

INTER-DEPARTMENT DELIVERY

NOTE: Cross out entire block when received and re-use until all spaces are full on the front and back. DO NOT STAPLE - USE STRING TIE

TO: 1ST FLOOR

Address: 1ST FLOOR BUILDING

Attn of

TO: *GAH*

AGENCY

Address: *649 R. S. Langford*

Attn of: *Rev. C. C. C. C.*

TO: *St. of S. S. S.*

Address: *St. of S. S. S.*

Attn of: *St. of S. S. S.*

TO: *St. of S. S. S.*

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TO: *St. of S. S. S.*

Address: *St. of S. S. S.*

Attn of: *St. of S. S. S.*

Governmental Commission Employment
of People with Disabilities
3345 West Truman Boulevard

TO: *Div. of P. S. S.*

Address: *Truman Bldg.*

Attn of: *Rev. C. C. C. C.*

TO: *Rev. C. C. C. C.*

Address: *Rev. C. C. C. C.*

Attn of: *Rev. C. C. C. C.*

TO: *Rev. C. C. C. C.*

Address: *Rev. C. C. C. C.*

Attn of: *Rev. C. C. C. C.*

FROM: *Mary Jones*
BUREAU: *General Counsel's Office*
DEPARTMENT OF REVENUE

TO: *Public Service Commission* ROOM NO.
AGENCY
☐ OTHER - STREET ADDRESS

INTER
DEPARTMENT
MAIL

- ☐ BROADWAY
- ☐ CAPITOL
- ☐ TRANSPORTATION
- ☐ JEFFERSON
- ☐ SUPREME COURT
- ☒ TRUMAN
- ☐ WAREHOUSE
605 HOWARD

DOR 513 (1-97)

MO 880-0751 (1-97)



Mary Jones
General Counsel's Office
Department of Revenue
Telephone: 573-751-4413

FILED⁴

JUL 11 2006

July 7, 2006

Public Service Commission:

**Missouri Public
Service Commission**

Attached are three pieces of mail meant for Western Wireless Corporation; however, they are addressed to a Department of Revenue post office box. Post Office Box 200, Jefferson City, Missouri, is our Driver License Bureau address.

Please do not hesitate to call if I can be of assistance.

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

RECEIVED
GENERAL COUNSEL
JUL -7 AM 10:46

In the Matter of the Petition for Arbitration of)
Unresolved Issues in a Section 251(b)(5))
Agreement with ALLTEL Wireless and)
Western Wireless.)

Case No. TO-2006-0463

NOTICE APPOINTING ADVISORY STAFF

Issue Date: June 15, 2006

As permitted by Commission rule 4 CSR 240-36.040(12)(A), the Arbitrator appoints
Commission Staff members Natelle Dietrich and Walter Cecil as her advisory staff.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 15th day of June, 2006.

Dippell, Deputy Chief Regulatory Law Judge

MISSOURI PUBLIC SERVICE COMMISSION

June 15, 2006

Case No. TO-2006-0463

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

ALLTEL Communications, Inc.
Ron Williams
3650 131st Avenue SE #400
Bellevue, WA 98006

ALLTEL Communications, Inc.
Legal Department
One Allied Drive
Little Rock, AK 72202

Cass County Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Citizens Telephone Company of
Higginsville Missouri
Brian McCartney
312 East Capitol Avenue
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Craw-Kan Telephone Cooperative,
Brian McCartney
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Seneca Telephone Company
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Jefferson City, MO 65102

Western Wireless Corporation
Legal Department
PO Box 200
Jefferson City, MO 65102

Enclosed find a certified copy of a NOTICE in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

***Colleen M. Dale
Secretary***

Missouri Public Service Commission

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2851 (9-01)

Rm 670

Western Wireless Corporation

Legal Department

PO Box 200

Jefferson City, MO 65102

65102+0200-00 2030



BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

RECEIVED
GENERAL COUNSEL
06 JUL -7 AM 10:46

In the Matter of the Petition for Arbitration)
of Unresolved Issues in a Section 251(b)(5)) **Case No. TO-2006-0463**
Agreement with ALLTEL Wireless and)
Western Wireless.)

ORDER DIRECTING FILING AND SETTING OUT CERTAIN PROCEDURES

Issue Date: June 22, 2006

Effective Date: June 22, 2006

The parties informed the Arbitrator that during their discussions at the initial arbitration meeting held on June 21, 2006, they agreed to submit a list of issues remaining to be resolved and a proposed procedural schedule no later than July 7, 2006. Section (8) of 4 CSR 240-36.040 provides for such a list to be jointly filed within seven days after the response to the petition is filed. Thus, the parties' schedule is in compliance with the Commission's rule.

