

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access	:	
Charges and IntraLATA Toll Rates of Rural	:	
Carriers and the Pennsylvania Universal	:	I-00040105
Service Fund	:	

**ORDER ACCOMPANYING THE ORDER OF
AUGUST 20, 2008 REGARDING DISCOVERY**

**DOCUMENT
FOLDER**

By Order issued August 27, 2008, the procedural schedule in this case was amended to permit OCA to file supplemental direct testimony with its rebuttal on or before October 24, 2008 since the information it sought from the PTA and Embarq would not be provided in time for the OCA's cost study to be included with the OCA's direct testimony. This arose from a conference call with OCA, PTA and Embarq, which had no objection to the schedule amendment.

Since the discussion was a result of the PTA and Embarq being required to respond to OCA discovery consistent with the August 20, 2007 Order, and no other party was involved, other parties were given an opportunity to file an objection to the amendment allowing OCA rejoinder for good cause within ten days of the date of the Order. No objection was filed.

In the meantime, OCA, PTA and Embarq filed a Joint Motion for Further Stay of the proceeding itself, which was directed to the Commission's Office of Special Assistants for preparation of a recommended order since the presiding officer is bound by the Commission's April 24, 2008 Order mandating that her recommendation be issued within a year.

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By e-mail sent September 3, 2008, OCA requested that the procedural schedule be amended again, this time pushing back the dates for direct, rebuttal and surrebuttal testimony, to allow the Commission time to respond to the Joint Motion for Stay. This amendment would avoid the preparation of direct testimony when it may be unnecessary or premature. OCA indicated that it had contacted the other parties by e-mail and that no party objected to the proposal.

In the interest of expediency and since there is no objection, the procedural schedule is amended to reflect the request.

THEREFORE,

IT IS ORDERED:


1. That the litigation schedule is amended to provide an opportunity for the Office of Consumer Advocate to file oral rejoinder to other parties' written rebuttal which addresses the OCA supplemental testimony regarding the OCA cost study.

2. That the litigation schedule is amended to permit the Commission time to respond to the Joint Motion for Stay, as follows:

Direct testimony	October 10, 2008
OCA Supplemental Direct	October 24, 2008
Rebuttal testimony	November 7, 2008
Surrebuttal testimony	December 1, 2008
OCA Rejoinder	December 8, 2008
Evidentiary hearings	December 15-18, 2008
Main briefs	February 9, 2009
Reply briefs	March 2, 2009

3. That all other ordering paragraphs of the June 24, 2008 Scheduling Order remain in effect.

Dated: September 11, 2008


Susan D. Colwell
Administrative Law Judge