

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Sprint Nextel Corporation for)	
Approval of the Transfer of Control of Sprint)	
Missouri, Inc., Sprint Long Distance, Inc., and)	<u>Case No. IO-2006-0086</u>
Sprint Payphone Services, Inc. from Sprint Nextel)	
Corporation to LTD Holding Company)	

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: January 4, 2006

Effective Date: January 4, 2006

On December 22, 2005, Sprint Nextel Corporation, Staff, and the Office of the Public Counsel filed a motion to establish a procedural schedule. The motion proposed a procedural schedule that was discussed by the parties at a prehearing conference. The Communications Workers of America did not join in the motion but did participate in the prehearing conference and has not objected to the proposed schedule.

After filing the proposed procedural schedule, Sprint Nextel, Staff and Public Counsel filed a nonunanimous stipulation and agreement that purports to resolve all issues between those parties. The Communications Workers of America filed a timely objection to the stipulation and agreement on January 3.

Since the Communications Workers of American has objected to the nonunanimous stipulation and agreement, the Commission will treat it as merely a statement of the

position of the signatory parties, to which no party is bound. All issues remain for determination after hearing.¹

Since the matter will need to go to hearing, the Commission will adopt a procedural schedule. The parties proposed that the hearing take place on February 1 and 2, which conflicts with the scheduled hearing for another case. At the time the parties proposed their schedule, they contemplated that their hearing might proceed at the same time as the previously scheduled hearing, but in a different hearing room. However, the conflicting hearing has now been assigned to the presiding officer in this case, eliminating the possibility of proceeding with two hearings on the same day. As a result, the Commission will schedule the hearing in this case for the alternative dates proposed by the parties.

Since the hearing will be scheduled for a later date, the other events in the schedule will also be pushed back. In addition, the Commission will require the parties to file pre-hearing briefs.

The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they will be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and may not contain argument about why the party believes its position to be the correct one.

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 not been prefiled, the party

¹ 4 CSR 240-2.115(2)(D).

offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is established:

Responses to Replies to Staff Recommendation and Deadline to Complete Prefiled Evidentiary Record	-	January 12, 2006
Issues List	-	January 24, 2006
Statement of Positions, List of Witnesses, Order of Cross	-	January 30, 2006
Prehearing Briefs	-	February 9, 2006
Hearing	-	February 16 & 17, 2006, beginning at 8:30 a.m.

2. That the hearing will be held at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 310. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. That this order shall become effective on January 4, 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)

Morris L. Woodruff, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of January, 2006.