

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Review of the Competitive)
Classification of the Exchanges of Southwestern)
Bell Telephone, L.P., d/b/a AT&T Missouri.) **Case No. TO-2007-0053**

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: October 11, 2006

Effective Date: October 11, 2006

The Commission has reviewed the proposed procedural schedule filed by the Staff of the Missouri Public Service Commission, Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, and the Office of the Public Counsel on October 5, 2006. The Commission finds the proposed schedule to be appropriate and shall adopt it.

The Commission also finds that the following conditions shall apply to the procedural schedule:

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall 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) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any

issue not included in the issues list will be presumed to not require determination by the Commission.

(C) The parties shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall propose the order of cross-examination and file a joint pleading indicating the same.

(D) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues list, and shall not contain argument about why the party believes its position to be the correct one.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript further, such request shall be tendered in writing to the Presiding Judge at least five days prior to the date of the hearing.

(F) All pleadings and briefs shall be filed in accordance with 4 CSR 240-2.080 except as otherwise ordered. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) 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 been prefiled, and served on the other parties, only one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it shall bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(H) A settlement shall not be grounds for continuing the hearing unless a written settlement agreement resolving all issues is filed with the Commission prior to the request for continuance.

(I) The parties may file proposed findings of fact and proposed conclusions of law. To be considered, the proposed findings of fact must cite to the proper portions of the record.

IT IS ORDERED THAT:

1. The procedural schedule is adopted as follows:

Direct Testimony of Public Counsel	December 14, 2006
Rebuttal Testimony of AT&T and Staff	January 18, 2007
Surrebuttal Testimony	February 15, 2007
List of Issues and Order of Opening Statements, Witnesses and Cross-examination	February 22, 2007
Position Statements	March 1, 2007
Hearing	March 8-9, 2007 beginning at 8:30 a.m.

2. The hearing will be held at the Commission's offices in Room 310 in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a facility which meets the accessibility standards of the Americans with Disabilities Act (ADA). Any person who needs additional accommodations to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. The parties are directed to comply with the conditions set out in this order.

4. This order shall become effective on October 11, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of October, 2006.