KOLHD 801-2601 DOCKET NO. TC97-108 IN THE MATTER OF THE FILING BY FAITH MUNICIPAL TELEPHONE COMPANY FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER Public Utilities Commission of the State of South Dakota

DATE MEMORANDA 6/:3 27 Filed and Docksted; 6/20 97 TC Fox Filera; 11/7 97 Optic for and Detice of Hering, 13/2 97 narstript of thering held on 11/19/97, 12/17 97 high approximation of the Order and Matice of Entry of liter, 12/17 97 high approximation of the Order and Matice of Entry of liter, 12/17 97 high approximation of the Order and Matice of Entry of liter, 12/17 97 high applied Induscov of the Order and Matice of Entry of liter, 12/17 97 high applied Induscov of the Order and Matice of Entry of liter, 12/17 97 high applied Induscov of the Order of Faith.

state memory on some posts over a work of states.



0140 .00 .-

CITY OF FAITH

P.O. Box 368 206 Main Street FAITH, SOUTH DAKOTA 57626 Ph: (605) 967-2261

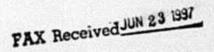
June 19, 1997

RECEIVED

TC97-108

JUN 24 1997

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION



Mr. William Bullard, Jr. Public Utilities Commission Capitol Building, 1st Floor 500 East Capitol Avenue Pierre, S.D. 57501-5070

Dear Mr. Bullard:

Faith Municipal Telephone Company is enclosing a request for designation as an "eligible telecommunications carrier" ("ETC"). Faith Municipal Telephone Company has assumed universal service obligations for the area it serves and meets the criteria for ETC designation in accordance with federal regulations, except for the requirement for "toll control" service. Faith Municipal Telephone Company, along with others in the industry, is in the process of examining the "toll control" issue. It is certain that the provision of this service as outlined in the applicable FCC rules will require a better understanding of the FCC's intent relative to "toll control" than exists now. Due to the time needed in studying and providing the "toll control" service, Faith Municipal Telephone Company is also enclosing herewith a request for a temporary waiver of the "toll control" service requirement.

Please contact me with any questions you may have regarding these requests.

Thank you.

Yours truly,

avian miller

Vivian Miller Finance Officer

South Dakota
Public Utilities Commission
State Capitol 500 E. Capitol
Pierre, SD 57501-5070
Phone: (800) 332-1782
Fax: (605) 773-3809

TELECOMMUNICATIONS SERVICE FILINGS

These are the telecommunications service filings that the Commission has received for the period of:

06/20/97 through 06/26/97If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
	REQUEST FOR CERTIFICATE OF AUTHORITY	i stati	
TC97-106 Application : y Call Plus, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free and travel card service (not prepaid calling cards) through the resale of telephone services provided by facilities-based interexchange carriers."		06/20/97	07/11/97
TC97-110	Application by MFS Network Technologies, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/TZ)	06/25/97	07/11/97
TC97-111	Application by Z-Tel, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) Applicant seeks authority to provide MTS, out-WATS, in-WATS, and calling card services. Applicant does not intend to provide operator services. 900 or 700 services.	06/25/97	07/11/97
TC97-112	Application by CapRock Communications Corp. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) Applicant seeks authority to provide Message Toll Service, Incoming 800, Travel Card and Prepaid Calling Card services.	06/25/97	07/11/97
	REQUEST FOR ELIGIBLE TELECOMMUNICATIONS COMPANY STATUS		
TC97-108 Faith Municipal Telephone Company pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Faith Municipal Telephone Company is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange: Faith (967). Faith Municipal Telephone Company, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified exchange areas. (Staff: HB/KC)		06/23/97	07/11/97
TC97-113	Armour Independent Telephone Company pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Armour Independent Telephone Company is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange: Armour (724). Armour Independent Telephone Company, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified exchange areas. (Staff: HB/CH)	06/25/97	07/11/97

	FORMAL COMPLAINT Kathy Rottenbucher vs. Stateline Telecommunications, Inc. "I specifically requested and insisted on an unpublished address. Stateline furnished and provided U S WEST this information for [the] Northern Hills and Surrounding AreasI want proof of	1	
TC97-115	Union Telephone Company pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Union Telephone Company is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges: Hartford (528) and South Hartford (526). Union Telephone Company, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified exchange areas. (Staff: HB/CH)	06/25/97	07/11/97
TC97-114	Bridgewater-Canistota Independent Telephone Company pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Bridgewater-Canistota Independent Telephone Company is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges: Bridgewater (729) and Canistota (296). Bridgewater-Canistota Independent Telephone Company, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified exchange areas. (Staff: HB/CH)	06/25/97	07/11/97

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing if to Terry Norum at terryn@puc state sd us. Faxing the address to the Commission at 605-773-3809



Capitol Office Telephone (605)773-3201 FAX (605)773-3809

Transportation/ Warehouse Division Telephone (605)773-5280 FAX (605)773-3225

> Consumer Hotline 1-800-332-1782

TTY Through Relay South Dakota 1-800-877-1113

Internet billbigput.state.sd.us

Jim Burg Chairman Pan Nelson Vice-Chairman Laska Schoenfelder Commissioner

William Bullard Ir Executive Director

Edward R. Anderson Harlan Best Martin C. Bettmann Charlie Bolle Sue Ciches Karen F. Cremes Marlette Fischbach Shirleen Fugitt Lewis Hammond Leni Healy Camron Hoseck Dave Jacobson Bob Knadic **Delaine** Kolbo Terri J Lesmeister Jeffrey P. Lorensen Terry Norum Gregory A. Rislow Tammi Stangohr Steven M. Wegman Rolayne Ailts Wiest

٠

South Dakota Public Utilities Commission



State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070

October 1, 1997

Mr. Richard D. Coit Executive Director SDITC P. O. Box 57 Pierre, SD 57501

RE: Eligible Telecommunications Carrier application, TC97-108 Faith Municipal Telephone Company

Dear Mr.Coit:

The above-referenced application has been reviewed by the staff of the Public Utilities Commission. The following additional information is needed in order for the Commission to consider this application:

 Pursuant to 47 C.F.R. 54.101(a)(4), single-party service or its functional equivalent must be made available by an Eligible Telecommunications Carrier (ETC) to receive universal service support mechanisms. Does the above-referenced company have this service?

Pursuant to 47 C.F.R. 54.405 and 54.411, Lifeline and Link Up services must be made available by an ETC to qualifying low-income consumers. Does the applicant company, as referenced above, make these services available to qualifying consumers?

 Please provide a verification by an authorized officer, under oath, to the Commission in which the applicant represents to the Commission that the facts stated in the Request for ETC Designation and the response to data request nos. 1 and 2, above, are truthful.

Please respond by October 14, 1997. Upon receipt of this information, it will be evaluated by staff and the matter will be scheduled for consideration by the Commission. Thank you for your attention to this matter.

PLEASE NOTE THAT STAFF'S POSITION IS THAT THE COMMISSION CAN ONLY MAKE AN ETC DESIGNATION FOR THOSE EXCHANGES WHICH ARE LOCATED IN SOUTH DAKOTA.

Sincerely,

aren Gremen

Karen Cremer Staff Attorney

cc Harlan Best

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILINGS BY THE FOLLOV ING TELECOMMUNICATIONS) ORDER FOR AND NOTICE) OF HEARING
COMPANIES FOR DESIGNATION AS	j
ELIGIBLE TELECOMMUNICATIONS	j
CARRIERS:	j
VIVIAN TELEPHONE COMPANY) TC97-068
GOLDEN WEST TELECOMMUNICATIONS COOPERATIVE, INC.) TC97-069)
VALLEY CABLE & SATELLITE) TC97-070
COMMUNICATIONS, INC.)
VALLEY TELECOMMUNICATIONS) TC97-071
COOPERATIVE ASSOCIATION, INC.)
SIOUX VALLEY TELEPHONE COMPANY) TC97-073
)
MOUNT RUSHMORE TELEPHONE COMPANY) TC97-074
)
FORT RANDALL TELEPHONE COMPANY) TC97-075
	And the second second
INTRASTATE TELEPHONE COMPANY) TC97-077
COOPERATIVE, INC.)
INTERSTATE TELECOMMUNICATIONS) TC97-078
COOPERATIVE, INC.	1
WEST RIVER COOPERATIVE TELEPHONE) TC97-080
COMPANY)
STATELINE TELECOMMUNICATIONS, INC.) TC97-081

ACCENT COMMUNICATIONS, INC.	;	TC97-083
JAMES VALLEY COOPERATIVE TELEPHONE COMPANY)	TC97-084
HEARTLAND COMMUNICATIONS, INC.	;	TC97-085
MIDSTATE TELEPHONE COMPANY, INC.	;	TC97-086
BALTIC TELECOM COOPERATIVE	;	TC97-087
EAST PLAINS TELECOM, INC.	}	TC97-088
WESTERN TELEPHONE COMPANY	;	TC97-089
STOCKHOLM-STRANDBURG TELEPHONE COMPANY	;	TC97-090
KENNEBEC TELEPHONE CO., INC.	}	TC97-092
JEFFERSON TELEPHONE CO., INC.	;	TC97-093
SULLY BUTTES TELEPHONE COOPERATIVE, INC.	}	TC97-094
VENTURE COMMUNICATIONS, INC.	}	TC97-095
SANCOM, INC.	;	TC97-096

SANBORN TELEPHONE COOPERATIVE	;	TC97-097
BERESFORD MUNICIPAL TELEPHONE CO.	}	TC97-098
ROBERTS COUNTY TELEPHONE COOPERATIVE ASSOCIATION	}	TC97-099
RC COMMUNICATIONS, INC.	}	TC97-100
SPLITROCK PROPERTIES, INC.	;	TC97-101
SPLITROCK TELECOM COOPERATIVE, INC.	}	TC97-102
TRI-COUNTY TELECOM, INC.	}	TC97-105
FAITH MUNICIPAL TELEPHONE COMPANY	;	TC97-108
ARMOUR INDEPENDENT TELEPHONE COMPANY	;	TC97-113
BRIDGEWATER-CANISTOTA INDEPENDENT TELEPHONE COMPANY	;	TC97-114
UNION TELEPHONE COMPANY	}	TC97-115
MCCOOK COOPERATIVE TELEPHONE	;	TC97-117
KADOKA TELEPHONE COMPANY	;	TC97-121

BROOKINGS MUNICIPAL TELEPHONE	}	TC97-125
HANSON COMMUNICATIONS INC. D/B/A HANSON COUNTY TELEPHONE COMPANY	}	TC97-130
HANSON COMMUNICATIONS INC. D/B/A MCCOOK TELECOM	}	TC97-131
WEST RIVER TELECOMMUNICATIONS	}	TC97-154
MOBRIDGE TELECOMMUNICATIONS CO.	;	TC97-155
U S WEST COMMUNICATIONS, INC.	}	TC97-163
THREE RIVER TELCO	}	TC97-167

The South Dakota Public Utilities Commission (Commission) received requests from the above captioned telecommunications companies requesting designation as eligible telecommunications carriers.

