

**MARVIN D. TRUHE**  
**ATTORNEY AT LAW**

P.O. Box 8112  
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Telephone (605) 348-8530

January 15, 2004

Email: marvtruhe@aol.com

**RECEIVED**

**JAN 16 2004**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Thomas J. Welk  
Boyce, Greenfield, Pashby and Welk, L.L.P.  
P.O. Box 5015  
Sioux Falls, SD 57717-5015

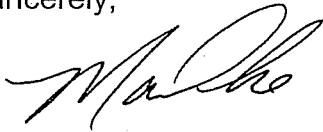
Tim Goodwin, Senior Attorney  
Qwest Services Corporation  
1801 California Street 47<sup>th</sup> floor  
Denver, CO 80202

**Re: Complaint filed by Black Hills FiberCom, L.L.C., Against Qwest Corporation Regarding Intrastate Switched Access Charges Applied to ISP-Bound Calls Which Complainant Claims is Interstate in Nature CT03-154**

Dear Counsel:

Enclosed is a copy of the Stipulated Agreement To Scheduling Order in the above action which I emailed you earlier today.

Sincerely,



Marvin D. Truhe

Enclosure  
cc w/ encl: Kelly Frazier

RECEIVED

JAN 16 2004

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Complaint Filed by Black Hills ) CT 03-154
FiberCom, L.L.C., Rapid City, South Dakota ) FIBERCOM AND QWEST
Against Qwest Corporation Regarding Intrastate ) STIPULATED AGREEMENT
Switched Access Charges Applied to ISP-Bound ) TO SCHEDULING
Calls Which Complainant Claims is Interstate in ) ORDER
Nature )

Counsel for Black Hills FiberCom, L.L.C. and Counsel for Qwest Corporation
have consulted and agreed that the following Scheduling Order be submitted to the South
Dakota Public Utilities Commission for approval at the scheduled January 20, 2004
Commission Meeting.

SCHEDULING ORDER

Table with 2 columns: Date, Procedural Schedule. Rows include March 23-25, 2004 (Taking of Depositions), March 31, 2004 (Deadline for Discovery), and Week of April 26-30, 2004 (Hearing).

Respectfully submitted this 15th day of January, 2004,

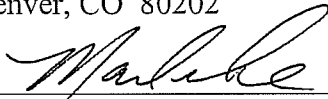
By: [Signature]
Marvin D. Truhe, Attorney at Law
P.O. Box 8112
Rapid City, South Dakota 57709
(605) 348-8530
Attorney for Complainant Black Hills FiberCom, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2004, a true and correct copy of the foregoing FiberCom and Qwest Stipulated Agreement for Scheduling Order was served via Electronic Email, and also served via United States first class mail, postage prepaid, on the following:

Thomas J. Welk  
Boyce, Greenfield, Pashby and Welk, L.L.P.  
P.O. Box 5015  
Sioux Falls, SD 57717-5015

Tim Goodwin, Senior Attorney  
Qwest Services Corporation  
1801 California Street 47<sup>th</sup> floor  
Denver, CO 80202



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Marvin D. Truhe