

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Multiband, Inc.,)
For a Certificate of Service Authority to Provide)
Shared Tenant Services in the State of Missouri.) **Case No. ZA-2006-0346**

ORDER SETTING PREHEARING CONFERENCE
AND REQUIRING FILING OF PROCEDURAL SCHEDULE

Issue Date: May 10, 2006

Effective Date: May 10, 2006

On March 6, 2006, Multiband, Inc., applied to the Commission for authority to provide private shared tenant services (STS). Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, intervened.

AT&T Missouri alleged that Multiband has used AT&T Missouri's facilities without permission, and further states that the certificate should be conditioned upon Multiband entering into an interconnection agreement with AT&T Missouri. Staff and Multiband object to this condition, stating that AT&T Missouri's remedy against Multiband for Multiband's alleged unauthorized use of AT&T Missouri's facilities is beyond the scope of a certificate case.

This matter is now at issue and a prehearing conference and procedural schedule are appropriate to ensure its prompt resolution. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives

should also be prepared to discuss the current status of any settlement negotiations. It is expected that the prehearing conference will provide an opportunity for the parties to further pursue settlement discussions.

The parties shall jointly file a proposed procedural schedule as directed below. The proposed procedural schedule shall establish dates for the filing of a list of the issues to be determined by the Commission and statements by the parties of their position on each such issue. The proposed procedural schedule shall also include a date for the filing of a list of the witnesses to be called on each day of hearing, the order in which they shall appear and the order of cross-examination agreed upon by the parties. The proposed procedural schedule shall also propose dates for the hearing of this matter.

IT IS ORDERED THAT:

1. A prehearing conference shall be held on May 22, 2006, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices at the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building is a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodations to participate in the prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the prehearing conference.

2. The parties shall jointly prepare and file a proposed procedural schedule no later than May 29, 2006.

3. This order shall become effective on May 10, 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)

Ronald D. Pridgin, Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of May, 2006.