

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Cox Nebraska Telcom, L.L.C.) Formal Complaint No. 1296
)
and)
Illuminet,)
Complainants,)
v.)
)
Qwest Communications, Inc.,)
Respondent.)
)
ALLTEL Nebraska, Inc.) Formal Complaint No. 1297
)
and)
ALLTEL Communications of)
Nebraska, Inc.,)
Complainants,) PREHEARING CONFERENCE ORDER
v.)
)
Qwest Corporation,)
Respondent.) ENTERED: May 22, 2002

BY THE COMMISSION:

On March 5, 2002, Cox Nebraska Telcom, L.L.C. (Cox) and Illuminet filed Formal Complaint No. 1296 against Qwest Communications, Inc., and on March 26, 2002, ALLTEL Nebraska, Inc. (ALLTEL) filed Formal Complaint No. 1297 against Qwest Corporation (Qwest). A Prehearing Conference was held on May 14, 2002, at 3:00 p.m. in the Commission Hearing Room pursuant to Rule 020 of the Rules of Commission Procedure and in response to the request of the parties. This Prehearing Conference Order records the actions taken at the Conference.

1. Consolidation. The parties have requested, and the Commission is agreeable to, consolidation of the above-captioned formal complaints for hearing and disposition. The issues presented in each of the complaints are substantially similar. Such consolidation represents an efficient use of Commission resources.

2. Schedule. The schedule for processing the above-captioned formal complaints was discussed and will be as follows:

a. Amendment of Pleadings: The parties shall have to and including May 24, 2002, to file with the Commission any

amendments to the pleadings filed to date in the above-captioned formal complaints. Any pleadings responsive to such amendments shall be filed in accordance with the Commission's Rules.

b. Discovery: The parties shall have to and including June 1, 2002, to serve written discovery requests in accordance with Rule 016.11 of the Rules of Commission Procedure. Responses to any such discovery shall be made in accordance with such rule. All discovery in the above-captioned formal complaints shall be completed not later than July 12, 2002.

c. Exchange of Pre-Filed Testimony and Exhibits: Cox, ALLTEL and Illuminet shall have to and including July 26, 2002, to prepare and file with the Commission and serve on the other parties: (i) the pre-filed testimony of any witness that the party intends will testify at the hearing of the above-captioned formal complaints, and (ii) the exhibits that the party intends to offer at the hearing of these complaints, except for rebuttal exhibits. Qwest shall have to and including August 16, 2002, to file with the Commission and serve on the other parties, responsive pre-filed testimony and exhibits. Cox, ALLTEL and Illuminet shall then have to and including August 28, 2002, to file with the Commission and serve on the other parties, rebuttal comments.

d. Hearing Date(s): The hearing on these consolidated formal complaints will be held on September 9 and 10, 2002, commencing at 9:30 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

The Commission acknowledges that each of the above-captioned formal complaints contains a request pursuant to Neb. Rev. Stat. Section 75-609(2) (2000 Cum. Sup.) for this Commission to review the terms of the access charge tariff as filed by Qwest, that is the subject matter of such complaints. In approving the foregoing schedule, the Commission is mindful of the requirements of such section that the hearing of such a request for review be completed within 60 days following the filing of such request. However, due to the need for discovery by the parties, the complexity of the issues presented and the agreement with the parties, the foregoing schedule is being established for the orderly disposition of these matters.

3. Conduct of Hearing. The hearing on the above-captioned matters shall be conducted with cross-examination

allowed. The complainants shall first present their cases, followed by Qwest, and the hearing will be completed with rebuttal by the complainants.

4. Transcript. The costs of the transcript shall be borne by the parties. Therefore, the costs will be split equally between Cox, ALLTEL, Illuminet and Qwest.

5. Post-Hearing Briefs. Post-Hearing Briefs and/or proposed orders shall be filed with the Commission within 10 days of the release of the transcript.

6. Additional Issues. Any remaining prehearing issues that may arise prior to the date of the hearing, that the parties wish for the Commission to address, may be brought before the Commission for resolution at a subsequent prehearing conference.

O R D E R

IT IS THEREFORE ORDERED that the above-captioned formal complaints shall be conducted in conformity with the foregoing paragraphs of this Prehearing Order.

MADE AND ENTERED at Lincoln, Nebraska this 22nd day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director