

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
March 6, 2001**

CASE NO: TA-2001-251

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Kristine Becker
Spencer Fane Britt & Browne LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106-2140

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

W. R. England, III/Sondra B. Morgan
Brydon, Swearengen & England P.C.
P. O. Box 456
Jefferson City, MO 65102

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 ExOp of Missouri, Inc., for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to Section 254 of the Telecommunications Act of 1996.)
Case No. TA-2001-251

ORDER ADOPTING PROCEDURAL SCHEDULE

On October 17, 2000, ExOp of Missouri, Inc. (ExOp), filed its application for designation as an eligible telecommunications carrier with respect to federal universal service support pursuant to Section 254 of the Telecommunications Act of 1996 (the Act), codified at 47 U.S.C. Section 254, and the implementing regulations of the Federal Communications Commission (F.C.C.).

On October 23, the Commission issued its Order Directing Notice, requiring that applications to intervene be filed herein on or before November 13, 2000. On November 13, 2000, an Application to Intervene was filed by the Small Telephone Company Group (STCG), consisting of BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Ellington Telephone Company, Fidelity Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, KLM Telephone Company, Kingdom Telephone Company, Le-Ru Telephone Company, McDonald County Telephone Company, Miller Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Peace Valley Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Spectra

16

Communications Group, LLC, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company. Also on November 13, 2000, the Office of the Public Counsel filed its Request for a Hearing herein.

On November 22, 2000, ExOp filed its response to STCG's application and Public Counsel's request. ExOp specifically opposed the latter and evidently opposed the former, as well.¹ On November 27, 2000, the Staff of the Missouri Public Service Commission (Staff) filed its response opposing both STCG's application and Public Counsel's request. On November 30, 2000, STCG replied in support of its application to intervene. On December 6, the Commission granted intervention to the STCG, set a prehearing conference for December 27, and directed that a joint proposed procedural schedule be filed by January 3, 2001.

The prehearing conference was held in this matter on December 27 as scheduled. Thereafter, on January 2, the parties unanimously requested that the requirement that a proposed procedural schedule be filed be suspended until February 7. That request was granted on February 2. The parties renewed their request on February 6 and, on February 8, the Commission reset the due date to March 7. On March 2, the parties filed their proposed procedural schedule.

The parties have agreed to submit the case on stipulated facts, to be filed on March 2; therefore, the procedural schedule includes only dates for the filing of briefs. The Commission has reviewed the proposed schedule and finds the dates appropriate for this case. Therefore, the Commission adopts the proposed schedule and finds that the following conditions should be applied to the schedule:

(A) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties

¹Although denominated a response to STCG's application to intervene, ExOp failed to ask for any relief with respect to STCG's application.

shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Unless approved by the Commission, each principal brief shall not exceed 30 pages in length; reply briefs shall not exceed 15 pages in length.

IT IS THEREFORE ORDERED:

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

Stipulation of Facts and List of Issues	March 2, 2001
Initial Briefs	March 23, 2001 3:00 p.m.
Reply Briefs	April 6, 2001 3:00 p.m.

2. That this order shall become effective on March 16, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to Section 386.240,
RSMo 2000.

Dated at Jefferson City, Missouri,
on this 6th day of March, 2001.

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 6th day of March 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge