

1 APPEARANCES: (Cont'd)

2 MR. MATTHEW L. HARVEY
3 160 North La Salle Street
4 Suite C-800
5 Chicago, Illinois 60601
6
7 (Appearing on behalf of the Staff of the
8 Illinois Commerce Commission via
9 teleconference)

10 MS. CHERYL HAMILL
11 222 West Adams
12 Suite 1500
13 Chicago, Illinois 60606
14
15 (Appearing on behalf of AT&T
16 Communications of Illinois, Inc. via
17 teleconference)

18 MS. CARRIE J. HIGHTMAN
19 Schiff, Hardin & Waite
20 6600 Sears Tower
21 Chicago, Illinois 60606
22
23 (Appearing on behalf of Rhythms Links,
24 Inc. via teleconference)

25 MR. HENRY KELLY
26 MR. JOSEPH DONOVAN
27 O'Keefe, Ashenden, Lyons & Ward
28 30 North La Salle
29 Suite 4100
30 Chicago, Illinois 60602
31
32 (Appearing on behalf of ALT via
33 teleconference)

34
35
36
37
38
39
40
41
42

1 APPEARANCES: (Cont'd)

2 MR. KENNETH A. SCHIFMAN
3 8140 Ward Parkway
4 Kansas City, Missouri 64114

5 (Appearing on behalf of Sprint
6 Communications Company L.P. via
7 teleconference)

8 MR. DARRELL TOWNSLEY
9 205 North Michigan Avenue
10 Suite 3700
11 Chicago, Illinois 60601

12 (Appearing on behalf of MCI
13 Worldcom, Incorporated via
14 teleconference)

15

16

17

18

19

20

21

22

1		I N D E X			
2	WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
3	(None)				
4					
5					
6					
7					
8					
9					
10					
11					
12	EXHIBITS		MARKED		ADMITTED
13	(None)				
14					
15					
16					
17					
18					
19					
20					
21					
22					

1 PROCEEDINGS

2 EXAMINER WALLACE: Pursuant to the direction of
3 the Illinois Commerce Commission, I now call Dockets
4 00-0538 and 00-0539. These are matters suspended by
5 the Commerce Commission. At the present time they
6 are not officially consolidated. I am calling them
7 today together for administrative purposes.

8 May I have appearances for the record,
9 please. Let's start with Staff.

10 MR. HARVEY: Appearing for the Staff of the
11 Illinois Commerce Commission, Matthew L. Harvey,
12 H-A-R-V-E-Y, 160 North La Salle Street, Suite C-800,
13 Chicago, Illinois 60601-3104.

14 EXAMINER WALLACE: And for the Respondent,
15 Illinois Bell.

16 MS. SUNDERLAND: On behalf of Illinois Bell
17 Telephone Company, Louise A. Sunderland and Karl
18 Anderson, 225 West Randolph Street, Chicago, Illinois
19 60606.

20 EXAMINER WALLACE: And now the various potential
21 intervenors. Mr. Kelly.

22 MR. KELLY: Joseph Donovan and Henry T. Kelly

1 with O'Keefe, Ashenden, Lyons and Ward, 30 North
2 La Salle Street, Suite 4100, Chicago, Illinois 60602,
3 appearing on behalf of ALT.

4 EXAMINER WALLACE: Mr. Schifman.

5 MR. SCHIFMAN: Appearing on behalf of Sprint
6 Communications, L.P., Ken Schifman, S-C-H-I-F-M-A-N,
7 8140 Ward Parkway, Kansas City, Missouri 64114.

8 EXAMINER WALLACE: Ms. Hamill.

9 MS. HAMILL: Appearing on behalf of AT&T
10 Communications of Illinois, Inc., Cheryl Hamill,
11 H-A-M-I-L-L, 222 West Adams, Suite 1500, Chicago,
12 Illinois 60606.

13 EXAMINER WALLACE: Mr. Townsley.

14 MR. TOWNSLEY: Appearing on behalf of WorldCom
15 Incorporated, Darrell Townsley, 205 North Michigan
16 Avenue, Suite 3700, Chicago, Illinois 60601.

17 EXAMINER WALLACE: Ms. Hightman.

18 MS. HIGHTMAN: Carrie J. Hightman, Schiff Hardin
19 and Waite, 6600 Sears Tower, Chicago, Illinois 60606,
20 appearing on behalf of Rhythms Links, Inc.

21 EXAMINER WALLACE: All right. Thank you.

22 Is there anyone else on the line that

1 wishes to enter an appearance?

2 I also have petitions for leave to
3 intervene from Covad Communications and MGC
4 Communications, Inc. is anyone on the line for those
5 two? Okay.

6 Let the record reflect there are no other
7 appearances at today's hearing.

8 Preliminarily, the petitions for leave to
9 intervene that have been filed, are there any
10 objections to any of these petitions?

11 MS. SUNDERLAND: No objections from Ameritech.

12 MR. HARVEY: None from the Staff.

13 EXAMINER WALLACE: All right. Then the
14 petitions for leave to intervene filed by the
15 Association for Local Telecommunications Services,
16 Sprint Communications, L.P., AT&T Communications of
17 Illinois, Inc., WorldCom, Inc., Covad Communications
18 Company, Rhythms Links, Inc., and MGC Communications,
19 Inc., doing business as Mpower Communications, Inc.,
20 are hereby granted by the Hearing Examiner.

21 Preliminarily, we probably need to set a
22 schedule, and does Staff have a schedule or any

1 proposals?