In addition, the Arbitrator ordered that the following procedures must be followed:

- A. Testimony must contain the issue number that is addressed.
- B. Testimony shall contain a table of contents with each issue addressed in the testimony identified in the table.
- C. The final Decision Point List (DPL) shall include specific cites to the supporting testimony.
- D. On any issue where there is competing interconnection agreement language, the final DPL shall include that language.
- E. The parties shall e-mail copies of their testimony and any issues list or DPLs to the Arbitrator at: nancy.dippell@psc.mo.gov.

IT IS ORDERED THAT:

1. The parties shall jointly file a statement of unresolved issues no later than July 7, 2006.
2. The parties shall file a proposed procedural schedule no later than July 7, 2006.
3. The parties are directed to comply with the procedural requirements set out in the body of this order.
4. This order shall become effective on June 22, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of June, 2006.

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 22nd day of June 2006.**



**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

June 22, 2006

Case No. TO-2006-0463

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

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Legal Department
One Allied Drive
Little Rock, AK 72202

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Western Wireless Corporation
Legal Department
PO Box 200
Jefferson City, MO 65102

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

Sincerely,



**Colleen M. Dale
Secretary**

Missouri Public Service Commission

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2651 (9-01)

RM 690

Western Wireless Corporation

Legal Department

PO Box 200

Jefferson City, MO 65102

65102+0200-00 8030



BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
GENERAL COUNSEL
06 JUL -7 AM 10:37

OF THE STATE OF MISSOURI

In the Matter of the Petition for Arbitration of)
Unresolved Issues in a Section 251(b)(5)) **Case No. TO-2006-0463**
Agreement with ALLTEL Wireless and)
Western Wireless.)

ORDER DIRECTING NOTICE OF PETITION FOR ARBITRATION,
SCHEDULING INITIAL ARBITRATION MEETING,
AND ESTABLISHING PROTECTIVE ORDER

Issue Date: June 14, 2006

Effective Date: June 14, 2006

On June 7, 2006, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Craw-Kan Telephone Cooperative, Inc., Goodman Telephone Company, Granby Telephone Company, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, KLM Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Inc., Rock Port Telephone Company, and Seneca Telephone Company filed a verified petition for arbitration with the Missouri Public Service Commission pursuant to the Telecommunications Act of 1996, requesting that the Commission arbitrate unresolved issues between the Petitioners and ALLTEL Wireless and Western Wireless for an interconnection agreement.¹

¹ Although the Petitioners refer to the agreement as a "traffic termination agreement," the Telecommunications Act of 1996 mentions only interconnection agreements.

As ALLTEL Wireless and Western Wireless are parties to the agreement, the Commission finds that they are necessary and indispensable to a resolution of this matter and shall be made parties. The Commission will direct the Data Center to provide notice of this petition to ALLTEL Wireless and Western Wireless, and ALLTEL Wireless and Western Wireless shall be permitted to file a joint response or separate responses to the petition with any additional information they choose to provide.

Initial Arbitration Meeting

The federal Telecommunications Act requires that this arbitration be completed by August 7, 2006. Due to the short amount of time available for this arbitration, the arbitrator will promptly schedule an initial arbitration meeting. At this meeting, the parties will be expected to consider and propose a procedural schedule that will allow this arbitration to proceed in the time allowed by statute. If any of the parties desire to appear at the initial meeting by telephone, they shall notify the Arbitrator as directed below.

Motion for Protective Order

The Petitioners filed a Motion for Protective Order on June 8, 2006. The Petitioners anticipate that discovery during the course of this case may include confidential information, reports, work papers, etc., not available in any other public document. Therefore, because of the need to conduct discovery and the potential harm to Petitioners and/or ALLTEL Wireless and Western Wireless if such information is made public, Petitioners request the Commission to issue its standard-form protective order.

Upon review of the motion, the Commission finds that there is a need to protect confidential information and that the request for a protective order is reasonable. The Commission will adopt its standard protective order for this case.

IT IS ORDERED THAT:

1. The Data Center shall serve notice of this petition upon ALLTEL Wireless and Western Wireless.

2. ALLTEL Wireless and Western Wireless are made parties to this case.

3. ALLTEL Wireless and Western Wireless shall file a joint response or separate responses, and any additional information regarding the petition for arbitration, no later than July 2, 2006, with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, with a copy to:

W.R. England, III
Brian T. McCartney
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102
ATTORNEYS FOR PETITIONERS


4. An initial arbitration meeting shall be held on June 21, 2006, beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If anyone needs additional accommodations to participate in the meeting, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the meeting.

5. If a party desires to participate in the initial arbitration meeting by telephone, the party shall notify the Arbitrator no later than June 19, 2006, by calling 573-751-4393.

6. The Petitioners' Motion for Protective Order is granted, and the Protective Order attached to this order as Attachment A is adopted.