The Commission electronically transmitted notice of the filings and the intervention deadlines to interested individuals and entities. On June 27, 1997, the Commission received a Petition to Intervene from Dakota Telecommunications Systems, Inc. (DTS) and Dakota Telecom, Inc (DTI) with reference to Fort Randall Telephone Company (Docket TC97-075). On July 15, 1997, at its regularly scheduled meeting, the Commission granted intervention to DTS and DTI in Docket TC97-075. No other Petitions to Intervene were filed

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31, including 1-26-18, 1-26-19, 49-31-3, 49-31-7, 49-31-7 1, 49-31-11, and 47 U.S.C. § 214(e)(1) through (5)

The issues at the hearing shall be as follows (1) whether the above captioned telecommunications companies should be granted designation as eligible telecommunications carriers, and (2) what service areas shall be established by the Commission

A hearing shall be held at 1:30 P.M. on Wednesday, November 19, 1997, in Room 412, State Capitol, Pierre, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing. The Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of this hearing, the Commission may either grant or deny the request from any of the above captioned telecommunications companies requesting designation as an eligible telecommunications carrier, and the Commission shall establish service areas for eligible telecommunications carriers. The Commission's decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held at the time and place specified above on the issues of whether the above captioned telecommunications companies should be granted designation as eligible telecommunications carriers, and the Commission shall establish service areas for eligible telecommunications carriers.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this

day of November, 1997.

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges

CERTIFICATE OF SERVICE

prepaid thereon. (OFFICIAL SEAL)

BY ORDER OF THE COMMISSION Commissioners Burg, Nelson and Schoenfelder

WILLIAM BULLARD JR Executive Director

1.11



CITY OF FAITH

P.O. Box 368 206 Main Street FAITH, SOUTH DAKOTA 57626 Ph: (605) 967-2261

RECEIVED

DEC 01 1997 SOUTH DAROTA PUBLIC UTILITIES COMMISSION

November 24, 1997

Ms Karen Cremer Staff Attorney Public Utilities Commissions Capitol Building, 1st Floor 500 East Capitol Avenue Pierre, SD 57501-5070

Re Eligible Telecommunications Carrier (ETC) Application: TC97-108 Faith Municipal Telephone Company

Dear Ms Cremer

We are responding to the need for additional clarification regarding our single party service offering. Faith Municipal Telephone Company offers single party service to all of its subscribers.

My affidavit as to the validity of the information contained herein is provided below

Sincerely.

millie

Vivian Miller Finance Officer

Vivian Miller, being first duly sworn, states that she is the Finance Officer for the responding party, that she has read the foregoing, and it is true to her own best knowledge.

information and belief. Signed Diver Mere Date 11-24-97 Notary Public Signature Hloris Respect Date 11-24-97 My term expires 02-11-02

1	THE PUBLIC UTILITIES COMMI OF THE STATE OF SOUTH DA	
		RECEIVED
3	IN THE MATTER OF THE FILINGS BY THE)
4	FOLLOWING TELECOMMUNICATIONS) DEC 0 2 1997
5	COMPANIES FOR DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIERS:	
6	VIVIAN TELEPHONE COMPANY	TC97-068
7	GOLDEN WEST TELECOMMUNICATIONS COOPERATIVE, INC.) TC97-069
8		;
9	VALLEY CABLE & SATELLITE COMMUNICATIONS, INC.) TC97-070
0	VALLEY TELECOMMUNICATIONS COOPERATIVE ASSOCIATES, INC.) TC97-071
1	SIOUX VALLEY TELEPHONE COMPANY)) TC97-073
2)
3	MOUNT RUSHMORE TELEPHONE COMPANY) TC97-074
	FORT RANDALL TELEPHONE COMPANY) TC97-075
14	INTRASTATE TELEPHONE COMPANY)) TC97-077
15	COOPERATIVE, INC.	1
16	INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC.) TC97-078
17	WEST RIVER COOPERATIVE TELEPHONE)
8	COMPANY) TC97-080
.9	STATELINE TELECOMMUNICATIONS, INC.	TC97-081
20	ACCENT COMMUNICATIONS, INC.	TC97-083
21	JAMES VALLEY COOPERATIVE TELEPHONE) TC97-084
22		;
23	HEARTLAND COMMUNICATIONS, INC.) TC97-085
24	MIDSTATE TELEPHONE COMPANY, INC.) TC97-086
	BALTIC TELECOM COOPERATIVE) TC97-087
25	EAST PLAINS TELECOM, INC.)) TC97-088

0140.40.0

1		
2	WESTERN TELEPHONE COMPANY) TC97-089
3	STOCKHOLM-STRANDBURG TELEPHONE COMPANY) TC97-090
4	KENNEBEC TELEPHONE CO., INC.) TC97-092
5	JEFFERSON TELEPHONE CO., INC.	TC97-093
6	SULLY BUTTES TELEPHONE COOPERATIVE, INC.)) TC97-094
7	VENTURE COMMUNICATIONS, INC.)) TC97-095
9	SANCOM, INC.) TC97-096
10	SANBORN TELEPHONE COOPERATIVE) TC97-097
11	BERESFORD MUNICIPAL TELEPHONE CO.) TC97-098
12	ROBERTS COUNTY TELEPHONE COOPERATIVE ASSOCIATION) TC97-099
13	RC COMMUNICATIONS, INC.)) TC97-100
14	SPLITROCK PROPERTIES, INC.)) TC97-101
15	SPLITROCK TELECOM COOPERATIVE, INC.) TC97-102
16	TRI-COUNTY TELECOM, INC.) TC97-105
17	FAITH MUNICIPAL TELEPHONE COMPANY) TC97-108
18	ARMOUR INDEPENDENT TELEPHONE COMPANY) TC97-113
19		1
20	BRIDGEWATER-CANISTOTA INDEPENDENT TELEPHONE COMPANY) TC97-114
21	UNION TELEPHONE COMPANY)) TC97-115
22	MCCOOK COOPERATIVE TELEPHONE COMPANY)) TC97-117)
23	KADOKA TELEPHONE COMPANY)) TC97-121
24	BROOKINGS MUNICIPAL TELEPHONE)) TC97-125
25	HANSON COMMUNICOATIONS INC., D/B/A)) TC97-130

	· · · · · · · · · · · · · · · · · · ·	and the second second second	3
1	HANSON COUNTY TELE	PHONE COMPANY	1
2	HANSON COMMUNICATIO	ONS INC., D/B/A) TC97-131
3	WEST RIVER TELECOM	MUNICATIONS)) TC97-154
4)
5	MOBRIDGE TELECOMMUN	NICATIONS CO.	TC97-155
6	U S WEST COMMUNICAT	FIONS, INC.	TC97-163
7	THREE RIVER TELCO) TC97-167
8			;
9			
10	HEARD BEFORE	THE PUBLIC UTILITIE	S COMMISSION
11			
12	PROCEEDINGS:	November 19, 1997	
13		1:30 P.M. Room 412, Capitol	Building
14		Pierre, South Dake	ota
15	and the second		
16	PUC COMMISSION:	Jim Burg, Chairman Laska Schoenfelder	. Commissioner
17		Pam Nelson, Commis	sioner
18	COMMISSION STAFF		
19	PFESENT:	Rolayne Ailts Wies Camron Hoseck	it
20		Karen Cremer Harlan Best	
		Bob Knadle	
21		Gregory A. Rislov David Jacobson	
22			
23			
24			
25	Reported by: Lori	J. Grode, RMR	
	and the second second second		

			and the second se	4
1			APPEARANCES	
2				
3	For	US West:	William P. Heaston 1801 California Street	
			Suite 5100	
4			Denver, CO 80202	
5			and	
6			Tamara A. Wilka	
7			P.O. Box 5015 Sioux Falls, SD 57117-5015	
8				
9	For	SDITC:	Richard D. Coit	
0			P.O. Box 57	
			Pierre, SD 57501 E. Solomo	n
1				
12	For	Ft. Randall:	Darla Pollman Rogers	
13			P.O. Box 89 Onida, SD 57564	
14	190			
5				
.6			INDEX	
	Witz	ness	P	age
7		Don Lee		
8		Bill Haugen.	Jr. 4	2
9		Bob Barfield Harlan Best	5	2
	1. 20	Jon Lehner		4
0		Harlan Best		6
1				
2				
3				
4				
5				

