



1 APPEARANCES:

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8 STINSON LEONARD STREET, LLP, by  
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12 Appearing on behalf of NextGen  
13 Communications, Inc.;

14 ILLINOIS BELL TELEPHONE COMPANY  
15 d/b/a AT&T ILLINOIS  
16 d/b/a AT&T WHOLESALE, by  
17 MR. KARL B. ANDERSON  
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22 Appearing on behalf of AT&T;

23 ILLINOIS COMMERCE COMMISSION, by  
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29 Appearing on behalf of the Illinois  
30 Commerce Commission.

31 SULLIVAN REPORTING COMPANY, by  
32 Caryl L. Hardy, CSR

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I N D E X

<u>Witnesses:</u>	<u>Examination</u>	<u>Further Examination</u>	<u>By Examiner</u>
None.			

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
No. 9		39
No. 10		39
No. 11		39
ICC Staff 1.0		40
ICC Staff 1.1		40
ICC Staff 2.0		40
ICC Staff 2.1		40
ICC Staff 3.0		40
ICC Staff 3.1		40

1                   JUDGE RILEY: Pursuant to the direction of  
2 the Illinois Commerce Commission, I call docket  
3 15-0597. This is an application by NextGen  
4 Communications, Inc., for a Certificate of  
5 Authority to Operate as a 9-1-1 System Provider in  
6 the State of Illinois.

7                   At this time, Mr. Rowland, would you offer an  
8 appearance, please?

9                   MR. ROWLAND: Thank you, your Honor.

10                  On behalf of NextGen Communications, Inc.,  
11 Thomas Rowland of the law firm of Rowland & Moore,  
12 200 South -- 200 West Superior Street, Suite 400,  
13 Chicago, Illinois, 60654.

14                  JUDGE RILEY: And for Commission Staff.

15                  MS. SHERRILL: On behalf of the Staff  
16 witnesses of the Illinois Commerce Commission, Marcy  
17 Sherrill, 160 North LaSalle, Suite C-800, Chicago,  
18 Illinois, 60601.

19                  JUDGE RILEY: Thank you.

20                  And, Mr. Scovill, were you going to enter an  
21 appearance?

22                  MR. SCOVILL: Sure. I'd be glad to.

1                   For NextGen Communications, Inc.,  
2           Kim Robert Scovill, 275 West Street, Suite 400,  
3           Annapolis, Maryland, 21401.

4                   JUDGE RILEY:   That was 214?

5                   MR. SCOVILL:   21401.

6                   JUDGE RILEY:   21401.   Thank you.

7                   And at this time, Mr. Rowland, I'm going to  
8           turn it over to you.

9                   MR. ANDERSON:   Would you like me to make an  
10          appearance?

11                  JUDGE RILEY:   Oh, I'm sorry --

12                  MR. ANDERSON:   That's okay.

13                  JUDGE RILEY:   -- Mr. Anderson.   Go ahead.

14                  MR. ANDERSON:   No problem.

15                  On behalf of AT&T Illinois, Karl B. Anderson,  
16          225 West Randolph, Floor 25D, Chicago, Illinois,  
17          60606.

18                  JUDGE RILEY:   My apologies.

19                  MR. ANDERSON:   No problem.

20                  JUDGE RILEY:   And now I'm going to turn to  
21          you, Mr. Rowland.   It's my understanding that the  
22          parties have pretty much agreed that there are no

1 issues or if there were issues, they have all been  
2 ironed out?

3 MR. ROWLAND: They have been established,  
4 I believe on the record of the case, through the  
5 testimony and affidavits of the parties.

6 JUDGE RILEY: All right then. And then I'll  
7 let you start with the evidence.

8 MR. ROWLAND: Okay. NextGen would like to  
9 move for the admission of three exhibits: Exhibit 9  
10 which is the direct testimony of Thomas Ginther and  
11 accompanying exhibits; in addition, Exhibit 10 which  
12 is the supplemental testimony of Thomas Ginther; and  
13 Exhibit 11 which is the affidavit of Sam Bard. Sam  
14 Bard has adopted the testimony and positions  
15 established by Thomas Ginther in this case and stands  
16 by them on behalf of NextGen Communications, Inc.

17 So with that, I would like to move for the  
18 admission of Exhibits 9, 10, and 11.

19 JUDGE RILEY: Is there any objection from  
20 either Staff or from AT&T?

21 MR. ANDERSON: No objection.

22 MS. SHERRILL: None, your Honor.

1                   JUDGE RILEY: Then Exhibits 9, 10, and 11  
2 sponsored by the applicant are admitted into evidence.

3                   MR. ROWLAND: Okay. Thank you, your Honor.

4                   MS. SHERRILL: Are you ready for Staff, your  
5 Honor?

6                   JUDGE RILEY: I'm just checking my notes. I  
7 guess we're okay. Yes.

8                   MS. SHERRILL: Okay. Staff would like to  
9 move for admission into the record the direct  
10 testimony of Russell Murray which has been marked as  
11 ICC Staff Exhibit 1.0, the direct testimony of  
12 Michael McNally which has been marked as ICC Staff  
13 Exhibit 2.0, and the direct testimony of Samuel S.  
14 McClerran which has been marked as ICC Staff  
15 Exhibit 3.0. Each of these was filed on e-Docket  
16 on March 24th, 2016.

