

BEFORE THE
ILLINOIS COMMERCE COMMISSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

TDS METROCOM, L.L.C.) DOCKET NO.
) 02-0553
Application for Transfer or) Prehearing
Reissuance of Certificates of)
Service of Authority granted to)
TDS Metrocom, Inc. in Docket)
00-0239.)

Springfield, Illinois
December 9, 2002

Met, pursuant to notice, at 1:30 P.M.

BEFORE:

MR. WILLIAM SHOWTIS, Administrative Law Judge

APPEARANCES:

MR. OWEN MACBRIDE
Schiff, Hardin & Waite
6600 Sears Tower
Chicago, Illinois 60606

(Appearing on behalf of TDS Metrocom,
Inc. via teleconference)

MR. ROBERT KOCH
527 East Capitol Avenue
Springfield, Illinois 62701

(Appearing on behalf of the
Telecommunications Division of the
Illinois Commerce Commission)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, CSR License #084-001662

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

WITNESSES

DIRECT CROSS REDIRECT RECROSS

(None)

EXHIBITS

MARKED

ADMITTED

(None)

PROCEEDINGS

1
2 JUDGE SHOWTIS: Pursuant to the authority
3 vested in me by the Commission, I now call a status
4 hearing in Docket 02-0553 which concerns the
5 application of TDS Metrocom, L.L.C. for transfer or
6 reissuance of certificates of service authority
7 granted to TDS Metrocom, Inc. in Docket 00-0239.

8 Will the parties please enter their appearances
9 for the record.

10 MR. MACBRIDE: On behalf of the Petitioner,
11 Owen E. MacBride, 6600 Sears Tower, Chicago,
12 Illinois 60606.

13 MR. KOCH: Appearing on behalf of the Staff of
14 the Illinois Commerce Commission, Robert Koch,
15 K-O-C-H, 527 East Capitol, Springfield, Illinois.

16 JUDGE SHOWTIS: Mr. Koch, it's my understanding
17 that Staff is still waiting to receive certain
18 information from the Petitioner. Is that correct?

19 MR. KOCH: That is correct, Your Honor.

20 JUDGE SHOWTIS: Would you just briefly describe
21 what you have received and what you are waiting for
22 at this point in time?

1 MR. KOCH: Yes. I did receive financial
2 statements for TDS Metrocom, Inc. and TDS Metrocom,
3 L.L.C.. I received these this last Friday, and I
4 have had a chance to review them. I do have
5 additional questions for the company that I'd like
6 to ask at some point in the future, not necessarily
7 on line, but just to clarify some items.

8 JUDGE SHOWTIS: Okay.

9 MR. KOCH: And I did receive these via e-mail,
10 so as far I know they're not a part of the record at
11 this point in time.

12 JUDGE SHOWTIS: Since the Commission cannot
13 transfer the certificate of TDS Metrocom, Inc. to
14 TDS Metrocom, L.L.C. but rather just issue a new
15 certificate to TDS Metrocom, L.L.C., it eventually
16 would cancel the certificate issued to TDS Metrocom,
17 Inc..

18 I notice that the application that was filed
19 here does not provide the information that would
20 typically be part of an application that is filed
21 for a certificate to operate as a telecommunications
22 carrier. In other words, it doesn't cover certain

1 basic information that's included in the form
2 application that's sent out. Do you have any
3 recommendations with regard to that information? I
4 mean those questions could be asked at a hearing,
5 but it might save time if that information was
6 provided.

7 MR. MACBRIDE: Mr. Showtis.

8 JUDGE SHOWTIS: Yes.

9 MR. MACBRIDE: Actually Mr. Koch and I have
10 discussed this, and TDS Metrocom, L.L.C. has filled
11 out the application form for a certificate of
12 service authority on the Commission's Web site.

13 JUDGE SHOWTIS: Okay.

14 MR. MACBRIDE: I just actually within a matter
15 of a few minutes before this hearing had e-mailed
16 that to Mr. Koch so he probably hasn't had a chance
17 to look at it yet.

18 JUDGE SHOWTIS: Okay. So that's more or less
19 being taken care of is what you're saying.

20 MR. MACBRIDE: Yes. He needs to review it.

21 Now I guess one question for you would be
22 ultimately would you want that application and the

1 financial statements which would be an exhibit to
2 the application, would you want those to be filed in
3 the record or on e-Docket or would it be sufficient
4 to provide them for Staff review?

5 JUDGE SHOWTIS: Let's go off the record.

6 (Whereupon at this point in the
7 proceedings an off-the-record discussion
8 transpired.)

9 JUDGE SHOWTIS: Let's go back on the record.

10 Petitioner will be providing to Staff a
11 proposed exhibit that will consist of the typical
12 application form utilized by telecommunications
13 carriers along with attached financial statements.
14 I believe the financial statements will be afforded
15 proprietary treatment.

16 After Staff has had an opportunity to review
17 that and suggest any possible revisions to the
18 company, the company will file the application and
19 the attached financial statements as an exhibit with
20 the Chief Clerk on the Commission's e-Docket system.

21 Staff and the company have agreed to an
22 evidently hearing on January 13, 2003, at 10 o'clock

1 a.m.. Mr. MacBride indicated that he would check
2 with his client to make sure that his witness would
3 be available that day. At least at this point in
4 time, any other time that week or date and time that
5 week except the morning of January 14th would be
6 okay with me, and I believe Mr. Koch has indicated
7 that he's pretty open that week too.

8 MR. KOCH: That is correct.

9 JUDGE SHOWTIS: So you can just give me a phone
10 call, Owen, if there's a need to reschedule it for
11 another date and time that week.

12 MR. MACBRIDE: All right; will do.

13 JUDGE SHOWTIS: Is there anything else then
14 that needs to be discussed today?

15 MR. MACBRIDE: I and the TDS witness would be
16 able to participate in that hearing by telephone if
17 we set up a conference bridge?

18 JUDGE SHOWTIS: That's correct. If you set up
19 a bridge, that's fine. However, if you're going to
20 be at separate locations, obviously a bridge would
21 probably be better.

22 MR. MACBRIDE: Right.

1 JUDGE SHOWTIS: And both of you can obviously
2 participate by phone.

3 Okay. Is there anything else that needs to be
4 discussed?

5 MR. KOCH: No, Your Honor.

6 JUDGE SHOWTIS: Okay. Then the hearing in this
7 matter is continued to January 13, 2003, at 10
8 o'clock a.m..

9 (Whereupon the case was continued to
10 January 13, 2002, at 10:00 a.m. in
11 Springfield, Illinois.)

12

13

14

15

16

17

18

19

20

21

22