•

	5
1	PROCEEDINGS
2	CHAIRMAN BURG: Okay. We'll go ahead and get
3	started. I'll begin the hearing for the dockets
4	relating to the eligible telecommunications carriers
5	designation. The time is approximately 1:50. The date
6	is November 19, 1997; and the location of the hearing
7	is Room 412, State Capitol, Pierre, South Dakota.
8	I am Jim Burg, Commission Chairman.
9	Commissioners Laska Schoenfelder and Pam Nelson are
10	also present. I'm presiding over this hearing. The
11	hearing was noticed pursuant to the Commission's Order
12	For and Notice of Hearing issued November 7, 1997.
13	The issues at this hearing shall be as
14	follows: One, whether the requesting
15	telecommunications company should be granted
16	designation as eligible telecommunications carriers;
17	and, two, what service areas shall be established by
18	the Commission.
19	All parties have the right to be present and
20	to be represented by an attorney. All persons so
21	testifying will be sworn in and subject to
22	cross-examination by the parties. The Commission's
23	final decision may be appealed by the parties to the
24	State Circuit Court and the State Supreme Court.
25	Rolayne Wiest will act as Commission

הייי מאימ

1	counsel. She may provide recommended rulings on
2	procedural and evidentiary matters. The Commission may
3	overrule its counsel's preliminary rulings throughout
4	the hearing. If not overruled, the preliminary rulings
5	will become final.
6	At this time I'll turn it over to Rolayne for
7	the hearing.
8	MS. WIEST: I'll take appearances of the
9	parties. Rich, who do you represent?
10	MR. COIT: I'm here today representing all of
11	the SDITC member companies, and also Kadoka which has
12	recently applied for membership with the coalition.
13	And Darla Rogers is here representing some companies,
14	and I guess she could indicate for the record which
15	ones she's representing.
16	MS. ROGERS: I'm here representing Valley;
17	Stockholm-Strandburg; Golden West, including Vivian;
18	and Sully Buttes and Venture.
19	MS. WIEST: Could you repeat those again?
20	Valley, Stockholm-Strandburg, Vivian, Golden West.
21	MS. ROGERS: Golden West, Sully Buttes and
22	Venture.
23	MS. WIEST: U S West.
24	MR. HEASTON: Bill Heaston and Tammy Wilka
25	for U S West Communications.

	1
1	MS. CREMER: Karen Cremer, Commission staff.
2	MR. HOSECK: Camron Hoseck, Commission
3	staff.
4	MS. WIEST: We have had a request to take one
5	of these dockets first and that's TC97-075. Do any of
6	the parties want to make an opening statement before we
7	begin?
8	Why don't you proceed with 075 then.
9	MR. COIT: Sure, that's fine. I really don't
10	have an opening statement. There are a couple of
11	exhibits that we would like to admit. And I understand
12	there's also been some letters sent to the Commission
13	that we would like to admit into the record as evidence
14	on the ETC questions. And that would be Exhibit Number
15	1, which is the application of Fort Randall for ETC
16	designation, and Exhibit No. 2, which is the response
17	of Fort Randall to a data request from staff, dated, I
18	believe, October 1st. And there are two letters. I
19	don't know if we've marked those yet.
20	(EXHIBITS NO. 3 and 4 WERE MARKED FOR
21	IDENTIFICATION.)
22	MR. COIT: There are two other exhibits that
23	have been marked Exhibit No. 3. Kathy Marmet, is that
24	the letter of Dakota or is Exhibit 3 the letter.
25	MS. MARMET: Exhibit 3 is the letter of

Dakota. 1 2 MR. COIT: So the Exhibit 3 is the letter from Robert Marmet to the Commission, and Exhibit 4 is 3 a letter from Mike Bradley to the Commission. 4 MS. WIEST: What's the date of that letter. 5 the letter from Bradley? 6 MR. COIT: November 18th. 7 MS. WIEST: Because I have one dated November 8 18th and one the 19th. 9 MR. COIT: I think so. Is that right, 10 11 Exhibit 3, is that the 19th? Okay. I had a letter 12 that was dated yesterday, but the ones we have marked for admission today, I believe both the letters are 13 dated the 19th, November 19th. 14 MS. WIEST: So the letter from Mr. Bradley is 15 dated the 19th7 16 17 MR. COIT: Yes. Sorry about that. MS. WIEST: And that's Exhibit 4. 18 MR. COIT: 1 don't know why they're dated 19 differently. The 19th is the one we're seeking 20 admission on, I believe. Yes, they are identical so 21 we're seeking admission of the 19th letter. 22 23 MS. WIEST: I think they're not exactly identical but we'll go with the 19th. Could I see the 24 letter from Dakota? I don't believe we got copies of 25

	9
1	that one. (Pause.) So at this time are you offering
2	Exhibits 1, 2, 3 and 4?
3	MR. COIT: Yes, that's correct.
4	MS. WIEST: Is there any objection to those
5	exhibits being admitted? If not, 1, 2, 3 and 4 have
6	been admitted in TC97-075. Then at this time I would
7	ask if any of the parties have any questions pertaining
8	to TC97-075, including the Commissioners?
9	The only question I would have, Rich, is on
10	the response to the data request, Exhibit 2. And the
11	first question it talks about single party service. I
12	guess it's not absolutely clear that it's available to
13	all the customers the way that the statement is written
2.4	and answered.
15	MR. COIT: Oh, because t ey said does the
16	above-referenced company have this service.
17	MS. WIEST: Right.
18	MR. COIT: Yeah, I guess that is correct.
19	And I am not here today to serve as a witness.
20	MS. WIEST: No.
21	MR. COIT: If that's a concern that you feel
22	you need addressed, and I hate to say this, but I was
23	led to believe that if there were some questions on
24	applications and there was not a witness here to answer
25	that, those questions could be dealt with between now

	10
1	and December 2nd. There are witnesses here today for
2	some of the other applications, but there is not a
3	witness here today with respect to Fort Randall's
4	application.
5	MS. WIEST: The only other thing I would
6	suggest is that perhaps the Commission could just have
7	it clarified by another affidavit from the person.
8	CHAIRMAN BURG: We could approve it on the
9	basis of that clarification.
10	MS. WIEST: A late-filed exhibit just
11	clarifying that since we are taking affidavits from the
12	witnesses on other issues.
13	MR. COIT: I appreciate that option.
14	MS. WIEST: Otherwise, are there any other
15	questions relating to 075?
16	CHAIRMAN BURG: Can we make bench decisions?
17	MS. WIEST: Staff will have something too.
18	They'll have testimony on all of the cases. Does staff
19	want to go now, or do you want to go at the very end?
20	MR. HOSECK: Originally we had planned to go
21	after the applicants had.
22	MS. WIEST: All the applicants?
23	MR. HOSECK: Yes. And if these are treated
24	en mass or something fairly close to that, then we
25	would be prepared to put on our case in a similar

manner. 1 CHAIRMAN BURG: That's fine. 2 MS. WIEST: Let's just go through them and 3 then we'll have Harlan as the witness. Let's go back 4 to TC97-068. Does anyone have any questions on 5 TC97-068? 6 CHAIRMAN BURG: Just a clarification. What 7 data request response is this? 8 9 MS. WIEST: Yes. That would be in that 10 packet. MR. COIT: Is there a chance that we could 11 consider or deal with these en mass as Mr. Hoseck has 12 13 indicated or suggested? 14 MS. WIEST: I'd rather not just because on a 15 few of them I have a couple questions on some of them. MR. COIT: Okay. Should I go ahead and 16 introduce the exhibits? 17 18 MS. WIEST: Yes. 19 MR. COIT: With respect to Docket TC97-068 20 there are two exhibits. Exhibit No. 1 is the actual ETC request filed by Vivian Telephone Company. And 21 Exhibit No. 2 is the response of Vivian Telephone 22 23 Company to a data request from Commission staff. We would move the admission of those exhibits. I do not 24 25 have the dates. I don't have them here with me.

	12
1	Okay. Yeah, the date on the Exhibit No. 1 is 6-1997,
2	and the date on the response to the data request is
3	10-14-97.
4	CHAIRMAN BURG: 6-9; right, not 6-19?
5	MR. COIT: 6-19 6-9, excuse me.
6	MS. WIEST: Okay. Is there any objection to
7	admitting Exhibits 1 and 2 in 068? If not, they've
8	been admitted. Again, Rich, on Exhibit 2, the first
9	question, it says we provide single party service
10	throughout. I guess I'll assume that means all
11	customers?
12	MR. COIT: I would call Don Lee. Don Lee is
13	here representing Vivian as well as some of the other
14	companies. Don Lee, do you want to take a seat?
15	DON LEE,
16	called as a witness, being first duly sworn,
17	was examined and testified as follows:
18	DIRECT EXAMINATION
19	BY MR. COIT:
20	Q. Could you respond to Commission counsel's
21	question, please?
22	A. Yes. The answer to your question is, yes, it
23	does indicate that they provide service private line
24	throughout the study area.
25	MS. WIEST: Single party to all customers?

13 It's available to all customers? 1 2 A. Right. MS. WIEST: Thank you. That's the only 3 question I have. Does anybody else have any questions 4 for this witness for 068? If not, thank you. I did 5 6 admit Exhibit 1 and 2. 069. 7 MR. COIT: We would move the admission of Exhibits No. 1 and 2 in 069, and that is an ETC request 8 or application dated 6-9-97 and response to a staff 9 10 data request dated 10-14-97. 11 MS. WIEST: Any objection? If not, they've 12 been admitted. COMMISSIONER SCHOENFELDER: Excuse me, I do 13 14 not have the data request up here with me for some 15 reason. I'm sorry about this, but I need to go back and ask Mr. Lee about the Lifeline, Link Up. I think 16 was that covered in the data request? I'm sorry to be 17 18 behind the eight ball, but I did not have that and so I need to know whether this company is doing Lifeline, 19 Link Up now or whether you need to -- whether you 20 21 intend to have that implemented by 1-1? A. You're referring to the Vivian Telephone 22 23 Company? COMMISSIONER SCHOENFELDER: Yeah, Vivian is 24 25 what we're doing now.