17                   Staff also moves for the admission of the  
18 affidavits of Mr. Russell, Mr. McNally, and  
19 Mr. McClerran which have been marked as ICC Staff  
20 Exhibits 1.1, 2.1, and 3.1 respectively. These  
21 affidavits support the previously-filed direct  
22 testimony of the witnesses and were filed on

1 e-Docket on April 20th, 2016.

2 JUDGE RILEY: Okay. I want to make sure  
3 that we're in sync here. The testimony of Mr. Murray  
4 is 1.0 and the affidavit is 1.1?

5 MS. SHERRILL: Yes.

6 JUDGE RILEY: And then I have Mr. McClerran's  
7 testimony as 2.0 and his affidavit as 2.1.

8 MS. SHERRILL: I apologize, your Honor.

9 JUDGE RILEY: And then it was -- Mr. McNally  
10 was -- his testimony was 3.0 and the affidavit was  
11 3.1.

12 MS. SHERRILL: Thank you for keeping me on my  
13 toes.

14 JUDGE RILEY: Okay. All right. And is  
15 there any objection from NextGen or from AT&T?

16 MR. ROWLAND: No objection, your Honor.

17 MR. ANDERSON: No objection.

18 JUDGE RILEY: Then Staff's motion is granted  
19 and the exhibits identified are admitted into  
20 evidence.

21 Did we have anything further in the way of  
22 evidence?

1 MS. SHERRILL: Nothing from Staff.

2 JUDGE RILEY: I have a motion for a  
3 protective order.

4 MR. ROWLAND: Thank you, your Honor. Yes.  
5 NextGen has a motion for a protective order on  
6 certain exhibits and we move for the confidential  
7 protection of those.

8 MR. RILEY: The only thing that I would --

9 MR. ANDERSON: Is this the motion filed at  
10 the outset of the case?

11 MR. ROWLAND: Yes, it was.

12 MR. ANDERSON: Okay. Thanks.

13 JUDGE RILEY: Right, yeah. It was filed a  
14 few days after the application itself. It's for the  
15 protection of Exhibits 3 and Exhibit 8.

16 MR. ROWLAND: Correct. Right.

17 JUDGE RILEY: Which is -- one is the  
18 organizational chart -- Exhibit 3 is the  
19 organizational chart and 8 is the chart of accounts.

20 The only question that I would raise is that  
21 it asks for protection for five years and the  
22 commission's policy is two years.

1                   MR. ROWLAND: Uh-huh. With that  
2 understanding, we would agree to amend it for  
3 two years.

4                   JUDGE RILEY: Is there any objection to the  
5 entry of the protective order?

6                   MS. SHERRILL: None, your Honor.

7                   JUDGE RILEY: Granting the motion for the  
8 protective order.

9                   MR. ANDERSON: No objection.

10                  JUDGE RILEY: Then NextGen's motion is  
11 granted.

12                  MR. ROWLAND: Thank you.

13                  JUDGE RILEY: And it will reflect two years.

14                  MR. ROWLAND: Okay. Thank you.

15                  JUDGE RILEY: The motion can be renewed if  
16 the information remains relevant.

17                  MR. ROWLAND: Okay.

18                  JUDGE RILEY: Any other business before we  
19 get to the schedule for an agreed draft order?

20                  MR. ROWLAND: I don't think so, your Honor.

21                  JUDGE RILEY: Let's talk about the agreed  
22 draft order. It will be most expeditious, by the

1 way.

2 MR. ROWLAND: Okay. Should we go off the  
3 record for a second?

4 JUDGE RILEY: I guess we can, if there's no  
5 objection. We're off.

6 (Discussion had off the record.)

7 JUDGE RILEY: Back on the record.

8 We have had a brief discussion with regard  
9 to the preparation of an agreed draft order, and  
10 NextGen is going to endeavor to have the order  
11 circulated to Staff and to AT&T by May 3rd. Staff  
12 and AT&T are going to complete their review by  
13 May 12th. And we are looking at June 7th, the  
14 regular open meeting, for entry of the order --  
15 submission of the order to the commission for entry.

16 MS. SHERRILL: That's fine.

17 JUDGE RILEY: Is there anything further?

18 MR. ROWLAND: No. I think that's -- that's  
19 fine.

20 MS. SHERRILL: Nothing from Staff.

21 MR. ANDERSON: Nothing from AT&T.

22 JUDGE RILEY: All right. Thank you very

1 much. Then I will direct the court reporter to mark  
2 this matter heard and taken.

3 MS. SHERRILL: Thank you, your Honor.

4 MR. ROWLAND: Thank you, your Honor.

5 MR. ANDERSON: Thanks.

6 (SINE DIE.)

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