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Attorney for the Respondent on Appeal-Respondent  
on Cross Appeal, Idaho Public Utilities Commission

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**ROBERT RYDER DBA RADIO PAGING )  
SERVICE, JOSEPH B. McNEAL DBA )  
PAGEDATA AND INTERPAGE OF IDAHO, )  
AND TEL-CAR, INC. )**

**SUPREME COURT  
DOCKET NO. 29175**

**Petitioners/Appellants-Respondents on )  
Cross Appeal, )**

**v. )**

**IPUC CASE NO. USW-T-99-24**

**IDAHO PUBLIC UTILITIES COMMISSION, )**

**Respondent on Appeal-Respondent on )  
Cross Appeal, )**

**and )**

**QWEST CORPORATION, )**

**Respondent/Respondent on Appeal- )  
Appellant on Cross Appeal. )**

**JOINT MOTION/REQUEST  
TO ALLOCATE ORAL  
ARGUMENT TIME**

Pursuant to Idaho Appellate Rule 37(b), the parties to this appeal hereby request that the Court allocate time for each party's oral argument.

JOINT MOTION/REQUEST TO  
ALLOCATE ORAL ARGUMENT  
TIME

If there are multiple parties, the parties on each side shall allocate the time for argument between and among themselves prior to the commencement of oral argument. In the absence of such agreement, on the request of any party at least 14 days before oral argument, an allocation of time will be made by the Supreme Court at least seven (7) days before argument. The Court may allocate the time for argument between and among co-parties or in its discretion allocate equal or unequal time for argument to each of the co-parties, or the Court may allot the full time for argument to each of the co-parties.

I.A.R. 37(b).

This matter is currently scheduled for oral argument before the Court on March 9, 2005 at 10:00 a.m. The parties met on February 22, 2005 and after discussion decided to jointly request the Court to allocate more than the allotted one-hour oral argument time because of the complexity of this case. Consequently, the parties now jointly request, pursuant to I.A.R. 37(b), that the Court allocate oral argument time to each party.

This case involves the appeal of the Joint Petitioners, Robert Ryder, dba Radio Paging Service, Joseph McNeal, dba PageData and InterPage of Idaho, (Pagers) as well as the cross appeal of Qwest Corporation (Qwest). The Idaho Public Utilities Commission (PUC) is both a Respondent on Appeal and a Respondent on Cross Appeal.

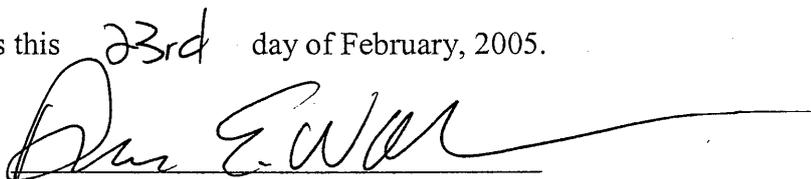
The PUC anticipates that it will need approximately 20 minutes of oral argument time. The Appellant, Pagers, and the Cross Appellant, Qwest, anticipate that they will need approximately 30 minutes each. After discussion, all parties felt that it would be difficult to adequately present their case and fit the arguments of three parties into a one-hour time slot. Therefore the parties agreed to request that the Court allocate oral argument time by granting both the Pagers and Qwest 30 minutes each, and granting the PUC 20 minutes. The parties respectfully suggest that the one-hour and 20 minute oral argument time could possibly be accommodated by moving this case from the 10:00 a.m. to the 11:00 a.m. time slot on March 9,

2005 and run the extra time into the lunch hour. Alternatively, the parties would suggest the possibility of moving the argument time to the afternoon of March 9, 2005.

This case involves technical, complicated telecommunications and regulatory concepts and issues. This case also involves multiple Orders of the PUC, a voluminous administrative record, as well as numerous parties. The parties are aware of the fact that the Court has a busy schedule that must accommodate multiple complex cases, however because of the nature of this particular case each party feels that the requested allotment of time is the minimum time that they require to adequately explain their respective positions to the Court.

The parties respectively request, pursuant to I.A.R. 37(b), that the Court allocate 20 minutes of oral argument time to the PUC, 30 minutes to the Appellant, Pagers, and 30 minutes to the Cross Appellant, Qwest.

Submitted on behalf of all the parties this 23rd day of February, 2005.



Donovan E. Walker, Idaho Bar No. 5921  
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Brad M. Purdy  
Attorney for Appellant, Pagers



William J. Batt  
Attorney for Qwest

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Submitted on behalf of all the parties this \_\_\_\_\_ day of February, 2005.

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Brad M. Purdy  
Attorney for Appellant, Pagers



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William J. Batt  
Attorney for Qwest

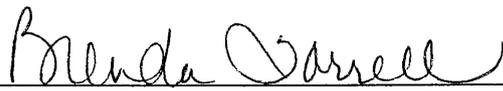
## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 23<sup>rd</sup> DAY OF FEBRUARY 2005, SERVED THE FOREGOING **JOINT MOTION/REQUEST TO ALLOCATE ORAL ARGUMENT TIME**, IN SUPREME COURT DOCKET NO. 29175, VIA U S MAIL BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO:

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\_\_\_\_\_  
SECRETARY