

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Investigation Into)
Compliance of U S WEST COMMUNI-)
CATIONS With Section 271 of the)
Telecommunications Act of 1996)

DOCKET NO. 96-049-15

SCHEDULING ORDER

ISSUED: July 6, 1998

Appearances:

Michael Thompson For U S West Communications, Inc.

Brian Burnett " TCG Utah

Kent Walgren " Committee of Consumer Services

Michael Ginsberg " Division of Public Utilities

Scott Ward " Nextlink

Richard Wolters " AT&T Communications of the Mountain States, Inc. (by telephone)

Tom Dixon " MCI Metro Access Transmission Services, Inc. (by telephone)

Nancy Gibbs " Exchange Carriers of Utah

By the Commission:

On May 11, 1998, the Division of Public Utilities ("Division") filed a Motion for the Public Service Commission to Establish a Schedule. In response to this Motion, the Commission held a Prehearing Conference on May 26, 1998.

At the Prehearing Conference, AT&T and the Division presented their respective proposed schedules. All parties were allowed to comment on and suggest changes to the schedules proposed by AT&T and the Division. In addition, all parties were given the opportunity to present their own proposed schedule. At the conclusion of the Prehearing Conference, the following schedule was agreed to by the parties and adopted by the Commission.

PROCEDURAL SCHEDULE

Day 0 The date on which U S WEST Communications, Inc. files with the Utah Commission its notice of intent to file a Section 271 application with the FCC. This filing shall include U S WEST's direct testimony and responses to the data requests submitted by the Division to U S WEST on May 11, 1998. This filing may also include other evidence which, in U S WEST's view, supports its application. This filing shall be served on all parties, of which U S WEST is aware, who have formally intervened in this docket.

Day 7 Deadline for all parties, including the DPU, to serve discovery on U S WEST and/or other parties. Discovery is limited to thirty (30) data requests, including subparts, unless the requesting party can show good cause why additional data requests should be permitted. A party may also request that U S WEST provide them with responses to the lawful data requests submitted in Montana modified and updated to provide current Utah specific data. Such a request shall not be considered a part of the 30 data requests which a party is otherwise entitled to serve.

Day 21 Deadline for U S WEST to respond to discovery, including any requests for responses to the data requests submitted in Montana modified

and updated to provide current Utah specific data.

Deadline for all parties to respond to discovery served by any party other than U S WEST.

Day 31 Deadline for all parties, except the Division, to file rebuttal testimony and other evidence in response to the notice of U S WEST.

Day 38 Deadline for the Division to file rebuttal testimony and other evidence in response to the notice of U S WEST and the rebuttal testimony of all other parties.

Deadline for U S WEST to serve discovery on all parties. Discovery is limited to thirty (30) data requests, including subparts, unless good cause is shown why additional data requests should be permitted.

Day 45 Deadline for all parties, except U S WEST, to file testimony and other evidence in response solely to the rebuttal testimony filed by the Division.

Day 52 Deadline for all parties to respond to discovery served by U S WEST.

Day 62 Deadline for U S WEST to file testimony and other evidence in response to the rebuttal testimony filed by all parties, including the Division.

Day 69 Hearing to begin. The Commission has reserved November 16 - 25, 1998, for the hearing in this matter. Even if U S WEST files their notice more than 69 days before November 16, 1998, the hearing will not be conducted sooner. If U S WEST files their notice less than 69 days before November 16, 1998, a new hearing date will need to be established.

Day 6 (post-hearing) All parties shall file post-hearing briefs and final comments within six (6) days after the hearing concludes.

Day 16 (post-hearing) The Commission shall issue its decision within sixteen (16) days after the hearing concludes.

The parties further agree that a deadline is met if the filing party secures service that is designed to insure delivery no later than 5:00 P.M. on the due date. Service by regular U S Mail is not sufficient unless actual delivery is not later than 5:00 P.M. on the due date. The due date is the "Day #" identified above.

The Commission shall issue an appropriate protective order in this docket no later than June 30, 1998. Any party who desires to challenge the adequacy of the protective order shall do so by July 15, 1998. Only those parties who have signed the final protective order will be entitled to receive information deemed proprietary and confidential.

The Commission will issue an amended Scheduling Order identifying actual dates in this proceeding following U S West's filing of its intent to file a Section 271 application.

The Commission establishes Day 14 as the intervention deadline. U S West must publish notice, in a newspaper of general circulation, of its filing with this Commission and the intervention deadline within two (2) days of filing.

Based on the foregoing, the Commission makes the following:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Procedural Schedule and other matters set forth above are approved.

DATED at Salt Lake City, Utah, this 6th day of July, 1998.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary