BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE IMPROVING OR REPLACING U S WEST COMMUNICATIONS’ REVENUE SHARING PLAN FOR SOUTHERN IDAHO. | )  )  )  )  ) | CASE NO. USW-S-95-4  NOTICE OF HEARING  ORDER NO.  26245 |

In Order No. 25923 issued in March 1995, the Commission directed the Commission Staff and U S WEST to suggest improvements to the Revenue Sharing Plan or to develop a replacement for that plan.  On October 5, 1995, the Commission Staff and U S WEST Communications submitted a joint proposal to replace the existing Revenue Sharing Plan.  On October 11, 1995, the Commission issued a Notice of Application in this proceeding and subsequently convened a prehearing conference on November 6, 1995.

THE PREHEARING CONFERENCE

The purpose of the prehearing conference was to delineate the issues in this case, establish a proceeding schedule, and to take up other preliminary matters.  The following entities entered appearances at the prehearing conference.

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| U S WEST Communications:  For the Commission Staff: | Mary S. Hobson  Elam & Burke  702 W. Idaho Street  Boise, ID  8370  Dennis Lopach  U S WEST Communications  1801 California Street, Room 5100  Denver, CO 80202  Donald L. Howell, II  Deputy Attorney General  Idaho Public Utilities Commission  472 W. Washington Street  PO Box 83720  Boise, ID 83720-0074 |

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| Idaho Telephone Association:  Idaho Cable Telecommunications Association:  AT&T Communications:  GTE Northwest:  Citizens Telecommunications Company and Century Telephone: (TDS) | Conley Ward  Michael C. Creamer  Givens, Pursley & Huntley  PO Box 2720  Boise, ID  83701-2720  Ray Hendershot  GVNW, Inc.  PO Box 25969  Colorado Springs, CO  80936  Ron Williams  PO Box 2128  Boise, ID  83701-2128  Dr. Carl Hunt  2542 Pine Street  Boulder, CO  80302  Rick Bailey  Rebecca DeCook  AT&T Communications  1875 Lawrence Street, Room 1575  Denver, Co 80202  Cathy Brightwell  AT&T Communications  1 N. Last Chance Gulch  Helena, MT  59601  Richard Potter  GTE Northwest  1800-41st Street  Everett, WA  98201  Fred Logan  GTE Northwest  17933 NW Evergreen Pkwy  PO Box 1100  Beaverton, OR  97075  Morgan W. Richards, Jr.  Moffatt, Thomas, Barrett, Rock & Fields  PO Box 829  Boise, ID  83701-0829 |

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| MCI Telecommunications Corp.:    Phoenix Fiber Link:  Idaho Consumer Affairs, Inc.: | Aloa Stevens  Jacqueline Kinney  Citizens Telecommunications Company  PO Box 340  Elk Grove, CA  95759  Dean J. Miller  Attorney at Law  PO Box 2564  Boise, ID  83701-2564  Rebecca J. Bennett  MCI Telecommunications Corp  707 17th Street, Suite 3900  Denver, CO 80202  John McFadden  Moore & McFadden, Cht’d  999 Main Street, Suite 910, Drawer A  Boise, ID  83702  Wendell Phillips  1111 N. Orchard Ave., Suite 207  Boise, ID  83705 |

In addition to the parties above, Staff Counsel indicated that Sprint Communications was unable to attend but had communicated a desire to participate in this proceeding.  The participants at the prehearing conference all expressed a desire to intervene.  We find that intervention by the parties outlined above and Sprint Communications would serve the purposes of intervention outlined in our Rules of Procedure, IDAPA 31.01.01.071-75.  Accordingly, the parties outlined above shall be granted intervention in this case.

OTHER ISSUES

At the prehearing conference, MCI inquired whether the Staff and U S WEST’s joint proposal would be afforded special deference or a presumption of reasonableness.  More specifically, MCI inquired whether the joint proposal was entitled to a presumption that the Staff and U S WEST had established their burden of proving the proposal is reasonable.  Tr. at 5.  Following discussion among the parties, the Commission advised the parties that the joint proposal was not entitled to any presumptions or deference.  We reaffirm our bench ruling and find:  That the proponents of the joint proposal still carry the burden of proof to show that the proposal is just and reasonable.   As we mentioned at the prehearing conference, the joint proposal and all other proposals offered by the parties will start on an equal footing.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the parties have agreed on a schedule for processing this case.  Based upon the agreement of the parties, we find:  That the proposed schedule is reasonable.  All parties shall comply with the hearing schedule outlined below.

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| DATE  December 6, 1995  December 15, 1995  January 8, 1996  January 29, 1996  February 15, 1996  March 15, 1996  April 9-10, 1996 | ACTIVITY  Deadline for Petitions to Intervention (other than the parties mentioned above)  Staff and U S WEST prefile direct testimony  Deadline for submitting discovery requests  Deadline for submitting answers to discovery  Prefile Testimony of intervenors  Deadline for prefiling rebuttal  Hearing in Boise |

YOU ARE FURTHER NOTIFIED that the Commission has scheduled a public hearing in this matter to be held on TUESDAY, APRIL 9, 1996 AT 9:30 A.M. IN THE COMMISSION’S PUBLIC HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO  (208) 334-0300 and shall continue as necessary Wednesday, April 10, 1996.

YOU ARE FURTHER NOTIFIED that persons other than those listed in this Order desiring to intervene in this case for the purpose of presenting evidence or cross-examining witnesses must file a Petition to Intervene with the Commission pursuant to Rules 72 and 73 of the Commission’s Rules of Procedure no later than December 6, 1995.  IDAPA 31.01.01.000 et seq.  Persons desiring to present their views without parties’ rights of participation and cross-examination are not required to intervene and may present their comments without prior notification to the Commission or to other parties.

YOU ARE FURTHER NOTIFIED that the prepared testimony and exhibits of the parties must conform to the requirements of Rules 266-267 of the Commission’s Rules of Procedure, IDAPA 31.01.01.266-67.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act.  Persons needing the help of a sign language interpreter or other assistance of the kind that the Commission is obligated to provide under the Americans with Disabilities Act in order to participate in or to understand the testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing.  The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION

PO BOX 83720

BOISE, IDAHO  83720-0074

(208) 334-0338  (TELEPHONE)

(208) 334-3151  (TEXT TELEPHONE)

(208) 334-3762  (FAX)

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to Titles 61 and 62 of the Idaho Code, and specifically Idaho Code § 61-622A.  YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

O R D E R

IT IS HEREBY ORDERED that the requests for intervention submitted at our prehearing conference are granted.  All parties in this proceeding shall serve all papers hereafter filed in this matter on all parties of record.  The Commission Secretary is instructed to issue a Notice of Parties following the deadline for intervention.

IT IS FURTHER ORDERED that all parties comply with the hearing schedule set out in the body of this Order.

IT IS FURTHER ORDERED that the joint proposal shall not be entitled to any special deference or presumptions.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of  November 1995.

                                                            RALPH NELSON, PRESIDENT

                 MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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