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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA P.U.C.
SECRETARY'S BUREAU

Investigation into the Obligation :
of Incumbent Local Exchange : I-00030099
Carriers to Unbundle Network Elements :

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SECOND PREHEARING ORDER

A prehearing conference in this case was held on November 25, 2003.

Schedule

The following schedule was agreed upon by all parties in attendance:

December 19, 2003	Due date for any updates to Verizon's filing.
January 9, 2004	Due date for Intervenor direct testimony.
January 20, 2004	Due date for Verizon rebuttal testimony
January 26 — 30, 2004	Hearings
February 2, 2004	Close of Record
February 17, 2004	Main Briefs Due
March 1, 2004	Reply Briefs Due

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The due dates for testimony and briefs are "in hand" dates. That is, the due dates are the dates when the documents must be received by the Administrative Law Judge and the other parties, and not merely placed in the mail. Testimony and briefs may also be exchanged by email; however, email shall be followed by delivery of hard copy by overnight mail delivery. The Commission's Office of Trial Staff may follow up with first class mail in lieu of overnight mail.

Parties

Petitions to intervene were filed by Allegiance Telecom of Pennsylvania, Inc.,

ARC Networks, Inc., d/b/a InfoHighway Communications Corporation, AT&T Communications Of Pennsylvania, LLC, Bullseye Telecom, Cavalier Telephone Mid-Atlantic, LLC, Choice One Communications of Pennsylvania Inc., CTSI, LLC, Lightship Telecom, LLC, McGraw Communications, Inc., MCI WorldCom Network Services, Inc., Metropolitan Communications of Pennsylvania, Inc., Penn Telecomm, Sprint Communications Company, L.P., Talk America, Inc., and Z-Tel Communications, Inc. Also, ATX Licensing, Inc., Full Service Computing Corporation, t/a Full Service Network, Line Systems, Inc. and Remi Retail Communications, LLC (members of the Pennsylvania Carriers Coalition ("PCC")), as well as PCC itself, filed petitions to intervene. Also, Broadview Networks, Inc., Focal Communications Corporation of Pennsylvania, Snip LiNK, LLC, and XO Pennsylvania, Inc. (collectively participating as the "Loop Transport Coalition") filed petitions to intervene. Many of those intervenors also filed answers to Verizon's petition to initiate this proceeding. At the prehearing conference, all parties present were asked if they had any objection to the participation of these intervenors, No party objected, and so these petitions to intervene were granted on the record. The Office of Trial Staff is participating pursuant to statute. The Office of Consumer Advocate filed a notice of intervention and an answer to Verizon's petition to initiate proceedings. The Office of Small Business Advocate filed a notice of intervention.

After the prehearing conference, we realized that RCN Telecom Services, Inc. also had filed a petition to intervene. No answer has been filed to that petition, and no issue was raised at the prehearing conference regarding RCN's participation. Thus, RCN's petition to intervene will be granted by this order.

Also at the prehearing conference, we granted motions for admission *pro hac vice* that were filed on behalf of Russell M. Blau, Robin F. Cohn, Steven A. Augustino, Ross Buntrock, Erin W. Emmott, Heather Hendrickson, Genevieve Morelli, and Darius B. Withers.

Discovery

MCI proposed certain modifications to the discovery schedule set forth in the

Commission's regulations. The parties shall adhere to the following modified discovery rules for all discovery propounded after the prehearing conference:

- A. Answers to written interrogatories shall be served in-hand within ten (10) business days of receipt of the interrogatories.
- B. Objections to interrogatories shall be communicated orally within three (3) business days of receipt of the interrogatories; written objections shall be served within seven (7) business days of receipt of the interrogatories.
- C. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within five (5) calendar days of receipt of written objections.

Other

Settlement of all or some of the issues in this proceeding is encouraged. Given the time constraints upon this proceeding, all parties are expected to demonstrate good faith in the conduct of discovery and in the presentation of their respective cases.

ORDER

- 1. The above schedule of this proceeding is adopted.
- 2. The petitions to intervene filed by Allegiance Telecom of Pennsylvania, Inc., ARC Networks, Inc., d/b/a InfoHighway Communications Corporation, AT&T Communications Of Pennsylvania, LLC, Bullseye Telecom, Cavalier Telephone Mid-Atlantic, LLC, Choice One Communications of Pennsylvania Inc., CTSI, LLC, Lightship Telecom, LLC, McGraw Communications, Inc., MCI WorldCom Network Services, Inc., Metropolitan Communications of Pennsylvania, Inc., Penn Telecomm, Sprint Communications Company, L.P., Talk America, Inc., and Z-Tel Communications, Inc., ATX Licensing, Inc., Full Service Computing Corporation, t/a Full Service Network, Line Systems, Inc. and Remi Retail

Communications, LLC, the Pennsylvania Carriers Coalition, Broadview Networks, Inc., Focal Communications Corporation of Pennsylvania, Snip LiNK, LLC, and XO Pennsylvania, Inc. and RCN Telecom Services, Inc. are granted.

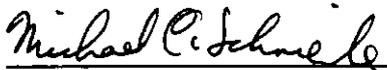
3. That the motions for the admission *pro hac vice* of Russell M. Blau, Robin F. Cohn, Steven A. Augustino, Ross Buntrock, Erin W. Emmott, Heather Hendrickson, Genevieve Morelli, and Darius B. Withers are granted.

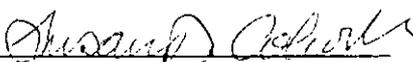
4. The parties shall abide by the modifications to the discovery rules that are set forth above.

5. The parties shall, in addition to complying with 52 Pa. Code §§5.501, et seq., serve one copy of their briefs on each of us, when they file them. The parties also shall serve on us a copy of each brief in either Word (97 or earlier version) (preferred) or Word Perfect (version 8.0 or earlier). Such service may be made by email to us at: mschnierle@state.pa.us and scolwell@state.pa.us.

6. When filing exceptions and reply exceptions, in addition to complying with all other Commission requirements, the parties shall serve on the Commission Office of Special Assistants their exceptions and reply exceptions in either Word (97 or earlier version) (preferred) or Word Perfect (version 8.0 or earlier). Such service may be made by email to: cwalkerdav@state.pa.us and lbast@state.pa.us.

Date: November 26, 2003


MICHAEL C. SCHNIERLE
Administrative Law Judge


SUSAN D. COLWELL
Administrative Law Judge