

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER of the Application of)	UTILITY DIVISION
U S WEST Communications, Inc. to)	DOCKET NO. D96.7.121
Offer Single Line ISDN Service and)	
Integrated Services Digital Network)	ORDER NO. 5940d
Primary Rate Service.)	

ORDER ESTABLISHING RECORD AND BRIEFING SCHEDULE

U S WEST Communications, Inc. (U S WEST) filed a Motion in Limine on May 26, 1998, asking the Montana Public Service Commission (Commission) to issue an order prescribing the remaining procedures in this Docket. The hearing date in this proceeding has been scheduled and vacated several times. U S WEST has been offering ISDN service at the filed rate since the Commission granted interim approval in 1996.

In its Motion, U S WEST states that the two active parties remaining in this proceeding, U S WEST and MCI Telecommunications Corp. (MCI) wish to avoid a hearing in this matter, and believe that their respective positions can be adequately and fairly adjudicated based upon a stipulated record consisting of the pre-filed direct testimony of three witnesses and the data responses provided by these witnesses in response to discovery on their testimony.

U S WEST's motion states that the parties have stipulated to waive their rights to a hearing and to cross-examine each other's witnesses if the Commission grants their motion. In addition, U S WEST agrees to waive its right to present testimony in rebuttal to MCI's witness, Rebecca Bennett.

In a work session held on June 2, the Commission considered U S WEST's Motion, and voted to grant the Motion and to accept U S WEST's proposed briefing schedule.

THEREFORE, IT IS ORDERED that:

1. The Commission will not conduct a hearing in this matter.
2. The Commission will decide the issues in this Docket on the following record:
 - a. The prefiled testimony of Ms. Geraldine Santos-Rach, Ms. Rebecca Bennet, and Mr. Merlin Jensen.
 - b. The data responses provided by the three witness named in (a) above in response to discovery on their testimony.
3. The parties shall submit briefs addressing the issues in this Docket according to

the following schedule:

- a. Simultaneous opening briefs due by July 6, 1998; and
- b. Simultaneous answer briefs due by July 20, 1998.

DONE AND DATED this 2nd day of June, 1998 by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DAVE FISHER, Chairman

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.