NOTES AND

Vivian Telephone Company does provide 1 Α. Lifeline and Link Up throughout its system with the 2 exception of the Vivian Exchange, and they anticipate 3 providing it in the Vivian Exchange by January 1. 4 ε, 1998. COMMISSIONER SCHOENFELDER: But anticipated 6 and doing it are two different things. And I think I'm 7 going to have to be assured that you're either going to 8 do it or that you're going to ask for something from 9 10 us. A. Do you want a commitment that we will do it 11 by that date? 12 COMMISSIONER SCHOENFELDER: I think that's 13 14 one of the requirements, if I'm reading the Act right. 15 A. Yeah. 16 COMMISSIONER SCHOENFELDER: And I think 17 that's important that we have that on the record. Certainly, Commissioner. The answer is, yes, 18 Α. they are committed to providing it by 1-1-1998. 19 20 COMMISSIONER SCHOENFELDER: Thank you. 21 CHAIRMAN BURG: Just a question, a general one on that. On the toll, what do we call it toll 22 23 control? Do we need a statement on those, too, or a request for a waiver? 24 25 MS. WIEST: They did actually request waivers

	A.J.
1	in their original applications.
2	MR. COIT: I was at the conclusion of going
3	through, I guess, the questions and so forth, I was
4	basically before the Commission acts on any of
5	these, going to restate the request. But if the
6	Commission has questions of Mr. Lee with respect to
7	certain aspects of providing it, I would yeah, I
8	would suggest you go ahead and ask it.
9	CHAIRMAN BURG: No, I don't have a problem as
10	long as we know all of them that's going to apply to.
11	In other words, if it applies to every one of them,
12	then the statement at the end saying it applies on all
13	of them is adequate for me. Or if you have some that
14	already could do the toll control, we need to know
15	that. I doubt if there are any at this time.
16	MR. COIT: No, we don't. And the waiver
17	request is included in all the applications. But just
18	to make sure it was ruled on, I was intending on
19	bringing it up again at the end.
20	CHAIRMAN BURG: Okay. That's fine with me.
21	MS. WIEST: Any other questions of this
22	witness regarding 068 and 069? If not, we will go to
23	TC97-070.
24	MR. COIT: Again, I would move for the
25	admission of two exhibits in TC97-070, and that is the

	16
1	ETC application or request dated 6-10-97 and response
2	to staff's data request dated 10-97.
3	MS. WIEST: Any objection? If not, Exhibits
4	1 and 2 have been admitted. Are there any questions
5	with regard to this docket? If not, let's go to
6	TC97-071.
7	MR. COIT: We would move for the admission of
8	Exhibits No. 1 and 2, request for ETC status dated
9	6-10-97 and response to data request of staff dated
10	10-9-97.
11	MS. WIEST: Any objection to Exhibits 1 and
12	2? If not, they've been admitted. Are there any
13	questions regarding TC97-071? If not, we will go to
14	TC97-073.
15	MR. COIT: We would move for the admission of
16	Exhibit No. 1, ETC request dated 6-11-97 and Exhibit
17	No. 2, response to staff data request dated 10-14-97.
18	MS. WIEST: Any objections to Exhibits 1 and
19	2 being admitted? If not, they have been admitted.
20	Any questions regarding 073?
21	MR. COIT: I would note that Dennis Law, who
22	is the current manager of Sioux Valley Telephone
2.3	Company, is available if the Commissioners have any
24	questions.
25	MS. WIEST: Any questions? If not, we'll go

	1 · · · · · · · · · · · · · · · · · · ·
1	to TC97-074.
2	MR. COIT: We would move for the admission of
3	Exhibit No. 1, which is the ETC request dated 6-12-97
4	and Exhibit No. 2, response to staff data request dated
5	10-31-97.
6	MS. WIEST: Are there any objections? If
7	not, 1 and 2 have been admitted. Are there any
8	questions concerning 074? I have the same question on
9	this one, Rich, with respect to the data request number
10	one.
11	MR. COIT: Would an affidavit be adequate?
12	MS. WIEST: Yeah, as far as all customers.
13	MR. COIT: Okay. I will make sure that gets
14	filed.
15	MS. WIEST: Any questions on 074? If not,
16	let's go to TC97-077.
17	MR. COIT: We would move for the admission of
18	Exhibit No. 1, which is the ETC request and that's
19	dated 6-13-97. Also move for admission of Exhibit No.
20	2, which is a response to data request dated 10-9-97.
21	And there is also an Exhibit No. 3 in this docket, a
22	supplemental response to staff data request. It's
23	dated 10-28-97. We move the admission of all three
24	exhibits.
25	MS. WIEST: Any objection? If not, those

three exhibits have been admitted. Are there any 1 questions regarding this docket? 2 3 MR. COIT: I believe Mr. Lee is representing ITC today as well? 4 MR. LEE: That's right. 5 6 MS. WIEST: Okay. Let's go to TC97-078. MR. COIT: We move for the admission of 7 8 Exhibit No. 1, which is the ETC request dated 6-13-97 9 and move for the admission of Exhibit No. 2, which is 10 response to staff data request dated 10-9-97. 11 MS. WIEST: Any objection to those exhibits? 12 If not, they've been admitted. Any questions concerning this docket? Let's go to TC97-080. 13 MR. COIT: We move for the admission of 14 15 Exhibit No. 1, which is the ETC request dated 6-16-97, 16 and also move for admission of response to staff data 17 request Exhibit No. 2, which is dated 10-14-97. MS. WIEST: Any objection to Exhibits 1 and 18 2? If not, they've been admitted. Any questions 19 2.0 regarding this docket? If not, let's move to 21 TC97-081. 22 MR. COIT: We move for the admission of ETC 23 request dated 6-16-97, which is Exhibit No. 1, and also 24 Exhibit No. 2, response to staff data request, dated 25 10-15-97.

19 MS. WIEST: Are there any objections to 1 and 1 2? If not, they've been admitted. Any questions 2 regarding this docket? So, Rich, with respect to this 3 one, you will be asking at the end about the waiver for 4 5 the single party and all the other waivers; is that right? 6 MR. COIT: Is there a waiver request in the 7 Stateline on the single party issue? 8 MS. WIEST: Yes. 9 10 MR. COIT: I wasn't aware of that. I understood there were some companies that had purchased 11 U S West exchanges that were still in the process of 12 converting some party lines. But, yes, if they need a 13 waiver, I guess so. I'll renew that request. I don't 14 15 have any factual information I can provide. I don't believe, Mr. Lee, are you here representing Stateline? 16 MR. LEE: I am. And in conversations with 17 Stateline management yesterday, they indicated that 18 they would likely need a waiver request until March, 19 April time frame when they can finish the construction 20 21 to provide all one party service. 22 MS. WIEST: And in their application they're actually asking for a one-year waiver; correct? 23 MR. LEE: But they're willing to shorten it 24 25 up.

SUNI OF UAND

	20
1	MS. WIEST: So you probably just need a
2	waiver until June?
3	MR. LEE: That would be adequate.
4	MS. WIEST: June 1st?
5	CHAIRMAN BURG: Do we need to act on the
6	waivers now?
7	COMMISSIONER SCHOENFELDER: Do you want a
8	motion on the waiver now?
9	MS. WIEST: Let's talk about that. The thing
10	is that all of these, I believe, are going to also need
11	a motion on the waivers for the one year on the toll
12	control, and we haven't been doing any of those motions
13	at this time.
14	CHAIRMAN BURG: We have to take each of those
15	separate motions, do you think, at the end for the toll
16	control?
17	MS. WIEST: Yes. If we want to go
18	MR. COIT: We could pick it up here now and
19	start doing waivers. That might be the easiest way.
20	CHAIRMAN BURG: If we got to go through each
21	one.
22	MR. COIT: Rule on them as you go through.
23	CHAIRMAN BURG: Easier than going back.
24	MS. WIEST: Okay. For 081 with respect to
25	the waiver until June 1st, 1998, concerning single

21 party service to all customers, and the second waiver 1 on toll control for one year -- one year from what 2 3 date, Rich? MR. COIT: I think I would guess that that 4 would be from the date of the order. 5 6 MS. WIEST: Okay. 7 MR. COIT: On the toll control? You're speaking to the toll control; correct? 8 9 MS. WIEST: Yes, toll control. 10 COMMISSIONER SCHOENFELDER: I have a question as long as we're talking about the waivers both on toll 11 control and on the single party service. As long as 12 you're asking for waivers, let's make sure it's done 13 properly and that we're not back here in two months 14 asking for more waivers. I would hate to go through 15 this process, or would not like to go through this 16 process again. I think we need to be accurate when 17 we're doing it. I also have a question about what 18 19 meets the requirements of the Act? How much of a waiver can we give? I don't know as I know the answer 20 21 to that. 22 MS. WIEST: Right. The time actually in the FCC Order is not specified. But it does say in 23 paragraph 89. I believe, that the Commission must, upon 24 a finding of exceptional circumstances, you can make a 25

OALW -AQ

waiver for single party services for a specified period 1 of time. And also on the toll limitation the company 2 must also show exceptional circumstances exist and need 3 for additional time to upgrade. They should have to 4 show individual hardship, individualized hardship or 5 inequity warrants additional time to comply and that 6 would better serve the public interest that is in 7 strict adherence to the time period and it should 8 extend only as long as the exceptional circumstances 9 10 exist.

