DONALD L. HOWELL, II

SUSAN E. HAMLIN

Deputy Attorneys General

IDAHO PUBLIC UTILITIES COMMISSION

PO Box 83720

Boise, ID  83720-0074

Tele:  (208) 334-0312

         (208) 334-0314

FAX: (208) 334-3762

Attorneys for Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF U S WEST COMMUNICATIONS, INC.  FOR AUTHORITY TO INCREASE ITS RATES AND CHARGES FOR REGULATED TITLE 61 SERVICES. | )  )  )  )  )  )  ) | CASE NO. USW-S-96-5  STAFF RESPONSE TO U S WEST’S MOTION FOR EXTENSION OF TIME |

COMES now the Staff of the Idaho Public Utilities Commission by and through its attorneys of record and responds to U S WEST Communications’ Motion for an Extension to File Rebuttal Testimony.  On December 3, 1996, the Company sought an extension of time in which to file its rebuttal testimony in this matter of not less than forty five days or until January 30, 1997.  In Order No. 26682 issued November 14, 1996, the Commission had directed that the Company file its rebuttal testimony no later than noon on December 16, 1996.  U S WEST requests the additional time so that it may adequately prepare and present rebuttal testimony to the Staff’s prefiled testimony.

U S WEST asserts that the additional time is needed to prepare its rebuttal given the “unanticipated” testimony presented by the Staff.  The Company made several allegations about Staff’s testimony which indicate that it misunderstood Staff’s positions or did not carefully read the testimony.  Although Staff disagrees with the Company’s characterization of Staff’s testimony, Staff does not oppose granting U S WEST an extension of time as discussed below.

Staff believes that one point should be addressed.  U S WEST asserts in its Motion that an extension of time is necessary to address discrepancies and misunderstandings because Staff was unable to “sit down with the Company and go over the numbers.”  U S WEST Motion at 4.  The Motion states that for “whatever reason [, the meeting] did not occur.”  Id.  At the time, the Staff envisioned the purpose of the “sit down” was to minimize misunderstandings and discrepancies.  The reason this meeting did not take place is that the Staff’s positions were not sufficiently developed because the Company did not timely answer the Staff’s production requests.  In fact, of the three sets of production requests that were sent to U S WEST by Staff, less than half were answered within the 14 days as agreed to by the parties.  Consequently, analysis of the requested data and formulation of positions did not occur in a manner that would facilitate such a meeting.

In an effort to minimize misunderstandings and any discrepancies in numeric calculations, the Staff believes that it would be beneficial for the parties to hold a settlement conference.  An informal settlement conference would provide an opportunity for the parties to eliminate discrepancies and miscalculations as well as narrow the issues in dispute.  Accordingly, the Staff proposes a settlement conference for the week originally scheduled for the hearing in this matter.  To accommodate the Company’s request, the Staff proposes the following schedule for the Commission’s consideration.

Settlement ConferenceJanuary 15-16, 1997

Company Rebuttal FilingJanuary 28, 1997

Deadline for Staff/Intervenor

to serve discovery to U S WEST

(in hand to U S WEST by 4:00 p.m.)January 31, 1997Answers due by February 11

Deadline for U S WEST to serve

discovery to Staff/Intervenor

(in hand to receiving party by 4:00 p.m.)February 26, 1997Answers due by March 4

Staff/Intervenor FilingFebruary 21, 1997

Boise HearingMarch 10-20, 1997

First BriefsApril 18, 1997

Second BriefsMay 9, 1997

Issue OrderJune 16, 1997

It is Staff’s understanding that the Company is in agreement with the schedule set out above.  The Staff also provided the proposed schedules to other parties in this case including AT&T, AARP, and Idaho Citizens Coalition who have filed direct testimony in this case.(footnote: 1)

Given the imminent rebuttal deadline of December 16, 1996 for the Company, the Staff suggests that the Commission take this matter up at its next regularly scheduled decision meeting scheduled for Friday, December 13, 1996.  At that time, other parties may have an opportunity to advise the Commission of their views regarding the proposed schedule.

Respectfully submitted this 10th day of December 1996.

Donald L. Howell II

Deputy Attorney General

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**FOOTNOTES**

1:

Staff notes that the Order of Presentation of Evidence and Witnesses for the hearing is set out in the Commission’s Procedural Rule 249.