2 MR. HARVEY: The Staff is given to understand
3 that at least some of the parties thought that there
4 would be merit in the idea of holding workshops.

5 EXAMINER WALLACE: All right.

6 MR. HARVEY: I think the Staff is generally not
7 opposed to this. However, due to scheduling
8 concerns, it's my understanding that this would be
9 difficult for the appropriate Staff members to
10 undertake before about the week of October the 23rd
11 and for preference October the 25th. As this case is
12 on a eleven-month schedule, that doesn't seem to
13 necessarily be entirely fatal to holding workshops.

14 We would recommend that a workshop be held
15 on the 25th of October at a place and time suitable
16 for the parties, and that to the extent that the
17 schedule can be set from that point, we would say
18 probably eight weeks for company direct, eight weeks
19 for Staff and Intervenor, three each for rebuttal,
20 and two weeks simultaneous surrebuttal, with hearings
21 to be convened thereafter at a time and place
22 convenient to the Hearing Examiner. I can't

1 necessarily crank that out for you without picking up
2 a calendar here, but that would be our rough
3 suggestion.

4 EXAMINER WALLACE: Okay.

5 MS. SUNDERLAND: This is Louise Sunderland
6 speaking. We would hope that, as a result of the
7 status hearing, we might be able to determine what,
8 if any, issues are in dispute, and we would hope
9 maybe to be able to resolve those issues or at least
10 a lot of them amicably between the parties, and it's
11 a little hard for me to determine how extensive a
12 schedule we need until I have a sense as to whether
13 we have major issues or minor issues to deal with or
14 any issues at all, so I guess my recommendation would
15 be to wait and see where we are after the workshop,
16 schedule a status shortly thereafter, and proceed
17 from there.

18 EXAMINER WALLACE: All right. From the --

19 MR. HARVEY: That makes sense certainly.

20 EXAMINER WALLACE: From the Intervenors, is
21 everyone in agreement that a workshop might be
22 useful?

1 MS. HIGHTMAN: I don't have a problem with a
2 workshop. This is Carrie. I do have a problem with
3 the specific date that was chosen. I propose we move
4 it to the next week, but other than that.

5 EXAMINER WALLACE: Okay. Would November the 1st
6 work?

7 MS. HIGHTMAN: Or it could be Monday or Tuesday
8 of that week.

9 MS. SUNDERLAND: I would prefer earlier in the
10 week because I have hearings starting -- a hearing on
11 November 2nd.

12 MR. TOWNSLEY: There's a hearing on the 1st as
13 well.

14 MS. HIGHTMAN: But it's just a status hearing.

15 MR. TOWNSLEY: No, there's a hearing in the
16 poles, conduit, and rights-of-way.

17 MS. HIGHTMAN: Okay. How about Tuesday?

18 MS. HAMILL: Tuesday the 31st is fine with AT&T.

19 EXAMINER WALLACE: Let's go off the record while
20 we kick this date around.

21 (Whereupon at this point in
22 the proceedings an

1 off-the-record discussion
2 transpired.)

3 EXAMINER WALLACE: Let's go back on the record.

4 We've had an extensive off-the-record
5 discussion, at least resulting in the fact that there
6 will be a workshop in this matter on October 25th, I
7 assume starting at 9:00 or 10:00, with the location
8 to be determined later. If there's any dispute about
9 where to have the workshop, someone please contact
10 the Hearing Examiner, and I would issue an order on
11 that.

12 We will have a status hearing November the
13 1st at 9:30. Illinois Bell indicated they would set
14 up a bridge.

15 The parties also indicated that they would
16 try to communicate with each other between now and
17 October 25th, and I think that basically sums up what
18 we got done off the record.

19 In terms of any data requests, you know, if
20 there's any problem working those out, then of course
21 those can be brought to the Examiner's attention.

22 So does anyone have anything else to bring

1 up today?

2 MR. HARVEY: Nothing from Staff.

3 EXAMINER WALLACE: All right. Hearing nothing,
4 then the workshop is October 25th, and our next
5 scheduled hearing would be a status hearing Nov ember
6 the 1st at 9:30.

7 MR. HARVEY: Thank you, Mr. Examiner.

8 (Whereupon at this point in
9 the proceedings an
10 off-the-record discussion
11 transpired.)

12 EXAMINER WALLACE: We're back on the record.

13 On the Examiner's own motion, I consolidate
14 these two dockets and will so notify the Chief
15 Clerk's office. Thank you.

16 (Whereupon the case was
17 continued to November 1, 2000,
18 at 9:30 a.m. in Springfield,
19 Illinois.)

20

21

22

1 STATE OF ILLINOIS)
)SS
2 COUNTY OF SANGAMON)
3 CASE NO.: 00-0538 and 00-0539 CONSOLIDATED
4 TITLE: ILLINOIS BELL TELEPHONE COMPANY
5
6
7

8 CERTIFICATE OF REPORTER

9 I, Cheryl A. Davis, do hereby certify that I am
10 a court reporter contracted by Sullivan Reporting
11 Company of Chicago, Illinois; that I reported in
12 shorthand the evidence taken and proceedings had on
13 the hearing on the above-entitled case on the 13th
14 day of September, 2000; that the foregoing 12 pages
15 are a true and correct transcript of my shorthand
16 notes so taken as aforesaid and contain all of the
17 proceedings directed by the Commission or other
18 persons authorized by it to conduct the said hearing
19 to be so stenographically reported.

20 Dated at Springfield, Illinois, on this 19th day
21 of September, A.D., 2000.
22

Certified Shorthand Reporter
License No. 084-001662