11 MR. COIT: I would note that in the applications, while we've requested a year, we've also 12 indicated that within that period of time we would file 13 some information with the Commission indicating, you 14 know, when the capability is available. If the 15 Commission -- what we have -- and Mr. Lee, I think, can 16 answer some questions in the area of toll control that 17 I can't answer. But we're faced with a situation today 18 where the capabilities are just not available. If a 19 year is too long, you know, from our perspective we 20 really didn't know when it would be available and 21 that's why we requested a year. But if there's better 22 information on that, maybe the time period can be 23 different. But right now we really don't know when the 24 capability is going to be available. 25

23
COMMISSIONER SCHOENFELDER: I hate to belabor
the point, and I know everyone wants to get through
this, but to me it's very important that we do it
right. And so if it means that we need to answer the
question when we grant these waivers and we send these,
or you send them on to the FCC, we need to be sure that
you have spelled out why these companies at least
this is what I'm understanding why these companies
can't do toll control and why it's going to take that
long of a period of time to do single party service.
And so I think that should be in the application
somewhere, or at least in our motion as we approve it,
or we should have something on the record to support
where we're going.
MS. WIEST: They do explain the reasons in
their application, their original application, with
respect to toll control.
COMMISSIONER SCHOENFELDER: Okay.
MS. WIEST: But if there are any further
questions that the Commission would like to ask at this
time, if you need more information on that, we could do
that now.
COMMISSIONER SCHOENFELDER: I would like to
know and this probably isn't true of all companies.

1 Mr. Lee, where they're at in deploying the technology 2 that we need to do these two things and what kind of 3 delays you might expect. Because I don't want this to 4 not go forward the way that it's been perceived that it 5 should go forward.

MR. LEE: Sure. Okay. I might respond to 6 7 that in general; and then if there are specific 8 questions, I'd be happy to do that. But the issue of toll limitation, which I believe under the FCC's 9 description identifies a toll restriction and a toll 10 11 control, and the issue at hand is in the toll control. 12 which my understanding is to indicate that the end user 13 subscriber is to be able to control the amount of its monthly bill, at which time a restriction automatically 14 15 kicks in and disallows access to the long distance network. To my knowledge, there is no switch vendor in 16 17 the United States today who provides that capability within its switch. I know that the vendors are working 18 on it. I could not sit here with a clear conscience 19 and indicate that on X date that I would expect it will 20 be available. Given my honest opinion, I would doubt 21 22 that it's available to the general population within a year's time period. And therein is the reason I 23 24 believe that SDITC members ask for the one-year period because we don't anticipate it being available. 25

1	The second or alternative to that is a
2	software provisioning of toll control. And, again, to
3	my knowledge, there is no interface between a software
4	system and a switch that has that capability.
5	Primarily because it would take real time rating of a
6	customer's usage; and because the customer control
7	switch interexchange carrier it's choosing, there are a
8	myriad of optional call plans and rate structures that
9	would be applied. And, to my knowledge, there just is
10	no technology, nor software, available to carry out
11	that program.
12	COMMISSIONER SCHOENFELDER: And if I recall
13	right, it doesn't it's not permissive, one or the
14	other. You really to need to do all of the above.
15	MR. LEE: It includes both, that's correct.
16	COMMISSIONER SCHOENFELDER: I believe some
17	companies have asked the FCC for clarification, that
18	sort of thing. And as far as I know, you might have
19	better information than I do that that decision has not
20	been handed down by the FCC.
21	MR. LEE: A, I doubt I have better
22	information; and, B, I agree it has not been handed
23	down, to my knowledge. There is that clarification
24	procedure request in front of the FCC.
25	COMMISSIONER SCHOENFELDER: Okay.

0145 .48 .22

	26
1	CHAIRMAN BURG: To my knowledge, everybody
2	can offer toll limitation; right, from what we've had
3	to get a general statement?
4	MR. LEE: I'm going to define as toll
5	restriction, if I can, instead of toll limitation, yes.
6	CHAIRMAN BURG: Toll blocking is what I
7	mean. Everybody can offer that?
8	MR. LEE: To my knowledge, that's a true
9	statement.
10	CHAIRMAN BURG: And I guess my position is to
11	me, the other I really don't see, you know, since
12	you said it's not available, I can't see them implying
13	it or even putting it into here. I think it satisfies
14	all of our needs. I have no problem giving the full
15	year or more as long as it gets through FCC, which at
16	this time it appears it should. So I don't see this
17	point to me in making it a shorter limit because I
18	don't think it will interfere with the EIC
19	establishment.
20	MR. LEE: I would agree with that and then
21	would point out in the applications the companies have
22	indicated that they will investigate and will work with
23	their switch vendors so that when it does become
24	available, they're willing to implement it. I think
25	that the telephone companies feel that once it becomes

available, it is in the public interest and would be 1 very supportive of that concept. 2 CHAIRMAN BURG: With that I'll move that we 3 grant the one-year waiver on toll -- what is it 4 called? Toll limitation? Toll control? 5 COMMISSIONER NELSON: I'd second. 6 7 COMMISSIONER SCHOENFELDER: I'm going to 8 concur with that as long as the motion is understood that there will be some formal way to limit toll for 9 these customers just so that everybody understands the 10 motion. 11 CHAIRMAN BURG: I think in every application 12 13 you agreed that you can do toll restriction --14 MR. LEE: Right. CHAIRMAN BURG: -- if I remember reading the 15 16 applications, and that to me is satisfactory. 17 MR. LEE: Thank you. CHAIRMAN BURG: Do you want them as a 18 separate motion? Okay. I'll also move -- which one do 19 we need on this one? 20 MS. WIEST: The single party service until 21 June 1st. 22 CHAIRMAN BURG: I'll nove that we grant a 23 waiver in TC97-081 in the single party requirement 24 until June 1, 1998. 25

27

0-4D .40 .22

28 COMMISSIONER NELSON: I'd second. 1 COMMISSIONER SCHOENFELDER: Concur. 2 MS. WIEST: Any other questions in 081? Do 3 you want to go back now? 4 5 CHAIRMAN BURG: It might be easier to go back and get these others. 6 7 MR. COIT: Whatever. MS. WIEST: We'll go back to 068, and the 8 motion in 068 will be for the one-year waiver on toll 9 10 control. CHAIRMAN BURG: I'll move that we grant the 11 waiver of toll control in TC97-075. 12 13 COMMISSIONER NELSON: I'd second. 14 COMMISSIONER SCHOENFELDER: Concur. MS. WIEST: 068. 15 CHAIRMAN BURG: I'll move we grant the toll 16 -- I mean I'll move we grant the waiver for toll 17 18 limitation. MS. WIEST: Toll control. I'm sorry, we have 19 to be accurate because what the FCC did is they call it 20 combined toll control and toll blocking as toll 21 limitation. 22 CHAIRMAN BURG: I'll move we grant the waiver 23 for toll control in TC97-068. 24 COMMISSIONER NELSON: Seconded. 25

	29
1	COMMISSIONER SCHOENFELDER: Concur.
2	MS. WIEST: For one year?
3	CHAIRMAN BURG: Yes.
4	MS. WIEST: 069.
5	CHAIRMAN BURG: I'll keep making them. I ll
6	move we grant the toll control waiver in TC97-069 for
7	one year.
8	COMMISSIONER NELSON: Seconded.
9	COMMISSIONER SCHOENFELDER: Concur.
10	MS. WIEST: 070.
11	CHAIRMAN BURG: I'll move that we grant toll
12	control in TC97-070 for one year, the waiver for one
13	year.
14	COMMISSIONER NELSON: Second it.
15	COMMISSIONER SCHOENFELDER: Concur.
16	MS. WIEST: 171.
17	CHAIRMAN BURG: I'll move that we grant toll
18	control, the waiver for toll control, in TC97-071 for
19	one year.
20	COMMISSIONER NELSON: Seconded.
21	COMMISSIONER SCHOENFELDER: Concur.
22	MS. WIEST: 073.
23	CHAIRMAN BURG: I'll move we grant the waiver
24	for toll control in TC97-073 for one year.
25	COMMISSIONER NELSON: Seconded.

30 COMMISSIONER SCHOENFELDER: Concur. 1 2 MS. WIEST: 074. CHAIRMAN BURG: I'll move we grant the waiver 3 for toll control in TC97-074 for one year. 4 5 COMMISSIONER NELSON: Seconded. 6 COMMISSIONER SCHOENFELDER: Concur. 7 MS. WIEST: 077. CHAIRMAN BURG: I'll move we grant the waiver 8 9 for toll control in TC97-077 for one year. 10 COMMISSIONER NELSON: Seconded. COMMISSIONER SCHOENFELDER: Concur. 11 MS. WIEST: 078. 12 CHAIRMAN BURG: I'll move we grant the waiver 13 for toll control in TC97-078 for one year. 14 15 COMMISSIONER NELSON: Seconded. 16 COMMISSIONER SCHOENFELDER: Concur. 17 MS. WIEST: 080. CHAIRMAN BURG: And I'll move we grant the 18 waiver for toll control in TC97-080 for one year. 19 20 COMMISSIONER NELSON: Seconded. COMMISSIONER SCHOENFELDER: Concur. 21 CHAIRMAN BURG: We did 81; right, and we are 22 done with 81. 23 MS. WIEST: Any further questions on 081? 24 083, TC97-083. 25

31 MR. COIT: We would move for the admission of 1 2 the ETC request filed by Accent, dated 6-17-97, and 3 Exhibit No. 2, the response to staff data request which is dated 10-8-97. 4 5 MS. WIEST: Any objection? If not, 1 and 2 have been admitted. Any questions regarding 083? 6 CHAIRMAN BURG: I'll move we grant the toll, 7 the waiver for toll control in TC97-083 for one year. 8 COMMISSIONER NELSON: Seconded. 9 10 COMMISSIONER SCHOENFELDER: Concur. MS. WIEST: TC97-084. 11 MR. COIT: We move for the admission of the 12 ETC request dated 6-17-97, which is marked Exhibit No. 13 1, and we move for the admission of Exhibit No. 2, the 14 15 response to staff data request dated 10-8-97, MS. WIEST: Are there any objections? If 16 17 not, they've been admitted. CHAIRMAN BURG: I'll move we grant the waiver 18 for tell control in TC97-084 for one year. 19 20 COMMISSIONER NELSON: Seconded. COMMISSIONER SCHOENFELDER: I'll concur. 21 22 Does this have a single party question on this one? MS. WIEST: No. They said in their original 23 application that they are offering single party service 24 25 to all consumers.

