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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE PETITIONS REQUESTING EXTENDED AREA SERVICE (EAS) BETWEEN HOMEDALE AND WILDER EXCHANGES AND CALDWELL AND NAMPA EXCHANGES.    IN THE MATTER OF THE PETITIONS REQUESTING EXTENDED AREA SERVICE (EAS) BETWEEN PARMA/WILDER AND CALDWELL.    IN THE MATTER OF THE PETITION OF CUSTOMERS OF MARSING TO INCLUDE THE COMMUNITIES OF NAMPA AND MELBA WITHIN THEIR EXTENDED AREA OF SERVICE. | )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  ) | CASE NO.GNR-T-93-7  CASE NO.GNR-T-93-11  CASE NOS. USW-T-97-1                       CTC-T-97-1  AMENDED NOTICE OF HEARINGS  ORDER NO.  26827 |

BACKGROUND

On February 13, 1997, the Commission Staff filed a Motion to Consolidate Case Nos. GNR-T-93-7 (Homedale and Wilder), GNR-T-93-11 (Parma/Wilder), and USW-T-97-1/CTC-T-97-1 (Marsing) on the basis that the parties are the same in all of the foregoing cases, the requesting communities are neighboring telephone exchanges and the requested extended area service involves the same or overlapping telephone exchanges.  Consecutive hearings have been set for April 29 in the 93-7 and 93-11 cases.  The Motion asks to consolidate all three cases into one hearing on April 29.  Staff asserts that by consolidating these cases, it will expedite the hearings and would be an efficient use of the parties’ and the Commission’s time and resources.

On February 27, 1997, Citizens Telecommunications filed a response to Staff’s Motion  objecting to the consolidation of USW-T-97-1/CTC-T-97-1 with the GNR-T-93-7 and GNR-T-93-11 cases.  Citizens asserts that because the Petition in the 97-1 case has recently been filed, it is unable to gather the necessary data before the April 29 hearings for the 97-1 case.  Citizens does not oppose the consolidation of the 93-7 and the 93-11 cases.

After receiving the response from Citizens, Staff withdraws the part of its motion seeking to consolidate Case Nos. USW-T-97-1/CTC-T-97-1 with the 93-7 and 93-11 cases on the basis that Citizens, a party to all the cases, asserts it would have inadequate time to prepare for hearings previously set.  Staff still recommends that Case Nos. GNR-T-93-7 and GNR-T-93-11 be consolidated into one proceeding.

FINDINGS

Rule No. 247 of the Commission’s Rules of Procedure, IDAPA 31.01.01, provides:

Consolidation of Proceeding (Rule 247).  The Commission may consolidate two or more proceedings for hearing when it finds that they present issues that are related and that the rights of the parties will not be prejudiced.  In consolidated hearings the presiding officer determines the order of the proceeding.

We accept Staff’s withdrawal of part of its Motion to consolidating Case Nos. USW-T-97-1/CTC-T-97-1 with the 93-7 and 93-11 cases on the basis that Citizens, a party to all the cases, would have inadequate time to prepare for hearings previously set.  Further, we find that, based upon the assertion set forth in Staff’s Motion, as well as the fact that no party objected to the Motion to consolidate Case Nos. GNR-T-93-7 and GNR-T-93-11, that requirements of Rule 247 have been met; the two cases sought to be consolidated present related issues and the rights of the parties will not be prejudiced.  We find, therefore, that it would be reasonable to consolidate Case Nos. GNR-T-93-7 and GNR-T-93-11 for hearing and it is so ordered.

In January, the Commission issued Notices of Hearings in both Case Nos. GNR-T-93-7 and GNR-T-93-11 setting consecutive technical hearings and consecutive public hearings for April 29. This Order consolidates the technical hearings into one proceeding and the public hearing into one proceeding.  Therefore, the public hearing that was previously set to begin at 8:30 P.M. on April 29, 1997 in Case No. GNR-T-93-11, will begin at 6:30 P.M. instead.  Hearings will be set in Case  Nos. USW-T-97-1/CTC-T-97-1 at a later time.

AMENDED NOTICE OF HEARINGS

YOU ARE HEREBY NOTIFIED that the Commission will convene one technical hearing in Case Nos. GNR-T-93-7 and GNR-T-93-11 on TUESDAY, APRIL 29, 1997, AT 1:30 P.M. AT THE TECHNOLOGY ROOM AT WILDER JUNIOR-SENIOR HIGH SCHOOL LOCATED AT 210 A AVENUE EAST, WILDER, IDAHO.  The purpose of this hearing will be to take evidence of the parties in this case.

YOU ARE FURTHER NOTIFIED that the Commission will convene one public hearing in Case Nos. GNR-T-93-7 and GNR-T-93-11 on TUESDAY, APRIL 29, 1997, AT 6:30  P.M. AT WILDER JUNIOR-SENIOR HIGH SCHOOL GYM LOCATED AT 210 A AVENUE EAST, WILDER, IDAHO.

O R D E R

IT IS HEREBY ORDERED that the Motion of the Commission Staff to consolidate Case Nos. GNR-T-93-7 and GNR-T-93-11, is hereby granted.

IT IS FURTHER ORDERED that the parties shall adhere to the schedule as outlined above.  All other deadlines shall remain in full force and effect.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of March 1997.

                                                                                                                                      RALPH NELSON, PRESIDENT

                                                                                           MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

March 5, 1997