

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 15, 2008

IN RE:	)	
	)	
COMPLAINT OF BEN LOMAND RURAL	)	DOCKET NO.
TELEPHONE COOPERATIVE, INC. AGAINST	)	07-00073
CITIZENS COMMUNICATIONS COMPANY OF	)	
TENNESSEE, LLC D/B/A FRONTIER	)	
COMMUNICATIONS OF TENNESSEE	)	

---

ORDER ESTABLISHING A PROCEDURAL SCHEDULE

---

This matter came before the Hearing Officer at a Status Conference convened in this docket on December 5, 2007 for the purpose of establishing a procedural schedule and discussing preliminary matters, including discovery.

**BACKGROUND**

On March 22, 2007, Ben Lomand Rural Telephone Cooperative, Inc. ("Ben Lomand") filed its *Complaint* against Citizens Communications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee ("Frontier") pursuant to Tenn. Code Ann. §§ 65-4-101, 65-4-117(1), 65-4-125, 65-5-208(c), 65-4-202, 65-29-102, and 47 U.S.C. 258. On April 16, 2007, Frontier filed its *Answer of Citizens Communications Company of Tennessee d/b/a Frontier Communications of Tennessee*.

In voting to convene a contested case proceeding, the voting panel of the Tennessee Regulatory Authority ("TRA" or the "Authority") assigned to this docket instructed the Hearing Officer to establish a procedural schedule to completion and prepare this matter for a hearing on the merits. During the Status Conference on December 5, 2007, the parties informed the Hearing Officer that they believed that a factual stipulation could be negotiated between them, thereby

alleviating the need for discovery and pre-filed testimony in this docket.

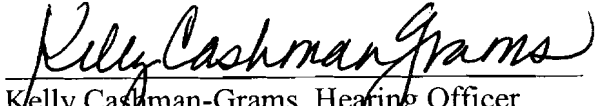
Thereafter, on December 6, 2007, the Hearing Officer issued an *Order Setting Deadline for Receipt of Proposed Procedural Schedule* (“Order”). The Order requests that the parties submit an agreed proposed procedural schedule indicating the status of their negotiations pertaining to stipulations of fact and proposing a procedural schedule to completion, not later than January 11, 2008. On January 10, 2008, the parties electronically submitted a proposed procedural schedule to the Hearing Officer. On January 11, 2008, the parties responded that the status of their negotiations regarding stipulations of fact are ongoing.

#### **PROCEDURAL SCHEDULE**

The goals of the procedural schedule are to efficiently move this docket toward deliberations on the issues raised by the complaint of Ben Lomand and to provide the parties a reasonable and adequate amount of time to conduct discovery, prepare and submit pre-filed testimony and prepare for Hearing. With slight modification the Hearing Officer adopts the proposed Procedural Schedule, attached as **Exhibit A**. As any hearing date is subject to the approval of the panel, the Procedural Schedule does not include a precise hearing date at this time. Further, as with any schedule, the effectiveness of this Procedural Schedule is directly dependent upon the extent of cooperation or delay on the part of the parties in meeting the individual benchmark dates. Nevertheless, upon the agreement of the parties as to stipulations of fact, the Hearing Officer would consider the requests of the parties for modification of the Procedural Schedule.

#### **IT IS THEREFORE ORDERED THAT:**

The Procedural Schedule, attached to this Order as **Exhibit A**, is adopted and is in full force and effect.

  
Kelly Cashman-Grams, Hearing Officer

**Docket No. 07-00073**

***In re: Complaint of Ben Lomand Rural Telephone Cooperative, Inc.,  
Against  
Citizens Communications Company of Tennessee, L.L.C.  
d/b/a Frontier Communications of Tennessee***

**PROCEDURAL SCHEDULE**

<b>January 25, 2008</b>	<b>Discovery Requests Served (One copy filed with Authority)</b>
<b>February 15, 2008</b>	<b>Responses &amp; Discovery Objections Due (One copy filed with Authority)</b>
<b>March 14, 2008</b>	<b>Pre-filed Direct Testimony Due</b>
<b>March 28, 2008</b>	<b>Pre-filed Rebuttal Testimony Due</b>
<b>April 11, 2008</b>	<b>Pre-Hearing Conference 10:00 a.m.</b>
<b>April 21, 2008 (Tentative)</b>	<b>Hearing on the Merits</b>

**Exhibit A**