

1 APPEARANCES: (Continued)

2 MS. LISA M. NATTER
3 SCHIFF HARDIN, LLP
4 233 South Wacker Drive, Suite 6600
5 Chicago, Illinois 60606

6 (Appearing via teleconference on
7 behalf of Respondent)

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WITNESS

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(None)

EXHIBITS

MARKED

ADMITTED

(None)

1 PROCEEDINGS

2 JUDGE VON QUALEN: By the authority vested in
3 me by the Illinois Commerce Commission, I now call
4 Docket Number 12-0128. This docket concerns the
5 complaint filed by Ryan Flynn against Consolidated
6 Communications Enterprise Services, Inc. The
7 complaint concerns allegations regarding service in
8 Lincoln, Illinois.

9 May I have the appearances for the
10 record, first on behalf of the complainant,
11 Mr. Flynn?

12 MR. FLYNN: My name is Ryan Flynn, pro se.

13 JUDGE VON QUALEN: And on behalf of the
14 respondent?

15 MS. NATTER: This is Lisa Natter of Schiff
16 Hardin on behalf of Consolidated.

17 JUDGE VON QUALEN: Are there any others wishing
18 to enter an appearance?

19 (No response.)

20 Let the record show no response.

21 I have received the response filed by
22 Mr. Flynn to the Motion to Dismiss and the reply

1 filed by Consolidated Communications. I am preparing
2 to write a Proposed Order. My recommendation to the
3 Commission is going to be to dismiss this action.
4 But the first thing that I will do is prepare a
5 Proposed Order and, Mr. Flynn, you will have an
6 opportunity to write a Brief on Exceptions where you
7 can explain what you think is incorrect about the
8 Proposed Order.

9 How much time do you think you would
10 need to write a Brief on Exceptions?

11 MR. FLYNN: It would all be determined on when
12 I received it.

13 JUDGE VON QUALEN: Right.

14 MR. FLYNN: After receiving it, a week should
15 be plenty of time.

16 JUDGE VON QUALEN: Well, I will give you more
17 time than that because, knowing that there is
18 difficulty with the mail delivery, when the Proposed
19 Order goes out, I will send it by U.S. Mail and I
20 will assume it will take about a week to reach you.

21 MR. FLYNN: Uh-huh. Just make sure that my ID
22 number is also attached.

1 JUDGE VON QUALEN: Would you give me your
2 complete address now so I can be sure that the
3 Clerk's Office has it?

4 MR. FLYNN: P.O. Box -- well, Ryan Flynn,
5 M-15059.

6 JUDGE VON QUALEN: 15059?

7 MR. FLYNN: Correct. P.O. Box 1000, Lincoln,
8 Illinois 62656.

9 JUDGE VON QUALEN: And that 15059, that's your
10 number?

11 MR. FLYNN: My ID number. It needs to follow
12 my name.

13 JUDGE VON QUALEN: All right. And, Ms. Natter,
14 after you receive the Brief on Exceptions, how much
15 time do you think you would need for the Reply Brief
16 on Exceptions?

17 MS. NATTER: If we could get two weeks, Your
18 Honor. Actually, Judge, as I think about it, I am
19 preparing for a trial coming up in August. Do you
20 have any sense as to when we might be looking at for
21 this briefing schedule, if it would fall more in July
22 or August or even later?

1 JUDGE VON QUALEN: Right. I am hoping that I
2 will get the Proposed Order out sometime in July,
3 maybe the 2ng or I should say -- yeah, the second or
4 third week, I think.

5 MS. NATTER: Okay.

6 JUDGE VON QUALEN: But if you give me the dates
7 of when you will be out of pocket for your hearing, I
8 will make sure when it does go out that those dates
9 are not the date for the RBOE.

10 MS. NATTER: Okay, thank you. My trial begins
11 August 6. So probably the week of July 30 and August
12 6 I will be unavailable.

13 JUDGE VON QUALEN: Okay. And then, Mr. Flynn,
14 I would anticipate giving you two to three weeks,
15 something like that, to write your Brief on
16 Exceptions which will give you time for it to be
17 delivered to you. If there is a problem regarding
18 the timing for the Briefs on Exceptions for either of
19 the parties, simply contact me and copy the other
20 party on it and ask for an extension of time.

21 MS. NATTER: Okay. Thank you, Judge.

22 MR. FLYNN: Not a problem.

1 JUDGE VON QUALEN: That's all I have for this
2 morning. Does anybody else have anything that needs
3 to be discussed?

4 MS. NATTER: Nothing from Consolidated.

5 MR. FLYNN: No.

6 JUDGE VON QUALEN: All right then, given that I
7 am going to be working on the Proposed Order, I will
8 continue this matter generally. Thank you, both.

9 (Whereupon the hearing in this
10 matter was continued generally.)

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