

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-061T

IN THE MATTER OF THE APPLICATION OF WESTERN WIRELESS HOLDING CO.,
INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER.

PROCEDURAL ORDER

Mailed Date: June 19, 2003
Adopted Date: May 13, 2003

I. BY THE COMMISSION

A. Statement

1. This matter concerns the Application by WWC Holding Company, a subsidiary of Western Wireless Corporation (Western Wireless), for designation as an Eligible Telecommunications Carrier (ETC) within certain areas served by CenturyTel of Eagle, Inc. We conducted a prehearing conference in this matter on May 13, 2003 for the purpose of setting the procedural schedule on the Application. The parties appeared at the designated time and place, and, after discussion with the parties, the Commission issued the following orders on the record. We now memorialize those orders.

2. Western Wireless filed its Motion for Admission *Pro Hac Vice* and Attendant Certifications on May 7, 2003. The motion requests that Philip R. Schenkenberg be admitted to practice before the Commission in this particular case. Good cause having been stated, and the requirements of Colorado Rule of Civil Procedure 221.1 having been met, we grant the motion.

3. The parties shall file their testimony in this matter according to the following schedule: Direct Testimony on June 4, 2003; Answer Testimony on June 27, 2003; and Rebuttal and Cross-Answer Testimony on July 7, 2003.¹

4. At the prehearing conference, we heard oral argument regarding the proper scope of inquiry in this case. In a prior proceeding (*see* Decision No. C01-476) before the Commission, we determined that Western Wireless met the requirements for designation as an ETC in certain areas of the state. However, at the prehearing conference, the Colorado Telecommunications Association (CTA) pointed out that the present Application includes nine wire centers that were not at issue in the prior case involving Western Wireless. CTA argues that, with respect to these nine wire centers, all ETC requirements, including the public interest inquiry, are at issue here. We agree with CTA. Therefore, we determine that all ETC requirements are at issue with respect to the nine new wire centers included in the Application for designation as an ETC.²

II. ORDER

A. The Commission Orders That:

1. The Motion for Admission *Pro Hac Vice* filed by WWC Holding Company, Inc., a subsidiary of Western Wireless Corporation, on May 7, 2003 is granted.

2. The parties shall file their testimony in the matter consistent with the schedule specified above.

¹ At the prehearing conference, we set this matter for hearing on July 17 and 18, 2003. However, at the June 18, 2003 Commissioners' Weekly Meeting we scheduled a telephone conference to establish new hearing dates.

² However, we note that the hearing in this matter will not be a forum in which to collaterally attack Decision No. C01-476

3. The scope of this proceeding shall include those matters discussed above.
4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' PREHEARING CONFERENCE
May 13, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners