

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Bona Fide Request of)
Big River Telephone Company, LLC for)
Interconnection, Services and Network) **Case No. TO-2008-0003**
Elements from BPS Telephone Company)
pursuant to 47 U.S.C 251(f)(1).)

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: July 24, 2007

Effective Date: July 24, 2007

On July 19, 2007, the parties filed a joint motion to establish a procedural schedule. In addition, the parties noted their agreement to either respond or object to data requests within seven days for data requests issued after direct testimony has been filed. The Commission has reviewed the proposed procedural schedule and finds it to be appropriate. The following conditions shall apply to the procedural schedule:

(A) The procedural agreement of the parties with regard to data requests issued after the filing of direct testimony is adopted.

(B) The Commission will require the prefiling of testimony as defined in 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.

(C) The parties shall agree on and file a joint list of issues to be determined herein by the Commission. The requirements for issue format set forth in 4 CSR

240-2.080(21) are waived. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(D) Each party shall file a list of its witnesses and the order in which they shall be called. The parties shall establish the order of cross-examination and file a joint pleading indicating the same.

(E) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues list, and shall not contain argument about why the party believes its position to be the correct one. Each statement of position shall include, for each issue upon which a party intends to adduce evidence, the names of each witness offering testimony on that issue and a specific reference to the pages of the prefiled testimony containing that evidence.

(F) All pleadings and briefs shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties 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 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 one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Regulatory Law Judge, and all counsel.

(H) The hearing transcript will be expedited to be available **no later than September 21, 2007**.

(I) Each party may prepare and file proposed findings of fact and conclusions of law, including citations to prefiled testimony and other evidence, either in addition to, or in lieu of, its posthearing brief.

IT IS ORDERED THAT:

1. The following procedural schedule is adopted:

Big River direct testimony	August 13, 2007
BPS rebuttal testimony	August 31, 2007
Staff and Public Counsel rebuttal testimony	September 7, 2007 12:00 p.m.
List of issues	September 12, 2007
Surrebuttal testimony, all parties	September 14, 2007
Statement of position, each party; list of witnesses, order of witnesses, and order of cross-examination	September 17, 2007
Hearing	September 19, 2007 8:30 a.m.
Expedited transcript filed	September 21, 2007
All parties' posthearing briefs and/or proposed findings of fact and conclusions of law	October 5, 2007

2. The evidentiary hearing will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, in Room 310. This building meets accessibility standards of the Americans with Disabilities Act (ADA). Any person needing additional accommodations to participate in the hearing is requested to call

the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. The parties are directed to comply with the conditions set out in this order, including their agreement with regard to data requests.

4. This order shall become effective on July 24, 2007.

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 24th day of July, 2007.