

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Prehearing Conference  
8 July 19, 2007  
9 Jefferson City, Missouri  
Volume 1

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12 Staff of the Public Service )  
Commission of the State of )  
13 Missouri, )  
Complainant, )  
14 )  
v. ) Case No. TC-2007-0415  
15 )  
Sprint Communications Company, )  
16 L.P., )  
Respondent. )  
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21 Ronald D. Pridgin, Presiding,  
22 SENIOR REGULATORY LAW JUDGE

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24 REPORTED BY:

25 PAMELA FICK, RMR, RPR, CCR #447, CSR  
MIDWEST LITIGATION SERVICES

1 APPEARANCES:

2 KENNETH A. SCHIFMAN, Attorney at Law  
3 Director, State Regulatory Affairs,  
4 Central Region  
5 6450 Sprint Parkway  
6 Overland Park, KS 66251  
7 (913) 219-6529

8 FOR: Sprint Communications Company,  
9 L.P.

10 MICHAEL DANDINO, Deputy Public Counsel  
11 P.O. Box 2230  
12 Jefferson City, MO 65102  
13 (573) 751-5559

14 FOR: Office of the Public Counsel and  
15 the Public.

16 JENNIFER HEINTZ, Assistant General Counsel  
17 BLANE BAKER, Associate General Counsel  
18 P.O. Box 360  
19 Jefferson City, MO 65102  
20 (573) 751-5472

21 FOR: Staff of the Missouri Public  
22 Service Commission.

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1 P R O C E E D I N G S

2 JUDGE PRIDGIN: All right. We're on  
3 the record. Good morning. This is the prehearing  
4 conference in Case No. TC-2007-0145, Staff of the  
5 Public Service Commission, State of Missouri,  
6 versus Sprint Communications Company, LP. I am  
7 Ron Pridgin. I'm the regulatory law judge assigned  
8 to preside over this prehearing conference that's  
9 being held July 19th, 2007.

10 It's approximately ten o'clock in the  
11 morning, and we are in the Governor Office Building  
12 in Jefferson City, Missouri.

13 I would like to get oral entries of  
14 appearance from counsel, please, beginning with the  
15 Staff of the Commission.

16 MS. HEINTZ: Jennifer Heintz and Blane  
17 Baker for the Staff of the Missouri Public Service  
18 Commission, P.O. Box 360, Jefferson City, Missouri  
19 65102. Here for the telecommunications department of  
20 Staff is Myron Couch.

21 JUDGE PRIDGIN: Ms. Heintz, thank you.  
22 Mr. Baker, thank you. On behalf of Sprint  
23 Communications Company, LP, please.

24 MR. SCHIFMAN: Good morning, Judge. My  
25 name is Ken Schifman, S-c-h-i-f-m-a-n. I am

1 appearing on behalf of Sprint Communications Company,  
2 LP. My mailing address is 6450 Sprint Parkway,  
3 Overland Park, Kansas 66251.

4 JUDGE PRIDGIN: Mr. Schiffman, thank you.  
5 On behalf of the Office of the Public Counsel,  
6 please.

7 MR. DANDINO: Good morning, your Honor.  
8 Michael Dandino, Deputy Public Counsel, Post Office  
9 Box 2230, Jefferson City, Missouri 65102,  
10 representing the Office of Public Counsel and the  
11 public.

12 JUDGE PRIDGIN: Mr. Dandino, thank you.  
13 Are there any other counsel who wish to enter an  
14 appearance?

15 (NO RESPONSE.)

16 JUDGE PRIDGIN: Seeing none, and I don't  
17 recall any intervenors, I don't think I have any  
18 pending motions. Is there anything that counsel  
19 wishes to bring to my attention while we're on the  
20 record?

21 MR. SCHIFMAN: Your Honor, as far as --  
22 Sprint did file a Motion to Dismiss as part of its  
23 answer here, so I don't -- I think we're gonna work  
24 through some issues here during this prehearing  
25 conference, but I'm not waiving my Motion to Dismiss

1 at this time.

2 JUDGE PRIDGIN: And understood. And  
3 we're certainly not asking you to waive that as a  
4 pending motion. And I apologize and I appreciate you  
5 correcting me, and certainly am not requesting a  
6 party to waive anything.

7 Mr. Schiffman, thank you. Is there  
8 anything further from counsel to bring to my  
9 attention?

10 MS. HEINTZ: Nothing from Staff, your  
11 Honor.

12 JUDGE PRIDGIN: All right. If there's  
13 nothing, just my two cents as scanning over the  
14 pleadings, this certainly does not appear to be a  
15 complex dispute, and I'm hoping that if the parties  
16 are unable to resolve it and still request a  
17 hearing, that this could be a pretty simplified  
18 hearing in which the parties might at least  
19 consider a partial, if not complete stipulation of  
20 facts, I would think.

21 And obviously the parties are free to  
22 disagree and you're welcome to whatever hearing you'd  
23 like, but I would hope that the parties could agree  
24 pretty readily this is the report that was filed on a  
25 certain day, and here is a true and accurate copy of

1     that report and maybe it's sufficient, maybe it's  
2     not. But I'm hoping that this would be largely a  
3     legal dispute and not factual. Otherwise, the -- the  
4     parties may disagree obviously. I'm not asking you  
5     to do something you're not comfortable doing.

6                     But I'm hoping, again, that if you can't  
7     resolve this, that the hearing process could be  
8     streamlined and largely be done as a cross-motion for  
9     summary determination or just a brief on the record  
10    type hearing. And that's just -- just encourage you  
11    to consider that.

12                    Anything else from counsel before we go  
13    off the record?

14                    (NO RESPONSE.)

15                    JUDGE PRIDGIN: All right. You are  
16    welcome to this room until five o'clock if I'm not  
17    mistaken. I'll double-check. If there's any issue  
18    of you moving along, I'll come back and alert you  
19    immediately, but normally these rooms are reserved  
20    for the rest of the day.

21                    And I'm up on the ninth floor, and  
22    the hearing calendar is up on the ninth floor if  
23    you need to look for dates. If there's nothing  
24    further?

25                    MR. SCHIFMAN: Your Honor?

1 JUDGE PRIDGIN: Mr. Schiffman?

2 MR. SCHIFMAN: If we don't reach  
3 settlement, would we call you back down to set a  
4 schedule or how do you wish us to proceed?

5 MS. HEINTZ: We will file one.

6 JUDGE PRIDGIN: Yeah, normally what  
7 would happen, if I'm not mistaken, when I granted  
8 your motion, Mr. Schiffman, proposed procedure  
9 schedule will be due today.

10 MR. SCHIFMAN: Okay.

11 JUDGE PRIDGIN: And then obviously if  
12 the parties need more time, you can just file a  
13 motion.

14 MR. SCHIFMAN: Okay.

15 JUDGE PRIDGIN: Normally I would expect  
16 Staff to file a proposed procedural schedule if the  
17 parties can agree. If you can't agree, I would want  
18 alternatives from the parties.

19 MR. SCHIFMAN: Thank you.

20 JUDGE PRIDGIN: You're quite welcome.  
21 Anything further?

22 (NO RESPONSE.)

23 JUDGE PRIDGIN: All right. Hearing  
24 nothing, that will conclude this prehearing  
25 conference in Case No. TC-2007-0415. Thank you very

1 much. We are off the record.

2 MS. HEINTZ: Thank you, your Honor.

3 JUDGE PRIDGIN: You're quite welcome.

4 (WHEREUPON, the recorded portion of the  
5 prehearing conference was concluded.)

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