party believes will support its position, and the conclusion suggested. The schedule for filing a post-hearing brief will be determined at the hearing.

(E) 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:

Direct Testimony

- January 3, 2006

- Rebuttal Testimony** - **March 1, 2006**
- Surrebuttal Testimony** - **April 6, 2006**
- Issues List, Order of Witnesses,
and Order of Cross** - **April 13, 2006**
- Pre-hearing Briefs** - **April 20, 2006**
- Hearing** - **May 2, 3, 4, 2006,
beginning at 8:30 a.m.**

2. That the hearing will be held in Room 310 in the offices of the Missouri Public Service Commission, 200 Madison Street, 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 January 3, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Steven C. Reed, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of January, 2006.