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- i. What implementation plan or schedule, if any, should be used to achieve this signaling protocol? (i.e., FGC, FGD, other).

- ii. How and where should actual terminating intraLATA intrastate LEC-to-LEC traffic be measured where traffic terminates at an end office transiting a tandem switch of a current SC?
- iii. How and where should actual terminating intraLATA intrastate LEC-to-LEC traffic be measured where traffic terminates at an end office without transiting a tandem switch of a current SC?
- iv. In those situations, if any, where actual terminating intraLATA intrastate LEC-to-LEC traffic is measured at the origination of the traffic, what records should be provided to identify this traffic for billing purposes?
- v. What principles and/or practices of revenue neutrality should the Commission follow in implementing its order in this case?

The Commission has reviewed the motion and the Initial Report, including the proposed procedural schedule. The Commission wishes to commend the parties on their efforts to keep the implementation case moving on an expedited basis. With the exception of the date for the filing of the Hearing Memorandum, the Commission will adopt the procedural schedule proposed by the parties and strongly encourages them to include in the Hearing Memorandum any additional issues from those in the "Still Reviewing" category that remain unresolved as of June 26. The Commission will also encourage the parties to be as specific as possible in framing the issues in the Hearing Memorandum to be filed on July 16. In particular, the Commission wishes the parties to be explicit as to what issues are resolved between the parties, what resolution has been reached, and what specific elements remain in dispute. The filing date for the Hearing Memorandum has been amended to July 16 in order to permit the Commission sufficient time to review it before hearing. Finally, the Commission will require the parties to file a weekly advisory pleading advising the Commission of what additional issues have been resolved.

The Commission shall apply the following conditions to the procedural schedule.

A. The Commission will require the prefiling of testimony in compliance with the requirements of 4 CSR 240-2.130, including the filing of testimony 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 in the proceedings caused by allegations of unfair surprise at the hearing.

B. The Commission established a protective order to govern this proceeding on July 9, 1997. A party that considers information to be proprietary or highly confidential should indicate the material's proper classification at the time of filing. Any testimony or schedule filed without its classification clearly indicated shall be considered public information.

C. The parties shall file a Hearing Memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing and the order in which they shall be called, with an appendix containing definitions of essential terms, each party's position on the disputed issues, and the order of cross-examination. The Hearing Memorandum will set forth the issues that are to be heard and decided by the Commission. Any issue not contained in the Hearing Memorandum will be viewed as uncontested and not requiring resolution by the Commission. Staff will be responsible for preparing and filing the Hearing Memorandum.

D. The Commission emphasizes the importance of the deadline for filing the Hearing Memorandum. Commission Staff will be responsible for preparing and filing the Hearing Memorandum, and, unless the Commission orders otherwise, the Hearing Memorandum shall be filed on or before the date set. Each party is required to provide Staff with its position on each unresolved issue at least two business days prior to the filing

deadline for the Hearing Memorandum. Each party shall either present their signature element (a signed page) or shall be available to sign the final draft at the offices of the General Counsel prior to the filing deadline. A Hearing Memorandum which is not signed is considered noncompliant as to the party whose signature is missing and any party who fails or refuses to sign the final copy of the Hearing Memorandum is hereby ordered to file its own Hearing Memorandum, which follows the same numbering and topic outline, by the Hearing Memorandum filing date.

E. Any party wishing to offer a prefiled exhibit into evidence must bring to the hearing three copies of the exhibit for the court reporter. If the exhibit has not been prefiled, the proponent must also bring six copies for the Commissioners and the regulatory law judge, and copies for opposing counsel.

F. The Commission will direct expedited filing of the transcript, i.e., within five working days.

G. The briefs to be submitted by the parties shall follow the same format established in the Hearing Memorandum. Initial 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. Initial briefs shall be limited to 30 pages and reply briefs to 15 pages. All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080(7).

IT IS THEREFORE ORDERED:

1. That the Motion to File Initial Report and Request for Procedural Schedule is granted.

2. That the following procedural schedule is adopted:

**Last day to add additional
issues**

June 26, 1998

Direct testimony of all parties	July 2, 1998, 3:00 p.m.
Rebuttal testimony of all parties	July 16, 1998, 3:00 p.m.
Hearing Memorandum	July 16, 1998
Evidentiary hearing	July 22-24, 1998, 9:00 a.m.
Posthearing briefs	August 14, 1998

3. That the Staff of the Commission shall file an advisory pleading with the Commission detailing what additional issues have been resolved no later than 3:00 p.m. on June 5, 1998, June 12, 1998, June 19, 1998, June 26, 1998, July 2, 1998, and July 10, 1998.

4. That the evidentiary hearing will be held in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

5. That anyone wishing to attend the hearing who has 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.

6. That this order shall become effective on May 28, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer and
Murray, CC., concur.
Crumpton and Schemenauer,
CC., absent.

Wickliffe, Deputy Chief Regulatory Law Judge

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MAY 28 1998

**COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION**