

STATE OF ILLINOIS

BEFORE THE ILLINOIS COMMERCE COMMISSION

Metamora Telephone Company)
)
Petition for Suspension or Modification of)
Section 251(b)(2) requirements of the Federal)
Telecommunications Act pursuant to Section)
251(f)(2) of said Act; for entry of Interim Order;))
and for other necessary relief.)

Docket No. 04-0366

MOTION TO RESCHEDULE EVIDENTIARY HEARING

NOW COMES Verizon Wireless, by and through its attorneys, and pursuant to Section 200.190 of the Rules of Practice before the Illinois Commerce Commission,¹ respectfully submits this Motion to Reschedule the Evidentiary Hearing in the above captioned proceeding, and states as follows:

1. The schedule established by the Administrative Law Judge (“ALJ”) in this proceeding currently provides for an evidentiary hearing to be held on Wednesday, August 4, 2004, continued to Thursday, August 5, 2004, if necessary.²

2. 33 Petitions, very similar in nature, support, and relief requested, to that of Metamora Telephone Company’s Petition are currently pending before this Commission.³

¹ 83 Ill. Admin. Code 200.190.

² TR 19.

3. The Commission is expected to resolve those 33 Petitions at its Regular Open Meeting on August 24, 2004,⁴ and is required, pursuant to statute, to resolve them within 180-days of the date on which they were filed.⁵

4. Verizon Wireless believes that it would benefit the record in this proceeding, the efficiency of this proceeding, and allow for a more complete record in this proceeding if the parties had available to them, prior to the evidentiary hearing, the Commission's orders in the other 33 Petitions.

5. Verizon Wireless is concerned that the current schedule in this proceeding, when preparation and travel time are also taken into account, will not allow those parties who are also

³ Gridley Telephone Company (Docket No. 04-0180), Flat Rock Telephone Co-Op, Inc. (Docket No. 04-0181), Cambridge Telephone Company (Docket No. 04-0182), Henry County Telephone Company (Docket No. 04-0183), LaHarpe Telephone Company (Docket No. 04-0184), Hamilton County Telephone Co-Op (Docket No. 04-0185), McDonough Telephone Company (Docket No. 04-0186), Moultrie Independent Telephone Company (Docket No. 04-0189), Diverse Communications (Docket No. 04-0192), Glasford Telephone Company (Docket No. 04-0193), Viola Home Telephone Company (Docket No. 04-0194), New Windsor Telephone Company (Docket No. 04-0195), Montrose Mutual Telephone Company (Docket No. 04-0196), Woodhull Community Telephone Company (Docket No. 04-0197), Leaf River Telephone Company (Docket No. 04-0198), Oneida Network Services, Inc. (Docket No. 04-0199), Oneida Telephone Exchange (Docket No. 04-0200), McNabb Telephone Company (Docket No. 04-0205), Adams Telephone Co-Op (Docket No. 04-0228), Cass Telephone Co (Docket No. 04-0232), Shawnee Telephone Company (Docket No. 04-0236), C-R Telephone Company (Docket No. 04-0237), The El Paso Telephone Company (Docket No. 04-0238), Odin Telephone Exchange, Inc. (Docket No. 04-0239), Yates City Telephone Company (Docket No. 04-0240), Kinsman Telephone Company (Docket No. 04-0243), Stelle Telephone Company (Docket No. 04-0248), Mid Century Telephone Co-Op (Docket No. 04-0249), Wabash Telephone Co-Op (Docket No. 04-0253), Leonore Mutual Tel Company (Docket No. 04-0259), Grandview Mutual Telephone Company (Docket No. 04-0282), and Crossville Telephone Company (Docket No. 04-0283).

⁴ See e.g., ICC Docket No. 04-0180, TR 137.

⁵ 47 U.S.C. § 251(f)(2); The earliest filed Petition among the 33 was filed on March 1, 2004 (Gridley Telephone Company, Docket No. 04-0180), and must be resolved by Monday, August 30, 2004. The latest filed Petition among the 33 was filed on March 18, 2004 (Grandview Mutual Telephone Company, Docket No. 04-0282) and must be resolved by Tuesday, September 14, 2004.

involved in some or all of the 33 other Petitions adequate time to prepare and file Exceptions to the Administrative Law Judge's Proposed Orders, which are expected to be issued on Wednesday, July 28, 2004, with Exceptions due on August 9, 2004.⁶

6. Verizon Wireless proposes rescheduling the evidentiary hearing in this proceeding to Thursday, August 26, 2004 and Friday, August 27, 2004, if necessary, or to Tuesday, September 7, 2004 and Wednesday, September 8, 2004, if necessary.

7. Metamora Telephone Company filed its Petition on April 30, 2004, and the Commission must resolve it, pursuant to statute, by Wednesday, October 27, 2004. The dates proposed above would still allow ample time to resolve this Petition within the timeframe allowed by statute.

8. No party would be prejudiced if the evidentiary hearing in this proceeding were rescheduled for a date *after* the Commission issues its Orders in the 33 outstanding proceedings.

9. Verizon Wireless requests expedited consideration of this Motion, in light of the need to make travel arrangements for the August 4, 2004 evidentiary hearing if this Motion is denied.

⁶ See *e.g.*, ICC Docket No. 04-0180, TR 136-137. Exceptions are due on Monday, August 9, 2004.

WHEREFORE, Verizon Wireless respectfully requests that the Illinois Commerce Commission reschedule the evidentiary hearing in this proceeding to a date after the Commission issues its order in the 33 outstanding Local Number Portability Waiver Proceedings.

Respectfully submitted,

CLARK HILL PLC

By: _____

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Date: July 21, 2004

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VERIFICATION

STATE OF MICHIGAN)
)
COUNTY OF INGHAM)

Haran C. Rashes, being first duly sworn upon oath, deposes and states that, if called as a witness, he can state that he has personal knowledge of the facts contained in the foregoing Motion to Reschedule Evidentiary Hearing on behalf of Verizon Wireless; and, that to the best of his knowledge, information and belief, based upon reasonable inquiry, that said facts are true and correct.

Further affiant sayeth not.

Haran C. Rashes

Subscribed and sworn to before me
this 21st day of July, 2004.

Kinneitha M. Thomas, Notary Public
Ingham County, Michigan
My Commission Expires: September 25, 2008

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Docket No. 04-0366

NOTICE OF FILING

To: Parties of Record

You are hereby notified that I have, this 21st day of July, 2004, filed with the Chief Clerk of the Illinois Commerce Commission the Motion to Reschedule Evidentiary Hearing on behalf of Verizon Wireless, in the above-captioned proceeding, via the electronic e-docket system.

Haran C. Rashes
Clark Hill PLC
2455 Woodlake Circle
Okemos, MI 48864-5941
(517) 381-9193

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion to Reschedule Evidentiary Hearing on behalf of Verizon Wireless, in the above-captioned proceeding, were served upon the parties on the attached service list via electronic mail and United States Postal Service First Class Mail on July 21, 2004.

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Service List
Docket No. 04-0199

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