

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-018T

IN THE MATTER OF THE APPLICATION OF WWC HOLDING CO., INC. FOR
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER AND
REDEFINITION OF RURAL TELEPHONE COMPANY SERVICE AREA REQUIREMENT.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
SETTING HEARING AND ESTABLISHING
PROCEDURES AND PROCEDURAL SCHEDULE**

Mailed Date: March 11, 2004

I. STATEMENT

1. The captioned application of WWC Holding Co., Inc., doing business as Cellular One (Western Wireless), was filed with the Colorado Public Utilities Commission (Commission) on January 8, 2004. The Commission gave public notice of the application on January 12, 2004.

2. The Staff of the Commission and the Colorado Office of Consumer Counsel have file timely Notices of Intervention in this matter. On February 18, 2004, the Colorado Telecommunications Association, Inc., filed its Late Filed Entry of Appearance and Motion to Intervene (Motion to Intervene). No party filed a response to the Motion to Intervene.

3. At its Weekly Meeting of February 18, 2004, the Commission deemed this matter complete as of February 26, 2004, and assigned it to the undersigned administrative law judge (ALJ) for hearing and/or disposition.

4. A pre-hearing conference was held on March 10, 2004. *See*, Decision No. R04-0210-I. Appearances were entered on behalf of all the entities referred to above by their respective counsel.

5. Two preliminary matters were considered, the Motion to Intervene and a Motion for Admission *Pro Hac Vice* and Attendant Certifications (Motion for Admission) submitted by Western Wireless. The Motion for Admission requests that Western Wireless' out-of-state counsel, Philip R. Schenkenberg, Esq., be permitted to practice before the Commission in this docket. Both the Motion to Intervene and the Motion for Admission were unopposed and were granted.¹

6. The parties then presented agreed procedures and a procedural schedule governing this case. The procedures and procedural schedule proposed by the parties are acceptable and will be adopted by the Order that follows.

II. ORDER

A. It Is Ordered That:

1. The Late Filed Entry of Appearance and Motion to Intervene filed in this matter by the Colorado Telecommunications Association, Inc., is granted.

2. The Motion for Admission *Pro Hac Vice* and Attendant Certifications filed in this matter by WWC Holding Co., Inc., doing business as Cellular One, is granted. Out-of-state

¹ On March 10, 2004, the Commission received confirmation from the Colorado Supreme Court's Attorney Registration Office that Mr. Schenkenberg filed the Motion for Admission with that office and paid the appropriate registration fee as required by Rules 221(1)(iii) and (iv) of the Colorado Rules of Civil Procedure. He has been assigned *Pro Hac Vice* registration no. 04PHV0125.

counsel Philip R. Schenkenberg, Esq. is hereby authorized to appear as counsel for WWC Holding Co., Inc., doing business as Cellular One, in this proceeding.

3. The hearing of this matter is scheduled as follows:

DATES: May 18 and 19, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

4. WWC Holding Co., Inc., doing business as Cellular One, shall file its direct testimony and exhibits on or before March 15, 2004.

5. Intervenors shall file their answer testimony and exhibits on or before April 15, 2004.

6. WWC Holding Co., Inc., doing business as Cellular One, shall file any desired rebuttal testimony and exhibits on or before April 29, 2004.

7. Intervenors shall file any desired cross-answer testimony and exhibits on or before April 29, 2004.

8. In addition to "hard-copy" service, all testimony and exhibits, discovery requests and responses thereto (including attachments), and motions shall be served on all other parties electronically on the day the hard copy is served.

9. Responses to all written discovery requests directed to answer, rebuttal, or cross-answer testimony shall be served within five business days of service of the discovery requests to which they are directed. In all other respects, discovery shall be governed by Rules 77(a) and (b)

of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations*, 723-1-77(a) and (b).

10. All pre-hearing motions shall be filed on or before May 4, 2004.
11. The parties shall file any desired statements of position no later than June 4, 2004.
12. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge