

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Prehearing Conference  
8 January 30, 2004  
9 Jefferson City, Missouri  
Volume 1

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12 In the Matter of the Application of )  
Fidelity Telephone Company for )  
13 Authority to File, Establish, and ) Case No. IR-2004-0272  
Put into Effect New, Increased, or )  
14 Revised Rates and Charges For )  
Telephone Service. )

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19 KENNARD L. JONES, Presiding,  
20 REGULATORY LAW JUDGE.

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REPORTED BY:

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KELLENE K. FEDDERSEN, CSR, RPR, CCR  
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4 FOR: Staff of the Missouri Public  
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1 P R O C E E D I N G S

2 JUDGE JONES: This is a prehearing conference  
3 for Case No. IR-2004-0272. My name is Kennard Jones. I'm  
4 the presiding judge over this matter.

5 Will those attorneys present please introduce  
6 yourself, starting with the Staff of the Commission.

7 MR. BATES: Good afternoon, your Honor. Bruce  
8 Bates and William Haas for the Staff of the Missouri Public  
9 Service Commission. Our address is Post Office Box 360,  
10 Jefferson City, Missouri 65102.

11 JUDGE JONES: Thank you, Mr. Bates.

12 MR. ENGLAND: Thank you, your Honor. Let the  
13 record reflect the appearance of W.R. England, Brian T.  
14 McCartney of the law firm Brydon, Swearengen & England on  
15 behalf of the applicant Fidelity Telephone Company. Our  
16 mailing address is Post Office Box 456, Jefferson City,  
17 Missouri 65102. Mr. Jason Ross is also going to enter his  
18 appearance.

19 MR. ROSS: Yes, your Honor. Also appearing on  
20 behalf of Fidelity Telephone Company, Jason Ross and Sheldon  
21 Stock, Greensfelder, Hemker & Gale, PC, 10 South Broadway,  
22 Suite 2000, St. Louis, Missouri 63102.

23 MR. DANDINO: Michael Dandino, Office of the  
24 Public Counsel, Post Office Box 2230, Jefferson City,  
25 Missouri 65102, representing the Office of the Public

1 Counsel and the public.

2 MR. COMLEY: Mark W. Comley, Newman, Comley &  
3 Ruth, 601 Monroe, Suite 301, Jefferson City, Missouri,  
4 appearing on behalf of AT&T Communications of the Southwest,  
5 Inc. Yesterday, Judge, we filed an application to  
6 intervene. I don't think the Court has had an opportunity  
7 to rule on it yet.

8 JUDGE JONES: Okay.

9 MR. DORITY: Good afternoon, Judge. Appearing  
10 on behalf of Southwestern Bell, LP, doing business as SBC  
11 Missouri, Larry W. Dority with the firm Fischer & Dority,  
12 P.C. Our address is 101 Madison, Suite 400, Jefferson City,  
13 Missouri 65101.

14 JUDGE JONES: Are there any other attorneys  
15 present who wish to enter an appearance? Okay. Seeing  
16 none.

17 A brief history, on December 30th of last  
18 year, Fidelity Telephone Company submitted to the Missouri  
19 Public Service Commission proposed tariff sheets intended to  
20 implement a general rate increase for their service to  
21 customers in Missouri.

22 On January 13 of 2004, the Commission issued  
23 its suspension order and notice suspending that tariff until  
24 June 27, 2004, also notifying any potential intervenors of  
25 this case and allowing time for intervention.

1                   I have two applications for intervention, one  
2     from AT&T Communications and one from SBC Missouri. At this  
3     time I have seen no objections to those applications to  
4     intervene. Are there any objections to these applications  
5     to intervene?

6                   (No response.)

7                   JUDGE JONES: Seeing none, I will grant those  
8     applications to intervene.

9                   As you all know, this prehearing conference is  
10    being held to give the parties an opportunity to discuss  
11    these issues and further understand them and perhaps work  
12    towards settling the matter between you-all. It also  
13    satisfies the Commission that the parties have at least met  
14    one time prior to proceeding to hearing on the matter.

15                  Are there any other issues that need to be  
16    discussed on the record?

17                  MR. ENGLAND: Your Honor, I don't know --  
18    perhaps it could be discussed. I don't know that it can be  
19    resolved on the record, but we're hopeful that as a result  
20    of this prehearing conference we can reach an agreement or  
21    at least a recommendation regarding local public hearings.

22                  We've talked with representatives of Public  
23    Counsel and Staff in that regard, and we're looking at some  
24    dates later this month and early March which if -- if it  
25    remains that way, we might be bringing that motion or

1 recommendation to you as early as next Monday morning  
2 because we need to get Commission approval as quickly as  
3 possible so that we can get notice prepared and in the mail  
4 to our customers with at least ten days lead time.

5 JUDGE JONES: In light of that, then, I will  
6 remind you-all that the Commission's calendar is on the  
7 ninth floor and you may make use of that. I don't suppose  
8 you'd want to try to schedule local public hearings on dates  
9 that the Commission will otherwise be engaged. Beyond that,  
10 good luck in reaching a date that's amicable to all of you.

11 Does anyone have anything else they'd like to  
12 discuss on the record?

13 (No response.)

14 JUDGE JONES: Seeing nothing, we will conclude  
15 the prehearing conference.

16 WHEREUPON, the recorded portion of the  
17 prehearing conference was concluded

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