

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

June 7, 2005

Public Utility Commission of Oregon
Attn: Filing Center
Suite 215
PO Box 2148
Salem, Oregon 97308-2148

Re: UM 1177

Dear Filing Center:

Enclosed for filing please find a Motion to Modify Procedural Schedule on behalf of the staff of the Public Utility Commission.

Thank you for your attention.

Very truly yours,

Stephanie Andrus
Assistant Attorney General

Enc

c. Service list

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**
3 **UM 1177**

4 In the Matter of

5 **EDGE WIRELESS LLC**

6 Application for Designation as an Eligible
7 Telecommunications Carrier Pursuant to the
8 Telecommunications Act of 1996.

MOTION TO MODIFY PROCEDURAL
SCHEDULE

9 Pursuant to OAR 860-013-0031, staff of the Public Utility Commission of Oregon
10 (“staff”) requests that the administrative law judge (ALJ) issue an order approving a procedural
11 schedule agreed to by the parties in this case, staff, Edge Wireless LLC (“Edge”) and the Oregon
12 Telecommunications Association (“OTA”). The parties agree that the current (now suspended)
13 procedural schedule should be replaced with one that allows for testimony by the parties, instead
14 of a stipulation. The specifics of the agreed-to schedule are as follows:

15 June 20, 2005 -- Edge files Second Amended Application

16 July 15, 2005 -- Staff and OTA file testimony

17 July 22, 2005 -- All parties file reply testimony (Meaning, staff may reply to
18 testimony filed by OTA, OTA may reply to testimony filed by staff
and Edge may reply to testimony filed by OTA and staff.)

19 July 29, 2005 -- Hearing (if necessary)
20 (or date to be decided by ALJ)

21 The parties do not anticipate the need for cross-examination and anticipate that they will
22 formally waive cross-examination after all testimony is filed. However, the parties have agreed
23 that July 29, 2005 is an acceptable date for a hearing if the parties do not waive cross-
24 examination or the ALJ wishes to hold one. Further, at this time, the parties do not anticipate the
25 need to file legal briefs.

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1 **CONCLUSION**

2 Staff requests that the ALJ adopt the procedural schedule agreed to by the parties in this
3 case.

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5 DATED this 7th day of June 2005.

6 Respectfully submitted,

7 **HARDY MYERS**
8 Attorney General

9 s/Stephanie S. Andrus
10 Stephanie S. Andrus, #92512
11 Assistant Attorney General
12 Of Attorneys for staff of the Public
13 Utility Commission of Oregon
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1 **CERTIFICATE OF SERVICE**

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3 I certify that on June 7, 2005, I served the foregoing upon the parties hereto by electronic
4 mail and by sending a true, exact and full copy by regular mail, postage prepaid to:
5

6 OREGON TELECOMMUNICATIONS ASSN 707 13TH ST SE STE 280 7 SALEM OR 97301-4036	
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10 KAY MARINOS -- CONFIDENTIAL PUBLIC UTILITY COMMISSION OF OREGON PO BOX 2148 11 SALEM OR 97308-2148 12 kay.marin@state.or.us	MARK P TRINCHERO -- CONFIDENTIAL DAVIS WRIGHT TREMAINE LLP 1300 SW FIFTH AVE STE 2300 PORTLAND OR 97201-5682 marktrinchero@dwt.com

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15 _____
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16 Legal Secretary
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