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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
ILLINOIS BELL TELEPHONE COMPANY)
and CAPRARO DEVELOPMENT, LLC)
) No. 09-0581
Joint Petition for Approval of 1st)
Amendment to the Resale Agreement)
dated November 13, 2009, pursuant to)
47 U.S.C. Section 252.)

Chicago, Illinois
January 6, 2010

Met pursuant to notice at 11:00 a.m.

BEFORE:
MS. BONITA BENN, Administrative Law Judge.

APPEARANCES:
MR. JAMES A. HUTTENHOWER
225 West Randolph Street, Suite 25D
Chicago, Illinois 60606
appeared for Illinois Bell;

1 APPEARANCES (Continued)

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3 ROWLAND & MOORE, LLC, by
4 MR. KEVIN RHODA
5 200 West Superior Street, Suite 400
6 Chicago, Illinois 60654
7 appeared for Capraro Development, LLC;

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9 MR. JAMES WEGING
10 160 North LaSalle Street, Suite C-800
11 Chicago, Illinois 60601
12 appeared for Commission Staff.

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25 SULLIVAN REPORTING COMPANY, by
26 Teresann B. Giorgi, CSR

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WITNESSES : DIRECT CROSS BY EXAMINER
 NONE

EXHIBITS

STAFF 'S FOR IDENTIFICATION IN EVIDENCE
 1 ----- 6

1 JUDGE BENN: Pursuant to the direction
2 of the Illinois Commerce Commission, I now call
3 Docket No. 09-0581. Illinois Bell Telephone Company
4 and Capraro Development, LLC, Joint Petition for
5 approval of 1st Amendment to the Resale Agreement,
6 dated November 13, 2009, pursuant to 47 United
7 States Code, Section 252.

8 Can I have the parties introduce
9 themselves for the record.

10 MR. HUTTENHOWER: James Huttenhower,
11 H-u-t-t-e-n-h-o-w-e-r, appearing on behalf of
12 Illinois Bell Telephone, 225 West Randolph Street,
13 Suite 25-D, Chicago, Illinois 60606.

14 MR. RHODA: On behalf of Capraro Development,
15 LLC, Kevin Rhoda, that's R-h-o-d-a, of Rowland &
16 Moore, LLC, 200 West Superior Street, Suite 400,
17 Chicago, Illinois 60654.

18 MR. WEGING: James Wewing, W-e-g-i-n-g,
19 160 North LaSalle, Suite C-800, Chicago, Illinois
20 60601, 312-793-2877, appearing on behalf of the
21 Commission Staff.

22 JUDGE BENN: Mr. Wewing, do you have anything to

1 introduce into the record today?

2 MR. WEGING: Yes.

3 Staff has filed and served the
4 verified statement of A. Olusanjo Omoniyi.
5 Mr. Omoniyi recommends approval of the Amendment,
6 finding nothing discriminatory and nothing against
7 the public interest.

8 It's subject to the usual post
9 approval requirements that Illinois Bell amend its
10 tariffs to indicate the existence of this Amendment
11 and that Illinois Bell file a verified statement
12 with our Clerk's Office so that the Amendment can be
13 put on the Commission Web site.

14 In view of all that, I will identify
15 the verified statement of A. Olusanjo Omoniyi,
16 as found on the Commission e-Docket, as Staff
17 Exhibit 1 and move that it be admitted into record
18 evidence.

19 I note for the record it was filed on
20 December 30th at 1:38 p.m., but I do not have the
21 tracking number.

22 JUDGE BENN: Mr. Huttenhower, is there any

1 objection to including Staff's Exhibit No. 1 into
2 the record?

3 MR. HUTTENHOWER: No objection, your Honor.

4 JUDGE BENN: Mr. Rhoda, do you have any
5 objection?

6 MR. RHODA: No, your Honor.

7 JUDGE BENN: Okay. Then, I'll grant your motion
8 to include the Verified Statement of A. Olusanjo
9 Omoniyi, marked as Staff Exhibit 1, into the record.

10 (Whereupon, Staff's Exhibit
11 No. 1 was admitted into
12 evidence.)

13 JUDGE BENN: Is there anything else for the
14 record from Staff?

15 MR. WEGING: Nothing further from Staff.

16 JUDGE BENN: Anything from Illinois Bell or
17 Capraro Development?

18 MR. HUTTENHOWER: No, your Honor?

19 MR. RHODA: No, your Honor.

20 JUDGE BENN: Okay. Then, I'll mark this record
21 heard and taken.

22 HEARD AND TAKEN