BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
WWC License, LLC for Designation as an)	
Eligible Telecommunications Carrier, and)	Case No. TO-2004-0527
Petition For Redefinition of Rural Telephone)	
Company Service Areas)	

STIPULATION AND MOTION TO AMEND PROCEDURAL SCHEDULE

COMES NOW WWC License, LLC, pursuant to 4 CSR 240-2.080, and for its Stipulation and Motion to Amend Procedural Schedule respectfully states as follows:

- 1. On July 8, 2004 the Commission issued its <u>Order Granting Motion For A Hearing And Adopting Procedural Schedule</u>. On September 2, 2004, the Commission issued an <u>Order Granting Motion to Reschedule Hearing</u>, which by agreement of all parties rescheduled the hearing in this matter to October 27-28, 2004.
- 2. Western Wireless filed its Direct Testimony on August 5, 2004. On that same date, the Commission issued its Report and Order denying the Application of Mid-Missouri Cellular for designation as a competitive eligible telecommunications carrier. In the Matter of the Application of Missouri RSANo. 7 Limited Partnership, d/b/a Mid Missouri Cellular, for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to Section 254 of the Telecommunications Act of 1996, Case No. TO-2003-0531 (effective Aug. 15, 2004). As a result, the Commission's Report and Order in Case No. TO-2003-0531 was not available to Western Wireless prior to its filing and was not addressed in its Direct Testimony.
- 3. On August 13, 2004, Mid-Missouri Cellular filed with the Commission a Petition for Reconsideration and Application for Rehearing in Case No. TO-2003-0531. Mid-Missouri Cellular's petition is still pending.

- 4. On September 15, 2004, the intervening parties filed Rebuttal Testimony relying at least in part on the Commission's statements and analysis in Case No. TO-2003-0531 as a basis for their positions with respect to Western Wireless' ETC Application.
- 5. Due to the similarity of issues presented in Case No. TO-2003-0531 and this proceeding, and in order to facilitate the orderly presentation of the issues, counsel for Western Wireless has contacted counsel or representatives for all parties and they have indicated that none oppose amending the current procedural schedule to allow the Commission to act on Mid-Missouri Cellular's petition for reconsideration and rehearing in Case No. TO-2003-0531 before proceeding with further testimony or evidentiary hearing in this proceeding. The Commission's ultimate action will provide further clarification and guidance to all parties in this proceeding.
- 6. As a result of this agreement, the parties further agree that the evidentiary hearing currently scheduled for October 27-28, 2004, in this matter be postponed to a later date and time subject to Commission and party availability.
 - 7. Set forth below is a proposed schedule based on this agreement:

Supplemental/Amended Direct - 14 days following issuance of

Order granting or denying petition for reconsideration in Case No. TO-2003-0531

Supplemental/Amended

Rebuttal

- 20 days after filing of

Supplemental/Amended Direct

Surrebuttal Testimony - 14 days after filing of

Supplemental/Amended

Rebuttal

List of Issues, Proposed Order of Witnesses, Order of Cross-Examination, and Order of Opening Statements 7 days after filing of Surrebuttal

Position Statements - 7 days after filing of List of

Issues, Proposed Order of Witnesses, Order of Cross-Examination, and Order of

Opening Statements

Evidentiary Hearing

 To be rescheduled subject to Commission and party availability

WHEREFORE, Western Wireless respectfully requests that the Commission amend the procedural schedule in this case as set forth above.

Dated: September 27, 2004

Respectfully submitted, /s/Mary Ann Young WILLIAM D. STEINMEIER, P.C. Mary Ann (Garr) Young (MoBar #27951) P.O. Box 104595, 2031 Tower Drive Jefferson City, MO 65110-4595 Telephone (573) 634-8109 Facsimile (573) 634-8224 myoung0654@aol.com

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ATTORNEYS FOR WWC LICENSE, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served electronically on parties of record to this proceeding on this 27th day of September, 2004

/s/Mary Ann Young

Mary Ann (Garr) Young

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