CLANS

.40

AN.

	32
1	COMMISSIONER SCHOENFELDER: I got a sticky on
2	it. Sorry. James Valley; right?
3	MS. WIEST: I believe in their okay.
4	Yeah, that was Bob's question. And the reason he had
5	the question is it was actually in the original
6	application. So if you look at the original
7	application on page two, under question number three,
8	they do state that they provide single party service to
9	all consumers in their service area. Number four down
10	on that list.
11	COMMISSIONER SCHOENFELDER: Okay.
12	MS. WIEST: Thank you. Okay. Let's go to
13	TC97-085.
14	MR. COIT: We move for admitting of Exhibit
15	No. 1, the ETC request, dated 6-17-97, and Exhibit No.
16	2, the response to staff data request dated 10-10-97.
17	MS. WIEST: Any objections? If not, they've
18	been admitted. I have the same question here with
19	respect to question number one.
20	MR. COIT: Mr. Benton is available to respond
21	to questions, I believe. Is this Heartland? Right?
22	Or, Don, can you respond to any questions?
23	MR. LEE: Mark has asked me to respond on his
24	behalf, which will be Heartland Communications, and
25	they are offering all single.

	33
1	MS. WIEST: Single party was offered to all
2	customers? Any other questions concerning this
3	docket? Is there a motion?
4	CHAIRMAN BURG: I'll move that we grant the
5	waiver for toll control to TC97-089 for one year.
6	COMMISSIONER NELSON: I'd second it.
7	COMMISSIONER SCHOENFELDER: Concur.
8	MS. WIEST: 085, I believe.
9	CHAIRMAN BURG: Excuse me, 85.
10	MS. WIEST: TC97-086.
11	MR. COIT: We move for the admission of ETC
12	request, Exhibit No. 1, dated 6-17-97, and response to
13	staff data requests, Exhibit No. 2, which is dated
14	10-10-97.
15	MS. WIEST: Any objections? If not, they
16	have been admitted. Same question, can you answer
17	that, Mr. Lee?
18	MR. LEE: I'm sorry, I don't have the
19	associated companies with the exhibit numbers. Which
20	company are we referring to?
21	MR. COIT: Midstate.
22	MR. LEE: They are currently all private line
23	services.
24	MR. COIT: Single party; correct?
25	M.S. WIEST: Single party to all customers?

0~470 .40 .010

34 MR. LEE: Correct. 1 MS. WIEST: Any other questions in this 2 3 docket? CHAIRMAN BURG: I'll move we grant the toll 4 control waiver in TC97-086 for one year. 5 COMMISSIONER NELSON: I'd second it. 6 COMMISSIONER SCHOENFELDER: Concur. 7 MS. WIEST: TC97-087. 8 9 MR. COIT: We move for the admission of 10 Exhibit No. 1, ETC request, dated 6-17-97, and Exhibit No. 2, response to staff data request, dated 10-16-97. 11 MS. WIEST: Any objections? If not, Exhibits 12 1 and 2 have been admitted. 13 CHAIRMAN BURG: I'll move we grant toll 14 15 control waiver in TC97-087 for one year. COMMISSIONER NELSON: I'd second it. 16 17 COMMISSIONER SCHOENFELDER: Concur. 18 MS. WIEST: Again, I'd have a question on 19 this one, Rich. MR. COIT: Mr. Lee is representing Baltic as 20 well. 21 MR. LEE: Baltic is currently all private 22 line. I'm sorry, single party. I should use the right 23 24 term, single party service. 25 MS. WIEST: To all customers?

	35
1	MR. LEE: Correct.
2	MS. WIEST: Thank you. TC97-088.
3	MR. COIT: We move for the admission of
4	Exhibit No. 1, ETC request dated 6-17-97, and response
5	to staff data request, which is Exhibit No. 2, which is
6	dated 10-17-97.
7	MS. WIEST: Any objections? If not, Exhibits
8	1 and 2 have been admitted.
9	CHAIRMAN BURG: I'll move we grant a waiver
10	on toll control in TC97-088 for one year.
11	COMMISSIONER NELSON: I'd second it.
12	COMMISSIONER SCHOENFELDER: Concur.
13	MS. WIEST: Can you answer my question on
14	this one, Mr. Lee?
15	MR. LEE: Company name, please?
16	MS. WIEST: East Plains.
17	MR. LEE: Currently is all single party
18	service.
19	MS. WIEST: Thank you.
20	MS. WIEST: TC97-089.
21	MR. COIT: We move for the admission of
22	Exhibit No. 1, which is the ETC request dated 6-17-97,
23	and the admission of Exhibit No. 2, which is a response
24	to staff data request, dated 10-21-97.
25	MS. WIEST: Any objections? If not, they've

.

36 been admitted. Same question. 1 MR. COIT: I don't believe that Mr. Lee is 2 here representing Western today. What did they say in 3 4 the response? 5 MS. WIEST: They said Western Telephone offers single party service. My question is do they 6 7 offer to every customer again? 8 MR. COIT: Well --MS. WIEST: Can you do a late-filed on that? 9 MR. COIT: We can do an affidavit on that 10 11 one, I quess. CHAIRMAN BURG: 1'll move we grant a waiver 12 on toll control for TC97-089 for one year. 13 COMMISSIONER NELSON: I'd second it. 14 15 COMMISSIONER SCHOENFELDER: Concur. MS. WIEST: Okay. Let's go on to TC97-090. 16 17 MR. COIT: We move for the admission of Exhibit No. 1, which is the ETC request dated 6-17-97, 18 and Exhibit No. 2, which is the response to staff data 19 request dated 10-24-97. 20 MS. WIEST: Any objection? If not, they've 21 been admitted. Any questions concerning this docket? 22 CHAIRMAN BURG: I'll move that we grant a 23 waiver on toll control in TC97-090 for one year. 24 25 COMMISSIONER NELSON: I'd second it.

	37
1	COMMISSIONER SCHOENFELDER: Concur.
2	MS. WIEST: TC97-092.
3	MR. COIT: We move for the admission of
4	Exhibit No. 1, which is the ETC request of Kennebec
5	Telephone Company dated 6-18-97, and move for the
6	admission of Exhibit No. 2, which is the response to
7	staff data request dated 10-10-97. And I would note
8	that Mr. Rod Bauer is here to respond to any questions
9	that the Commissioners or staff may have concerning
10	their request.
11	MS. WIEST: Any questions concerning this
12	docket? If not, do you have a motion?
13	CHAIRMAN BURG: Did we admit both those?
14	MS. WIEST: I'm sorry, I did not. I will
15	admit Exhibit Numbers 1 and 2.
16	CHAIRMAN BURG: I'll move that we grant a
17	waiver on toll control in TC97-092 for one year.
18	COMMISSIONER NELSON: I'd second it.
19	COMMISSIONER SCHOENFELDER: Concur.
20	MS. WIEST: TC97-093.
21	MR. COIT: We would move for the admission of
22	Exhibit No. 1, which is the ETC request of Jefferson
23	Telephone Company, dated 6-18-97, and move also for the
24	admission of Exhibit No. 2, response to staff data
25	request, which is dated 10-10-97. And I would note

that Mr. Dick Connors is available to answer any 1 questions concerning the Jefferson request. 2 MS. WIEST: Any objection to the exhibits? 3 If not, they've been admitted. Any questions 4 concerning this docket? 5 CHAIRMAN BURG: I'll move we grant a waiver 6 for toll control in TC97-093 for one year. 7 COMMISSIONER NELSON: I'd second it. 8 COMMISSIONER SCHOENFELDER: Concur. 9 10 MS. WIEST: TC97-094. 11 MR. COIT: We'd move for the admission of 12 Exhibit No. 1, which is the ETC request dated 6-19-97. and move for the admission of Exhibit No. 2, which is 13 14 the response to data request dated 10-15-97. 15 MS. WIEST: Any objection to Exhibits 1 and 27 If not, those exhibits have been admitted. Do you 16 have any witnesses for this one? 17 18 MR. COIT: Mr. Lee is available for both Sully Buttes and Venture. 19 20 MS. WIEST: I just had a question, I quess, concerning single party service because in this one it 21 does say should facilities not allow immediate single 22 party service, Sully Buttes may offer multi-party 23 service until the facilities are restored or installed 24 to allow for single party service. Has that occurred 25

1	in the past?
2	A. Currently Sully Buttes Telephone has no
3	multi-line. The fact is all single party service. I
4	think they added that language such that if there were
5	a disaster that they had to respond to, they wanted to
6	reserve the right to offer party line under the
7	emergency basis only. But they have for a number of
8	years been all single party service.
9	MS. WIEST: Any other questions?
10	CHAIRMAN BURG: I'll move we grant a waiver
11	on toll control for TC97-094 for one year.
12	COMMISSIONER NELSON: I'd second it.
13	COMMISSIONER SCHOENFELDER: Well, I'll
14	concur.
15	MS. WIEST: TC97-095.
16	MR. COIT: We would move for the admission of
17	ETC, Exhibit No. 1, dated 6-19-97, and admission of
18	Exhibit No. 2, response to data request dated
19	10-15-97. I would point out that I believe that there
20	might be an issue with respect to single party service
21	waiver in this case as well.
22	MS. WIEST: Right. At this time are there
23	any objections to Exhibit 1 and 2? If not, they've
24	been admitted. Yes. And it would appear they would
25	need a waiver. And my question for apparently they

