

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Verizon North Inc.	:	R-00061914
2007 Price Change Opportunity Filing	:	P-00001854F1000
Office of Small Business Advocate	:	
	:	
v.	:	R-00061914C0001
	:	
Verizon North Inc.	:	
<u>and</u>	:	
Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-00061915
	:	
Verizon Pennsylvania, Inc.	:	
	:	
Verizon Pennsylvania Inc.	:	P-00930715F1000
2007 Price Change Opportunity Filing	:	

REVISED PROCEDURAL ORDER

A Telephonic Prehearing Conference was held in these consolidated cases on Friday, March 9, 2007, at 10:00 a.m. All parties participated and presented prehearing memoranda in advance of the Prehearing Conference, with respect to the Verizon North, Inc. Price Change Opportunity (PCO) filing. Prehearing memoranda had previously been filed for the January 31, 2007, Prehearing Conference with respect to the Verizon PA, Inc. 2007 PCO filing.

I noted the appearances of Suzan Paiva, Esquire, on behalf of Verizon Pennsylvania, Inc. ("Verizon PA") and Verizon North Inc. ("Verizon North"); Steven C. Gray, Esquire, on behalf of the Office of Small Business Advocate ("OSBA"); Joel Cheskis, Esquire, on behalf of the Office

of Consumer Advocate ("OCA"); and Robert V. Eckenrod, Esquire, on behalf of the Office of Trial Staff ("OTS").

During the Prehearing Conference, the parties agreed that, as the Commission had not yet acted on the Verizon PA/Verizon North 2006 PCOs and it was uncertain when that would occur, a certification of a material question to the Commission by the presiding officer was appropriate. The parties also agreed to a change in the procedural schedule to accommodate incorporation of the 2006 PCO rulings into the 2007 PCO litigation, if the Commission enters a Final Order in the 2006 PCOs no later than March 28, 2007. If the Commission's Final Order is not entered by March 28, 2007, then the certified material question would request that the Commission affirm a bifurcation of issues, to allow the issues not common to the 2006 PCO litigation to be litigated now, and the common issues to be reserved until further Commission guidance is received in the 2006 PCO ruling. In the alternative, the Commission could rule that all issues should be decided together, but under that scenario, additional time for litigation would be needed.

Revised Procedural Schedule

The parties agreed to the following procedural schedule for the consolidated proceedings, with the understanding that only new issues would be litigated under this schedule, and that the parties would incorporate the Commission's 2006 PCO rulings, if a Final Order is entered by March 28, 2007:

Prehearing Conference	March 9, 2007
All parties direct testimony	April 18, 2007
Settlement discussions	Week of April 23, 2007
All parties rebuttal testimony	May 8, 2007
All parties surrebuttal testimony	May 15, 2007
Evidentiary Hearings (Harrisburg)	May 17, 2007 (10 a.m.)
Main Brief	June 5, 2007

Reply Brief

June 19, 2007

Close of the Record

After receipt of Reply Briefs

The above filing dates are all in-hand dates. After receipt of the hearing transcripts, I will provide further briefing instruction.

Service of documents

The parties agreed to accept the procedures set forth in the original February 5, 2007 Procedural Order with respect to service of documents. Therefore, electronic or facsimile delivery of documents on or before the due dates (4:30 p.m.) will constitute "in hand" service, if followed by a hard copy via first class mail or overnight mail sent the next business day. I also will accept documents in this manner, but request that I be provided an electronic version in Word 2003 of all filed documents, as well as two (2) hard copies.

Public Input hearings

The parties agreed that it was not necessary to schedule public input hearings in these consolidated proceedings.

Settlement Discussions

The parties agreed to have settlement discussions at some point during the week of April 23, 2007. OSBA counsel Steven Gray agreed to provide a status report to me after these discussions, and I would request that I be provided that report no later than Friday, May 4, 2007.¹

¹ The May 4, 2007 date is consistent with the February 5, 2007 Procedural Order, which provides for a status report by the end of the first full week following the week of settlement discussions.

Proposed witnesses

The parties, with the exception of the OCA, have set forth proposed witnesses in their prehearing memoranda. OCA indicated that it would not know whether to present a witness or who to present until after it had received direct testimony from the other parties. However, OCA agreed to supply a witness list within one (1) week of receipt of the direct testimony of others (or by April 25, 2007) if it determined that it would provide rebuttal testimony.

Verizon is to provide to me, no later than May 16, 2007, a proposed order of witnesses for the May 17, 2007 hearing. This list should also include an estimation of the cross-examination time for each witness.

Discovery modifications

OSBA requested a shortening of the response time provided in 52 Pa. Code §5.342(d) for service of interrogatory responses, from the ten (10) day response time provided in the prior Procedural Order, to seven (7) calendar days. Verizon did not object to the proposed change, although it reserved the opportunity to request a modification if the procedural schedule was extended by Commission action. The OSBA requested change is granted, on a going-forward basis.

THEREFORE,

IT IS ORDERED:

1. That the revised procedural schedule and other matters set forth herein are adopted for this proceeding.
2. That, except as revised herein, the other matters set forth in the Procedural Order dated February 5, 2007 in this matter remain in full force and effect.

3. That, except for requests reasonably made during a hearing, any requests for a change in the scheduled dates must be submitted to me in writing no later than five (5) days prior to the scheduled date. 52 Pa. Code §1.15(b). Requests for changes must establish good cause, must state the agreement or opposition of other parties, and must be sent to me and all parties of record. The address is: Administrative Law Judge Kandace F. Melillo, P.O. Box 3265, Harrisburg, PA 17105-3265.

Date: March 9, 2007

Kandace F. Melillo
Kandace F. Melillo
Administrative Law Judge

R-00061914C0001 OFFICE OF SMALL BUSINESS ADVOCATE v. VERIZON
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R-00061915; P-00930715F1000 PENNSYLVANIA PUBLIC UTILITY
COMMISSION v. VERIZON PENNSYLVANIA INC. - 2007 PRICE CHANGE
OPPORTUNITY

REVISED 2/1/07

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