

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 5713

Investigation into NET's tariff filing)
re: Open Network Architecture, including)
the unbundling of NET's network, expanded)
interconnection, and intelligent networks)

Order entered: 1/13/95

ORDER RE: MOTIONS FOR EXTENSION OF TIME

On December 22, 1994, I issued a memorandum describing the planned procedural process and schedule for this docket, and directed the parties to file comments on it by January 13, 1995. On January 11, 1995, Atlantic Cellular Company, L.P. and Hyperion Communications of Vermont, Inc. jointly filed a motion in which they requested that:

the deadline for comments on the Hearing Officer's Memorandum in this docket (dated December 22, 1994) be extended from January 13, 1995, to a date five days after the Board issues a decision on pending reconsideration motions in Docket Nos. 5700 and 5702.

Altantic Cellular *et al.*, Letter of 1/11/95 at 1. In support of their motion, the parties argue that:

the Hearing Officer "must evaluate the Board's decision in [Docket Nos. 5700 and 5702] regarding. . . its. . . implications. . . for the type of cost studies NYNEX and the other LECs must do. . ." *before* determining this docket's scope and the order in which issues should be taken up.

Id. at 1, quoting their letter of 7/28/94 (ellipses and emphases in original).

The following day, Chittenden Community Television, Inc. ("CCTV") filed a motion to intervene (which I will address in a later order) and a motion to extend the time in which public interest groups (such as itself) may move to intervene by two weeks, *i.e.*, until January 27, 1995. In support of this request, CCTV stated that there are:

six such groups active in the PEG [public, educational, and governmental] access and related issues which are considering intervention in this docket. All five [*sic*] must first obtain approval of their governing boards at meetings to be held between January 17 and January 23.

CCTV Motion, 1/12/95, at 3.

The bases for these motions are reasonable and I shall grant them with minor modification. Comments on the procedural memorandum shall be filed within five business days after the Board issues its decision on the pending motions to reconsider in Docket Nos. 5700/5702, but in no event shall such comments be filed after February 3,

1995. Motions to intervene by all potential parties, not merely public interest groups, shall be filed no later than January 27, 1995. Any responses to motions to intervene shall be filed on or before February 3, 1995.

SO ORDERED.

DATED at Montpelier, Vermont this 13th day of January, 1995.

s/Frederick W. Weston

Frederick W. Weston
Hearing Officer

OFFICE OF THE CLERK

FILED: January 13, 1995

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board of any technical errors, in order that any necessary corrections may be made.