

Scott, Sandi L.

From: Binek, William W.
Sent: Friday, December 09, 2005 10:28 AM
To: 'Don Negaard'; Hoberg, Allen C.
Cc: Bruce Selinger; -Grp-PSC Commissioners; -Grp-PSC Public Utilities; -Grp-PSC Legal
Subject: RE: BEK v Call Smart

We will treat the e-mail as the formal request of the parties for an indefinite postponement of the January 13, 2006 hearing, and will ask the Commission to act on a motion to that effect at the Commission meeting on December 14th.

From: Don Negaard [mailto:donn@srt.com]
Sent: Friday, December 09, 2005 9:38 AM
To: Hoberg, Allen C.; Binek, William W.
Cc: Bruce Selinger
Subject: Re: BEK v Call Smart

That is fine. We could postpone but reserve the right of either party to request a new hearing date, subject to the ability of your office and the Commission to reschedule at an agreeable date.

----- Original Message -----

From: [Hoberg, Allen C.](#)
To: [Don Negaard](#) ; [Binek, William W.](#)
Cc: [Bruce Selinger](#)
Sent: Friday, December 09, 2005 8:22 AM
Subject: RE: BEK v Call Smart

I can reschedule if necessary but not on short notice because for the most part I am scheduling out 30 or more days. A. Hoberg

From: Don Negaard [mailto:donn@srt.com]
Sent: Thursday, December 08, 2005 5:03 PM
To: Binek, William W.
Cc: Bruce Selinger; Hoberg, Allen C.
Subject: BEK v Call Smart

This is to advise the Commission that the parties to this matter have engaged in discussion and it appears that the time between now and the hearing scheduled on January 13, 2006 might be better spent by the parties trying to reach a definitive agreement. As such Mr. Selinger and myself agreed today that I would contact the Commission and ask that this hearing be pushed back to try allow us some time to get it resolved.

We had discussed February but since I would have some witnesses I would need to arrange I would suggest an indefinite postponement and I would expect we would know by the end of December if it needs to be rescheduled. Do you have any suggestions, concerns or thoughts from your end?

12/9/2005