

August 24, 2005

NOTICE OF CHANGE OF SCHEDULE

Re: In the Matter of the Joint Petition of Verizon Communications, Inc., and MCI, Inc., for Approval of Agreement and Plan of Merger
Docket No. UT-050814

TO ALL PARTIES:

In response to a motion by Public Counsel and Commission Staff, the parties have agreed to a change in the document filing and hearing schedules for this docket.

The proposal by Verizon, Commission Staff, and Public Counsel, is to adopt the following schedule. Other parties have indicated that they have no objection.

Others' exhibits filed	September 9, 2005
Rebuttal, cross-rebuttal	October 6, 2005
Scheduled dates for hearing	November 1-4, 2005
Simultaneous opening briefs	November 14, 2005
Simultaneous answering briefs	November 21, 2005

The Commission finds the essence of this agreement acceptable. In reviewing the calendar, however, we find that November 4 is unavailable, as is the morning of October 31. Therefore, we will schedule the matter to begin at 1:30 p.m. on October 31 and to continue until completed or the conclusion of the day on November 3, whichever is earlier.

The prehearing conference previously scheduled for September 21, 2005 is rescheduled until October 27, 2005, at 1:30 p.m.

A matrix attached to this notice compares the prior and current schedule dates.

Verizon by separate letter filed August 18, 2005 states that the parties have agreed on a final order date of December 21, 2005. Verizon argues in its letter that the December date must be inflexible, and notes that it appears to be the last in time of any reviewing jurisdiction.

The parties' proposed schedule removes several days from the anticipated order preparation time allowed in the scheduling order following submission of answering briefs. In addition, the parties' reduction in briefing time will also limit the Commission's preparation time, and the resulting schedule is more susceptible to interference from holiday absences.

The Commission commits to making its best efforts to enter a final order no later than the suggested date. However, experience tells us that it is impossible to make an inflexible commitment of the sort requested. Too many variables exist to allow a firm promise.¹

Sincerely,

C. ROBERT WALLIS
Administrative Law Judge

¹ We also note that the extension of time results from behavior within Verizon's control in declining to produce requested information promptly in response to data requests. While Verizon may have had good reasons for its delay, the result is the requirement of additional time.

MATRIX

	PHC Order 1	Elapsed time (days)	Aug 19 proposal as adopted	Elapsed time (days)
Verizon exhibits filed	28-Jun			
Others' exhibits filed	19-Aug	52	9-Sept	73
Rebuttal-cross rebuttal	2-Sept	14	6-Oct	27
Prehearing Conference			27-Oct	
Hearings start- Sep 22 was held	26-Sep	24	31-Oct	25
Hearings end	28-Sep	2	3-Nov	3
Simultaneous opening briefs	19-Oct	21	14-Nov	10
Simultaneous answering briefs	10-Nov	22	21-Nov	7
Commission order – mid December *	15-Dec	35	21-Dec	30

* Order No. 1 specifies a "Mid-December" date for the order.