7. This order shall become effective on June 14, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 14th day of June, 2006.

PROTECTIVE ORDER

- A. The following definitions shall apply to information which a party claims should not be made public.

HIGHLY CONFIDENTIAL: Information concerning (1) material or documents that contain information relating directly to specific customers; (2) employee-sensitive information; (3) marketing analyses or other market-specific information relating to services offered in competition with others; (4) reports, work papers or other documentation related to work produced by internal or external auditors or consultants; (5) strategies employed, to be employed, or under consideration in contract negotiations.

PROPRIETARY: Information concerning trade secrets, as well as confidential or private technical, financial and business information.

- B. During the course of discovery a party may designate information as HIGHLY CONFIDENTIAL or PROPRIETARY (hereinafter, "designated information") and shall make such designated information available to the party seeking discovery, if such information is not objectionable on any other ground, under the restrictions set out in paragraphs C and D. The party designating the information as HIGHLY CONFIDENTIAL or PROPRIETARY shall provide to counsel for the requesting party, at the time the designation is made, the ground or grounds for the designation. The requesting party may then file a motion challenging the designation. The party designating the information confidential shall have five days after the filing of the challenge to file a response. No other filings are authorized.

- C. Materials or information designated as HIGHLY CONFIDENTIAL may, at the option of the furnishing party, be made available only on the furnishing party's premises and may be reviewed only by attorneys or outside experts who have been retained for the purpose of this case, unless good cause can be shown for disclosure of the information off premises and the designated information is delivered to the custody of the requesting party's attorney. Outside expert witnesses shall not be employees, officers or directors of any of the parties in this proceeding. No copies of such material or information shall be made and only limited notes may be taken, and such notes shall be treated as the HIGHLY CONFIDENTIAL information from which notes were taken.
- D. Disclosure of PROPRIETARY information shall be made only to attorneys, and to such employees who are working as consultants to such attorney or intend to file testimony in these proceedings, or to persons designated by a party as outside experts. Employees to whom such disclosure is to be made must be identified to the other party by name, title and job classification prior to disclosure. Information designated as PROPRIETARY shall be served on the attorney(s) for the requesting party. On premises inspection shall not be required for PROPRIETARY information, except in the case of voluminous documents (see paragraph K). Any employees of the party who wish to review such PROPRIETARY materials shall first read this order and certify in writing that (s)he has reviewed same and consented to its terms. The acknowledgment so executed shall contain the signatory's full name, permanent address, title or position, date signed, and an affirmation that the signer is acting on

has reviewed the Protective Order and consented to be bound by its terms. The nondisclosure agreement shall contain the signatory's full name, permanent address, employer and the name of the party with whom the signatory is associated. Such agreement shall be filed with the Commission. Attached hereto as Appendix "A" and incorporated by reference herein is a form for use in complying with the terms of this paragraph.

- M. In the event a witness discloses the contents of designated prefiled testimony in his or her own prefiled testimony, such testimony shall also be designated in the same manner as the designated prefiled testimony and handled in accordance with this order.
- N. Unless good cause is shown, challenges to the confidential nature of prefiled designated testimony shall be filed with the Commission no later than ten days after the grounds supporting the designations are filed or at the hearing, whichever occurs first. The party making the designation shall have five days to respond to the challenge or may respond at the hearing, whichever occurs first.
- O. The Commission or Regulatory Law Judge may rule on the challenge to the designations prior to the hearing, or at the hearings.
- P. In the event no party challenges prefiled designated testimony, or in the event the Commission or its Regulatory Law Judge rules that testimony was properly designated, then such testimony shall be received into evidence, subject to any other objections being made and ruled upon, and kept under seal.
- Q. In addition, all live testimony, including cross examination and oral argument which reveals the content of prefiled designated testimony or which is otherwise held to be

confidential, including any argument as to whether certain testimony is properly designated, shall be made *only after the hearing room is cleared* of all persons besides the Commission, its Regulatory Law Judges, court reporters, attorneys of record and witnesses to whom the designated information is available pursuant to the terms of this Protective Order. The transcript of such live testimony or oral argument shall be kept under seal and copies shall only be provided to the Commission, its Regulatory Law Judges, and attorneys of record. Such attorneys shall not disclose the contents of such transcripts to anyone other than those who may have access to the designated information under the terms of this Protective Order. Persons who have access to the designated information under the terms of this Protective Order shall treat the contents of such transcript as any other designated information under the terms of this Protective Order.

- R. References to designated testimony, whether *prefiled or live and transcribed*, in any pleadings before the Commission, shall be by citation only and not by quotation. Subject to the jurisdiction of any reviewing court, references to designated testimony in pleadings or oral arguments made to such reviewing court shall also be by citation only.
- S. All persons who are afforded access to information under the terms of this Protective Order shall *neither use nor disclose* such information for purposes of business or competition or any other purpose other than the purpose of preparation for and conduct of this proceeding and then solely as contemplated herein, and shall keep the information secure and in accordance with the purposes and intent of this order.

