

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 21, 2000**

CASE NO: TA-2000-305

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of American)
Fiber Network, Inc. for a Certificate of)
Service Authority to Provide Basic Local) Case No. TA-2000-305
and Interexchange Telecommunications Services)
within the State of Missouri)

ORDER ADOPTING PROCEDURAL SCHEDULE

On January 14, 2000, the applicant, American Fiber Network, Inc. (AFN), filed with the Missouri Public Service Commission (Commission) its motion to establish procedural schedule. AFN stated that it anticipated filing a unanimous joint stipulation and agreement on or before February 29, 2000, which would alleviate the need for any further procedural schedule. AFN stated that in the unlikely event that a unanimous joint stipulation and agreement is not filed, it was offering a proposed procedural schedule. AFN stated that all of the parties agreed on the proposed procedural schedule. The Commission has reviewed the proposed procedural schedule and, on the whole, finds the dates appropriate.

With three minor changes for the dates for filing of direct testimony, rebuttal testimony, and surrebuttal testimony, the Commission adopts the proposed procedural schedule and finds that these conditions should be applied:

(A) The Commission will require the prefiling of testimony as defined in Commission Rule 4 CSR 240-2.130. All parties shall comply

with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) Pursuant to Commission Rule 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) 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 shall 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.

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

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

IT IS THEREFORE ORDERED:

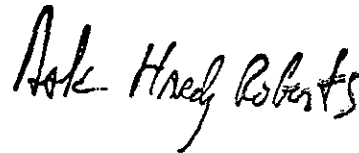
1. That the following procedural schedule is established for this case:

Direct testimony of AFN	-	March 30, 2000 3:00 PM
Rebuttal testimony of all other parties	-	April 27, 2000 3:00 PM
Surrebuttal and cross-rebuttal of all parties	-	May 11, 2000 3:00 PM
List of issues; order of witnesses and cross examination	-	June 2, 2000 3:00 PM
Statement of the position of each party on each issue	-	June 16, 2000 3:00 PM
Evidentiary Hearing	-	June 23, 2000 9:00 AM

2. That the evidentiary hearing will be held on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

3. That this order shall become effective on January 31, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
4 CSR 240-2.120(1), (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 21st day of January, 2000.

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 21ST day of January 2000.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

