

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF REVISIONS AND/OR)	RM05-002
ADDITIONS TO THE COMMISSION'S)	
SWITCHED ACCESS RULES CODIFIED)	JOINT REQUEST TO ESTABLISH
IN ARSD 20:10:27 THROUGH 20:10:29)	PROCEDURAL SCHEDULE

Comes now Midcontinent Communications (“Midcontinent”), by and through its undersigned counsel, and hereby files this Joint Request to Establish Procedural Schedule in the above captioned rulemaking docket. Midcontinent is authorized to represent to the Public Utilities Commission (“Commission”) that MCI Communications Services, Inc. and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (collectively “Verizon”) and Sprint Communications Company L.P. (“Sprint”) join in and support this request.

1. This rulemaking docket was originally initiated by order dated December 14, 2005, to consider revisions and/or additions to the Commission’s switched access rules. Written comments were filed by many parties in early 2006. Thereafter, no action was taken in the docket until additional comments were filed in late 2007.

2. In a parallel proceeding, Docket TC07-117, Midcontinent sought an exemption from the rules requiring it to develop company specific cost-based switched access rates. In the January 14, 2009, decision denying Midcontinent’s exemption request, the Commission ordered that this docket, RM05-002, be “redirected from a general switched access rulemaking docket to a rulemaking docket focused more specifically on a CLEC switched access rate-setting policy . . .” The Commission further ordered Staff to provide a straw man proposal for the Commission’s consideration within

180 days. In May, 2009, a set of draft rules was filed in Docket RM05-002. No further action was taken on the proposed rules.

3. In another parallel proceeding, TC10-014, initiated in January, 2010, the Commission sought to investigate whether pricing regulation was appropriate for switched access services provided by CLECs. Comments were filed in that docket and an order was issued on May 4, 2010, finding that pricing regulation is appropriate for switched access services provided by CLECs. The Commission further ordered that it would take judicial notice of the testimony filed in Docket TC 10-014 in the rulemaking docket, RM05-002.

4. On June 1, 2010, Commission counsel filed a letter and draft rules regarding switched access rates for competitive local exchange carriers in RM05-002. The letter sought comments by June 15, 2010, and suggested that, following the receipt of comments, changes would be made to the rules, the rules would be filed with the Legislative Research Counsel, and the formal rulemaking process would begin. Many parties filed comments to the proposed rules by the June 15, 2010, deadline. Reply comments were also solicited and were filed by many of the same parties by the stated deadline of June 28, 2010.

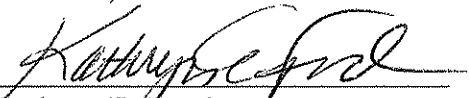
5. Three and one half months have passed since reply comments were filed and revised rules have not yet been proposed. Midcontinent, Verizon and Sprint respectfully request that the Commission establish a procedural schedule for the commencement and completion of the formal rulemaking proceedings contemplated in Commission counsel's June 1, 2010, letter. Given the depth of involvement of numerous companies throughout South Dakota in the aforementioned dockets, it is apparent that

revisions to the switched access rules are critically important and should be undertaken without further delay.

WHEREFORE, Midcontinent, on behalf of itself, Verizon and Sprint, respectfully request that the Commission establish a procedural schedule in order to move this rulemaking docket toward a timely resolution.

Dated: October 14, 2010

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& SMITH, LLP

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Midcontinent Communications, hereby certifies that a true and correct copy of the foregoing Joint Request to Establish Procedural Schedule was filed electronically and served upon the following via email:

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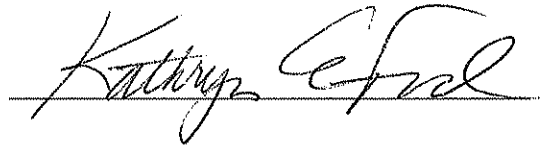
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on this 14th day of October, 2010.

A handwritten signature in cursive script, reading "Kathryn E. Ford", written over a horizontal line.