	40
1	have three multi-party customers and they plan to
2	install single party service during the 1988
3	construction season. So I guess my question is
4	apparently they haven't asked for a waiver. Are you
5	doing so at this time?
6	MR. COIT: Yes, we would on their behalf.
7	And I think Mr. Lee would be able to respond to
8	questions on that. I assume so anyway.
9	MR. LEE: Sure. But that would be correct,
10	we do need a waiver. The same June 1 date would be
11	acceptable to us.
12	MS. WIEST: June 1, okay.
13	CHAIRMAN BURG: I'll move we grant a waiver
14	in single party service to June 1, 1998, in TC97-095.
15	COMMISSIONER NELSON: I would second that.
16	COMMISSIONER SCHOENFELDER: Sure, I'll
17	concur.
18	CHAIRMAN BURG: And I'll also move that we
19	grant a waiver for toll control on TC97-095 for one
20	year.
21	COMMISSIONER NELSON: I'd second it.
22	COMMISSIONER SCHOENFELDER: Concur.
23	MS. WIEST: TC97-096.
24	MR. COIT: I move for the admission of ETC
25	request, Exhibit No. 1, dated 6-19-97, and move for the

admission of Exhibit No. 2, response to data request 1 dated 10-10-97. 2 MS. WIEST: Any objections? If not, they've 3 been admitted. Any questions concerning this docket? 4 5 CHAIRMAN BURG: I'll move we grant a waiver on toll control in TC97-096 for one year. 6 COMMISSIONER NELSON: I'd second it. 7 COMMISSIONER SCHOENFELDER: Concur. 8 MS. WIEST: TC97-097. 9 MR. COIT: We move for the admission of 10 Exhibit No. 1, ETC request, dated 6-19-97, and Exhibit 11 12 No. 2, response to data request dated 10-10-97. 13 MS. WIEST: Any objections? If not, they've been admitted. Does anybody have any questions 14 concerning this docket? 15 16 CHAIRMAN BURG: I'll move we grant a waiver 17 for toll control in TC97-097 for one year. COMMISSIONER WELSON: I'd second it. 18 19 COMMISSIONER SCHOENFELDER: Concur. 20 MS. WIEST: TC97-098. 21 MR. COIT: We move for the admission of ETC request dated 6-19-97, which is marked Exhibit No. 1, 22 and admission of Exhibit No. 2, which is the response 23 24 to data request dated 10-14-97. MS. WIEST: Any objection to Exhibits 1 and 25

42 2? If not, they've been admitted. Are there any 1 2 questions concerning this docket? 3 CHAIRMAN BURG: I'll move that we grant a waiver for toll control in TC97-098 for one year. 4 COMMISSIONER NELSON: I'd second it. 5 COMMISSIONER SCHOENFELDER: Concur. 6 MS. WIEST: TC97-099. 7 MR. COIT: We move for the admission of 8 9 Exhibit No. 1, which is the ETC dated 6-19-97, and 10 admission of Exhibit No. 2, which is the response to 11 data request dated 10-9-97. 12 MS. WIEST: Any objection? If not, they've 13 been admitted. I have the same question on this one. The question is do we have single party service, and 14 15 the answer is yes? MR. COIT: Mr. Lee, are you here for Roberts 16 County or not? 17 18 MR. LEE: No. 19 MR. COIT: Then we probably need to handle 20 that, I suppose, by the affidavit. 21 MS. WIEST: Okay. 22 MR. LEE: Rich, are we talking about Roberts 23 County or --24 MR. COIT: Roberts County. 25 MR. LEE: I know from another source other

than this that as manager of the South Dakota 1 Association of Telephone Co-ops and the daily requests 2 we've had there that they do, in fact, provide all 3 single party service throughout Roberts County Co-op, 4 if that will suffice for your information here. 5 MS. WIEST: Is that sufficient? 6 MS. CREMER: That's sufficient. 7 MS. WIEST: Okay. 8 CHAIRMAN BURG: I'll move we grant a waiver 9 for toll control in TC97-099 for one year. 10 COMMISSIONER NELSON: I'd second it. 11 COMMISSIONER SCHOENFELDER: Concur. 12 MS. WIEST: TC97-100. 13 MR. COIT: We move for the admission of 14 Exhibit No. 1, which is the ETC request dated 6-19-97, 15 and admission of Exhibit No. 2, response to data 16 request dated 10-9-97. 17 18 MS. WIEST: Any objection? If not, they've 19 been admitted. Same question on this one. 20 MR. LEE: I don't know the answer. MR. COIT: There is -- Mr. Lee is not here 21 representing RC Communications today, so I suspect 22 23 we'll have to deal with that with a late-filed exhibit if that's okay. 24 MS. WIEST: Okay. 25

	44
1	CHAIRMAN BURG: I'll move we grant a waiver
2	for toll control in TC97-100 for one year.
3	COMMISSIONER NELSON: I'd second it.
4	COMMISSIONER SCHOENFELDER: Concur.
5	MS. WIEST: TC97-101.
6	MR. COIT: We move for the admission of
7	Exhibit No. 1, which is the ETC request dated 6-19-97,
8	and Exhibit No. 2, response to staff data request dated
9	10-14-97.
10	MS. WIEST: Any objection? If not, they've
11	been admitted. Any questions concerning this docket?
12	CHAIRMAN BURG: I'll move we grant waiver for
13	toll control in TC97-101 for one year.
14	COMMISSIONER NELSON: I'd second it.
15	COMMISSIONER SCHOENFELDER: Concur.
16	MS. WIEST: TC97-102.
17	MR. COIT: We move for the admission of
18	Exhibit No. 1, which is the ETC dated 6-19-97, and
19	Exhibit No. 2, which is a response to data request
20	dated 10-14-97.
21	MS. WIEST: Any objections? If not, 1 and 2
22	have been admitted. Any questions concerning this
23	docket?
24	CHAIRMAN BURG: I'll move we grant a waiver
25	for toll control in TC97-102 for one year.

	45
1	COMMISSIONER NELSON: I'd second it.
2	COMMISSIONER SCHOENFELDER: Concur.
3	MS. WIEST: TC97-105.
4	MR. COIT: We move for the admission of ETC
5	request, Exhibit No. 1, dated 6-19-97, and admission of
6	Exhibit No. 2, response to data request dated 10-14-97.
7	MS. WIEST: Any objection? If not, Exhibits
8	1 and 2 have been admitted. Any questions concerning
9	this docket?
10	CHAIRMAN BURG: I'll move we grant a waiver
11	for toll control in TC97-105 for one year.
12	COMMISSIONER NELSON: I'd second it.
13	COMMISSIONER SCHOENFELDE : Concur.
14	MS. WIEST: TC97-108.
15	MR. COIT: We move for the admission of ETC
16	request, Exhibit No. 1, dated 6-23-97, and the
17	admission of Exhibit No. 2, response to staff data
18	request dated 10-14-97.
19	MS. WIEST: Any objection? If not, Exhibits
20	1 and 2 have been admitted. Same question. Can you,
21	Mr. Lee, answer that one? Is that single party service
22	available for
23	MR. COIT: For Faith.
24	MR. LEE: I do not represent them, I'm sorry.
25	MR. COIT: We would request permission to

provide that via affidavit. 1 MS. WIEST: Okay. 2 CHAIRMAN BURG: I'll move we grant a waiver 3 for toll control in TC97-108 for one year. 4 COMMISSIONER NELSON: I'd second it. 5 COMMISSIONER SCHOENFELDER: Concur. 6 MS. WIEST: TC97-113. 7 MR. COIT: We move for the admission of 8 Exhibit No. 1, ETC request dated 6-25-97, and Exhibit 9 No. 2, response to data requests dated 10-9-97. 10 MS. WIEST: Any objection? If not, they've 11 been admitted. I have the same question on this one. 12 MR. COIT: This is Armour. Bill Haugen can 13 respond to your question. 14 MR. HAUGEN: Yes, I can answer that. 15 16 BILL HAUGEN, JR., 17 called as a witness, being first duly sworn, was examined and testified as follows: 1.8 19 EXAMINATION MR. HAUGEN: Good afternoon. 20 MS. WIEST: And I would just like to ask you 21 22 if you currently provide single party service to all of your customers in your area. 23 MR. HAUGEN: Single party service is 24 available to all of our customers in Armour Independent 25

47 Telephone Company service area. It has been since the 1 late seventies. 2 MS. WIEST: Are there any others questions of 3 this witness? Thank you. 4 CHAIRMAN BURG: I'll move we grant a waiver 5 for toll control in TC97-113 for one year. 6 7 COMMISSIONER NELSON: I'd second. COMMISSIONER SCHOENFELDER: Concur. 8 9 MS. WIEST: TC97-114. MR. COIT: We move for the admission of ETC 10 request of the Bridgewater-Canistota Telephone Company, 11 which is dated 6-25-97, that's Exhibit No. 1. And also 12 13 move for the admission of Exhibit No. 2, which is response to data requests of staff dated 10-9-97. And 14 Mr. Haugen is here as well to respond to any questions 15 16 in this docket. MS. WIEST: First of all, any objection to 17 Exhibits 1 and 2? If not, they've been admitted. And 18 I would ask the same question. 19 MR. HAUGEN: Single party service is 20 available to all the customers in the 21 Bridgewater-Canistota Exchanges. 22 23 MS. WIEST: Thank you. Any other questions 24 of this witness? CHAIRMAN BURG: I'll move we grant a waiver 25

1.8	48
1	for toll control in TC97-114 for one year.
2	COMMISSIONER NELSON: I'd second it.
3	COMMISSIONER SCHOENFELDER: Concur.
4	MS. WIEST: TC97-115.
5	MR. COIT: We would move the admission of
6	Exhibit No. 1, the ETC request of Union Telephone
7	Company, dated 6-25-97, and Exhibit No. 2, response to
8	data request which is dated 10-9-97.
9	MS. WIEST: Any objection? If not, Exhibits
10	1 and 2 have been admitted. And I would ask the same
11	question in this docket.
12	MR. HAUGEN: Single party service is
13	available to all the customers in the Union Telephone
14	Company service area, Hartford and Wall Lake Exchanges,
15	again, has been since late seventies.
16	MS. WIEST: Thank you. Any other questions
17	of this witness?
18	CHAIRMAN BURG: I'll move we grant a waiver
19	for toll restriction in TC97-115 for one year.
20	COMMISSIONER NELSON: I'd second it.
21	COMMISSIONER SCHOENFELDER: Concur.
22	MS. WIEST: Thank you. TC97-117.
23	MR. COIT: We move for the admission of
24	Exhibit No. 1, ETC request dated 6-30-97, and Exhibit
2.5	No. 2, response to data request dated 10-14-97.

