

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Consideration of the)
Rescission, Alteration, or Amendment of the) DOCKET NO. 08-2469-01
Certificate of Authority of All American to)
Operate as a Competitive Local Exchange) ORDER SHORTENING TIME FOR
Carrier within the State of Utah) DISCOVERY TURN-AROUND
)

ISSUED: February 18, 2010

By The Commission:

This matter is before the Commission on the Office of Consumer Services' (OCS) Motion to Shorten Time to Respond to Data Requests. The OCS moves to change discovery turn-around time from 21 days to 10 days for discovery filed after February 1, 2010 and to 3 days for discovery filed after February 26, 2010. A hearing is set for March 3-4, 2010.

All American issued its response on February 16, 2010.

The OCS filed its reply on February 18, 2010.

ORDER

The Commission has reviewed the moving and responding papers and finds the discovery turn-around time should be shortened, thus allowing for the presentation of the most complete evidence before the Commission as it makes a decision in this matter.

Therefore all parties shall respond to data requests filed after February 1, 2010 within 10 days and shall respond to data requests filed after February 26, 2010 within 3 days.

Additionally, **no later than 5:00 p.m. Thursday, February 25, 2010**, All American shall: 1) amend its answers and objections to data requests so as to comply with the Utah Rules of Civil Procedure, namely Rule 33(b)(2), by having the "answers . . . signed by the

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person making them”, i.e. an officer, director, or managing agent, etc. and by counsel signing any objections and 2) re-submit the amended answers and objections to the propounding party(-ies). Future responses to data requests shall comply with the Rules of Civil Procedure.

The Commission will not disqualify All American two weeks before the hearing for its failure to comply with Rule 33(b)(2).

DATED at Salt Lake City, Utah, this 18th day of February, 2010.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 18th day of February, 2010, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#65343