

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Sprint	)	Application No. C-3429
Communications Company L.P.,	)	
Overland Park, Kansas, Petition	)	
for arbitration under the	)	PLANNING CONFERENCE ORDER
Telecommunications Act, of	)	
certain issues associated with	)	
the proposed interconnection	)	
agreement between Sprint and	)	
Southeast Nebraska Telephone	)	
Company, Falls City.	)	Entered: June 28, 2005

BY THE HEARING OFFICER:

O P I N I O N      A N D      F I N D I N G S

On June 22, 2005, a planning conference was held in the Commission Library, Lincoln Nebraska. Ms. Diane Browning appeared for Sprint Communications Company L.P. (Sprint) by telephone. Mr. James Overcash and Mr. Paul Schudel appeared for Southeast Nebraska Telephone Company (SENTCO). SENTCO and Sprint may collectively be referred to below as the "Parties."

In response to Sprint's Petition, SENTCO filed on or about June 17, 2005 a Motion to Dismiss or, in the Alternative, Response to the Petition. Without waiving SENTCO's positions in the Motion to Dismiss and Response, the Parties have agreed that the issues raised therein will be resolved in conjunction with the Commission's decision in this proceeding after the presentation of evidence, hearing, and submission of proposed orders/briefs under the schedule set forth below. Accordingly, the Commission will not hold a separate hearing on the Motion to Dismiss, and Sprint is not required to respond to the Motion to Dismiss. Instead, the Commission will address the Motion to Dismiss and any opposition thereto as part of its decision in this matter. In establishing this procedure, the Commission specifically notes that all arguments raised in the Motion to Dismiss are preserved and that the Parties may address and respond to those arguments as part of the post-hearing proposed orders/briefs to be submitted to the Commission following the hearing. Moreover, the Parties' agreement does not prevent either of them from raising additional arguments or assertions that arise out of the presentation of evidence or the record from the hearing on Sprint's Petition.

Accordingly, pursuant to the discussions at the planning conference the following schedule was agreed upon by the parties:

<u>Event</u>	<u>Date</u>
Serve Discovery	June 28, 2005
Objections to Discovery Served	July 5, 2005
Hearing on Objections	July 6, 2005 at 1:30 p.m.
Order on Objections	July 8, 2005
Responses to Discovery Served	July 14, 2005
Prefiled Direct Testimony and corresponding Exhibits	July 25, 2005
Prefiled Rebuttal Testimony and corresponding Exhibits	August 3, 2005
Proposed Order/Brief Submission deadline	September 2, 2005

Any exhibits to be utilized at hearing solely for impeachment purposes need not be prefiled.

The parties agreed to limit the scope of discovery. The number of interrogatories to be served is limited to twenty (20). The number of document requests shall be limited to five (5). The number of requests for admissions shall be limited to ten (10).

Service of discovery, objections, testimony, exhibits and briefs by electronic mail shall be required. Email service of relevant documents by 5:00 p.m. CDT on the dates set forth above shall be deemed timely. Paper copies of all materials served by email shall be provided by regular U.S. Mail.

The hearing in this matter will be held in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska on August 10, 2005 at 10:00 a.m. The Commission

expects to release its decision on September 13, 2005 which is prior to the nine month deadline set forth in section 252(b)(4)(C) of the Telecommunications Act of 1996.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the foregoing procedural schedule be and it is hereby adopted.

MADE AND ENTERED at Lincoln, Nebraska this 28<sup>th</sup> day of June, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

By: \_\_\_\_\_  
Hearing Officer