

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

Staff of the Public Service Commission of the)	
State of Missouri,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2006-0184
)	
New Florence Telephone Company,)	
)	
Respondent.)	

**CONCURRENCE OF RESPONDENT NEW FLORENCE TELEPHONE
COMPANY WITH PROPOSED PROCEDURAL SCHEDULE**

COMES NOW Respondent in the captioned matter, New Florence Telephone Company ("New Florence"), by and through counsel, and with respect to the Proposed Procedural Schedule filed by the Staff of the Missouri Public Service Commission ("Staff") on January 3, 2006, states the following:

1. Staff has filed a Proposed Procedural Schedule in the captioned case. As indicated by Staff, the Proposed Procedural Schedule is the result of discussions between Staff, the Office of the Public Counsel and New Florence. It represents a good faith effort by all parties to accommodate Staff's desire for an "aggressive schedule."¹

2. New Florence's concurrence in the Proposed Procedural Schedule assumes that the Commission in approving same will grant leave for parties to file dispositive motions (including motions for summary determination) in less than sixty (60) days prior to the hearing provided by Commission rule 4 CSR 240-2.117. Depending on facts adduced during the process of discovery, New

¹ Proposed Procedural Schedule, ¶ 4.

Florence is likely to avail itself of this procedural avenue with respect to some or all of the eleven (11) counts of Staff's Complaint in order to narrow the issues in dispute. This variance was a material consideration leading to New Florence's agreement to the procedural schedule as proposed. Should the Commission decline to grant a variance concerning the timing requirements of its rule 4 CSR 240-2.117, New Florence likely will file an alternative procedural schedule which will protect its due process rights under the Commission's rules of practice and procedure.

3. In Paragraph 3 of the Proposed Procedural Schedule, Staff states that it will need to depose many individuals who were previously deposed during the Staff's pre-Complaint investigation. These individuals are current or former employees of Local Exchange Company, LLC and/or New Florence. In an effort to accommodate Staff's desire for an ambitious procedural schedule and to avoid additional unnecessary hardship for the companies' employees, New Florence has offered to consider letting Staff use portions of the prior depositions of these individuals, if Staff will identify those portions of the depositions it has already taken that it may want to use in this proceeding in this case. Accordingly, the time needed for additional, duplicative depositions is largely a matter under Staff's control.

WHEREFORE, New Florence concurs with the Proposed Procedural Schedule.

Respectfully submitted,

/s/ Paul A. Boudreau
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail, first class mail, facsimile or by hand delivery, on this 4th day of January, 2006 to the following:

Mr. Nathan Williams
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/s/ Paul A. Boudreau