- T. Subject to the jurisdiction of any reviewing court, designated testimony constituting part of the record before the Commission shall be delivered to any reviewing court under seal upon service of the appropriate writ of review.
- U. The Commission may modify this order on motion of a party or on its own motion upon reasonable notice to the parties and opportunity for hearing.
- V. Within 90 days after the completion of this proceeding, including judicial review thereof, all designated information, testimony, exhibits, transcripts or briefs in the possession of any party other than Staff or the Public Counsel shall be returned to the party claiming a confidential interest in such information and any notes pertaining to such information shall be destroyed.
- W. The provisions of paragraph C, D, J and L of this Protective Order do not apply to Staff or Public Counsel. Staff and Public Counsel are subject to the nondisclosure provisions of Section 386.480, RSMo 2000. Staff and Public Counsel shall provide a list of the names of their employees who will have access to the designated information.
- X. Outside experts of Staff or Public Counsel who have been contracted to be witnesses in this proceeding shall have access to designated information and testimony on the same basis as Staff and Public Counsel except the outside expert shall read this order and sign the nondisclosure agreement attached as Appendix "A" hereto.
- Y. Outside experts of Staff and Public Counsel who have not been contracted to be witnesses in this proceeding are subject to the provisions of this Protective Order.
- Z. Prefiled testimony and exhibits, whether filed or offered at the hearing, shall be prepared in the manner described in Appendix "B".

APPENDIX "A"

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

NONDISCLOSURE AGREEMENT

I, _____, have been
presented a copy of this Protective Order issued in Case No. _____ on the
_____ day of _____, 2_____.

I have requested review of the confidential information produced in Case
No. _____ on behalf of _____
_____.

I hereby certify that I have read the above-mentioned Protective Order and agree to
abide by its terms and conditions.

Dated this _____ day of _____, 2_____.

Signature and Title

Employer

Party

Address

Telephone

1. If prefiled testimony contains parts which are classified as Proprietary or Highly Confidential, it shall be filed with the Commission's Secretary/Chief Regulatory Law Judge's Office as follows:
 - A. One public version of prefiled testimony with the Proprietary or Highly Confidential portions obliterated or removed shall be filed. The Proprietary pages shall be stamped "P" and the Proprietary information indicated by one asterisk before and after the information, *Proprietary information removed*. The Highly Confidential pages shall be stamped "HC" with the Highly Confidential information indicated by underlining and by two asterisks before and after the Highly Confidential information, **Highly Confidential information removed** . The designated information shall be removed with space remaining so that the lineation and pagination of the public version remains the same as the Highly Confidential and Proprietary versions.
 - B. One complete version of prefiled testimony shall be filed under seal. The Proprietary pages shall be stamped "P" and the Proprietary information indicated by one asterisk before and after the information, *Proprietary*. The Highly Confidential pages shall be stamped "HC" with the Highly Confidential information indicated by underlining and by two asterisks before and after the Highly Confidential information, **Highly Confidential** .

Any deviations from this format must be approved by the Regulatory Law Judge.

2. One copy of each version of exhibits which have been previously filed, whether testimony or other, shall be provided at the hearing with the information separated as described in 1.A and 1.B above with each copy of the Proprietary and Highly

Confidential portions placed into separate envelopes to be marked as Exhibit __P and Exhibit __HC. If the exhibit has not been previously filed with the Commission, then, at the hearing, the filing party must provide seven copies of each version to the Commission, plus an additional copy of each version to all counsel.

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 14th day of June 2006.**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

June 14, 2006

Case No. TO-2006-0463

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Citizens Telephone Company of
Higginsville Missouri
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Craw-Kan Telephone Cooperative,
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Goodman Telephone Company, Inc.
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Granby Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Green Hills Telephone Corporation
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Holway Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Iamo Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Kingdom Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

KLM Telephone Company
Brian McCartney
312 East Capitol Avenue
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Lathrop Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Le-Ru Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Mark Twain Rural Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

McDonald County Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Miller Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Oregon Farmers Mutual Telephone
Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Ozark Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Peace Valley Telephone Co., Inc.
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Rock Port Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Seneca Telephone Company
Brian McCartney
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

Western Wireless Corporation
Legal Department
PO Box 200
Jefferson City, MO 65102

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

Sincerely,



**Colleen M. Dale
Secretary**

PUBLIC SERVICE COMMISSION
P O BOX 360
JEFFERSON CITY MO 65102

MO 419-1183 (12-91)

RM 670

Western Wireless Corporation
Legal Department
PO Box 200
Jefferson City, MO 65102

