

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
September 7, 2000**

**CASE NO: TO-2000-667**

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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 Investigation into the )  
Effective Availability for Resale of South- )  
western Bell Telephone Company's Local Plus )  
Service by Interexchange Companies and )  
Facilities-Based Competitive Local Exchange )  
Companies. )

Case No. TO-2000-667

**ORDER ADOPTING PROCEDURAL SCHEDULE**

On September 1, 2000, the Staff of the Commission (Staff), on behalf of all the parties, filed a Motion to Establish Procedural Schedule. Staff's pleading indicates that all parties approve of the proposed procedural schedule.

The Commission has reviewed the proposed procedural schedule and finds that it is appropriate. The Commission finds that the following 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 that 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 SWBT, Direct testimony of ILECs Direct testimony of other parties (optional)	- October 2, 2000 3:00 PM
Rebuttal testimony of all parties	- November 8, 2000 3:00 PM
Surrebuttal testimony of all parties	- December 11, 2000 3:00 PM
List of issues; order of witnesses and cross-examination	- December 20, 2000 3:00 PM
Statement of the position of each party on each issue	- January 3, 2001 3:00 PM
Evidentiary Hearing	- January 10, 11, & 12, 2001, 8:30 AM

2. That the evidentiary hearing will be held in the offices of the Missouri Public Service Commission in Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this hearing may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

3. That this order shall become effective on September 18, 2000.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Morris Woodruff, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 7th day of September, 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 7<sup>th</sup> day of September 2000.



*Dale Hardy Roberts*

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**Dale Hardy Roberts**  
Secretary/Chief Regulatory Law Judge