49 MS. WIEST: Any objection? If not, Exhibits 1 1 and 2 have been admitted. Any questions concerning 2 3 this docket? CHAIRMAN BURG: I'll move we grant a waiver 4 for toll control in TC97-117 for one year. 5 COMMISSIONER NELSON: I'd second it. 6 7 COMMISSIONER SCHOENFELDER: Concur. 8 MS. WIEST: TC97-121. MR. COIT: We move for the admission of 9 Exhibit No. 1, the ETC request of Kadoka, dated 7-3-97, 10 and the admission of Exhibit No. 2, response to data 11 12 requests dated 10-28-97. MS. WIEST: Any objections to Exhibits 1 and 13 2? If not, they've been admitted. Any questions 14 15 concerning this docket? CHAIRMAN BURG: I'll move we grant a waiver 16 for toll ontrol in TC97-121 for one year. 17 18 COMMISSIONER NELSON: I'll second it. 19 COMMISSIONER SCHOENFELDER: Concur. 20 MS. WIEST: TC97-125. MR. COIT: We'd move for the admission of ETC 21 request, Exhibit No. 1, dated 7-7-97, and Exhibit No. 22 2, response to data request of staff, which is dated 23 10-29-97. 24 MS. WIEST: Any objection to Exhibits 1 and 25

2? If not, they've been admitted. Any questions 1 2 concerning this docket? CHAIRMAN BURG: I'll move we grant a waiver 3 for toll control in TC97-125 for one year. 4 COMMISSIONER NELSON: I'd second it. 5 COMMISSIONER SCHOENFELDER: Concur. 6 7 MS. WIEST: TC97-130. 8 MR. COIT: We would move for the admission of 9 Exhibit No. 1, the ETC request dated 7-10-97, and 10 Exhibit No. 2, the response to data request dated 11 10-14-97. 12 MS. WIEST: Any objection to Exhibits 1 and 13 2? If not, they've been admitted. Any questions 14 concerning this docket? CHAIRMAN BURG: I'll move we grant a waiver 15 for toll control in TC97-130 for one year. 16 COMMISSIONER NELSON: I would second it. 17 18 COMMISSIONER SCHOENFELDER: Concur. 19 MS. WIEST: TC97-131. 20 MR. COIT: We would move the admission of ETC request Exhibit No. 1, which is dated 7-10-97, and 21 Exhibit No. 2, response to data request dated 10-14-97. 22 23 MS. WIEST: Any objection to Exhibits 1 and 27 If not, they've been admitted. Any questions 24 25 concerning this docket?

	51
1	CHAIRMAN BURG: I'll move we grant a waiver
2	for toll control in TC97-131 for one year.
3	COMMISSIONER NELSON: I'd second it.
4	COMMISSIONER SCHOENFELDER: Concur.
5	MS. WIEST: TC97-154.
6	MR. COIT: We would move into the record
7	Exhibit No. 1, the ETC request, dated 9-10-97, and also
8	Exhibit No. 2, the response to data request dated
9	10-16-97.
10	MS. WIEST: Any objection to Exhibit 1 and
11	2? If not, they have been admitted. Let's see, on
12	this one this was one of a couple that no time period
13	was requested for the waiver. I assume you still want
14	the one year?
15	MR. COIT: Mr. Barfield is here. He could
16	respond. He's Mr. Bob Barfield, manager for West
17	River.
18	MS. WIEST: They request a waiver but this is
19	one of the few ones that didn't ask for one year, as
20	far as I can see, or any time period. So I was
21	wondering if there was any different time period that
22	was being requested.
23	BOB BARFIELD,
24	called as a witness, being first duly sworn,
25	was examined and testified as follows:

	52
1	EXAMINATION
2	MR. BARFIELD: In response to your question,
3	since the vendor does not have a date, as far as we
4	know, at this time to provide this, that's the reason
5	we didn't ask for a certain time period on the waiver.
6	MS. WIEST: But we will need a time period.
7	MR. COIT: Would you be willing to accept the
8	one-year time period that is being granted to other
9	companies?
10	MR. BARFIELD: We sure would.
11	CHAIRMAN BURG: And I think the thought
12	behind it is if there still isn't any solution, then it
13	would be renewed or we'd request. With that, I'll move
14	that we grant a waiver for toll control in TC97-154 for
15	one year.
16	COMMISSIONER NELSON: I would second it.
17	COMMISSIONER SCHOENFELDER: Concur.
18	MS. WIEST: Let's go to TC97-155.
19	MR. COIT: We would request admission of
20	Exhibit No. 1, which is the ETC request of Mobridge
21	Telecommunications, which is dated 9-10-97, and also
22	Exhibit No. 2, which is the response to data request
23	dated 10-16-97.
24	MS. WIEST: Any objection? If not, Exhibits
2.5	1 and 2 have been admitted. And I would have the same

	53
1	question with respect to the length of the waiver.
2	MR. BARFIELD: And the response would be the
3	same. We would ask for a year on the waiver.
4	MS. WIEST: Thank you. Any other questions?
5	CHAIRMAN BURG: With that I'll move that we
6	grant a waiver on toll control in TC97-155 for one
7	year.
8	COMMISSIONER NELSON: I'd second it.
9	COMMISSIONER SCHOENFELDER: I concur.
10	MS. WIEST: Thank you. Let's skip to
11	TC97-167.
12	MR. COIT: I would just note that Three River
13	Telco is not an SDITC member company, so I'm not really
14	here today to represent Three River Telco.
15	MS. WIEST: Nobody is here?
16	CHAIRMAN BURG: Do we have any questions on
17	it, or do we have to have representation?
18	MS. WIEST: Somebody needs to move it in.
19	MR. COIT: Well, if you're looking for a
20	body, I guess I can serve as the body.
21	MS. CREMER: Otherwise, I can move to admit
22	the two exhibits, Number 1, 10-10-97, the request for
23	ETC, and 11-7-97, the amended oh, I'm sorry, that's
24	U S West. Let me try that again. 10-16 of '97 is the
25	request and 11-13-97 is the amended request, and I

would ask that they be admitted in. 1 MS. WIEST: Any objection? If not, they've 2 3 been admitted. Are there any questions concerning this docket? I would note that their application does 4 request a waiver for one period for toll control. 5 CHAIRMAN BURG: There isn't a question on the 6 7 single party line, though, is there? 8 MS. WIEST: No. CHAIRMAN BURG: I'll move we grant a waiver 9 10 for toll control in TC97-167 for one year. 11 COMMISSIONER NELSON: I'd second. COMMISSIONER SCHOENFELDER: Concur. 12 13 MS. WIEST: At this time did you want to go 14 to U S West, or is Harlan going to speak to these 15 dockets? MS. CREMER: We'll finish up these first. 16 MS. WIEST: Okay. 17 18 (STAFF'S EXHIBIT NO. 1 WAS MARKED FOR IDENTIFICATION.) 19 20 HARLAN BEST. 21 called as a witness, being first duly sworn, was examined and testified as follows: 22 DIRECT EXAMINATION 23 BY MR. HOSECK: 24 25 Q. Would you state your name for the record,

		5.5
1	please.	
2	A. Harlan Best.	
3	Q. And what is your job?	
4	A. I am deputy director of fix	ed utilities for
5	the Public Utilities Commission, Sout	h Dakota.
6	Q. And have you been present i	n the hearing room
7	this afternoon for the hearing on the	ese applications?
8	A. Yes.	
9	Q. And have you had the opport	unity to review
10	the caption in the notice of this hea	ring which lists
11	the cases which are before the Commis	ssion on this date?
12	A. Yes.	
13	Q. And are you familiar with t	the applications in
14	each of these cases?	
15	A. Yes.	
16	Q. As a part of your job, have	you reviewed
17	those applications?	
18	A. Yes, I have.	
19	Q. You have before you an exhi	bit numbered
20	Staff's No. 1; is that correct?	
21	A. Yes.	
22	Q. And is that an exhibit that	you prepared in
23	the course of your duties?	
24	A. Yes, it is.	
25	Q. Just briefly explain to the	Commission,

1	please, what that exhibit entails.
2	A. What I have done on this exhibit is across
3	the top is listed each of the companies requesting
4	eligible telecommunications carrier status, the
5	associated docket number, and the staff counsel that is
6	assigned to the respective dockets. Down the side, the
7	left-hand side, is the requirements that are set forth
8	for ETC status. Populated within the columns is the
9	responses that the respective companies gave within
10	their exhibits 1 and Exhibit 2 that have been admitted
11	into the record.
12	Q. And are there any changes or corrections to
13	this exhibit that you would like to make at this time?
14	A. One that I am aware of is under Vivian
15	Telephone, Docket TC97-068, under the Lifeline and Link
16	Up it shows that it will be available 1-1-97. It
17	should be 1-1-98. I'm not aware of any other
18	corrections.
19	MR. HOSECK: Okay. At this point in time I
2.0	would move Staff's Exhibit No. 1 into evidence. This
21	is intended as testimony for all of the dockets en mass
22	with the exception of U S West.
23	COMMISSIONER SCHOENFELDER: U S West is on
24	here though.
25	MR. HOSECK: That would be handled later.

57 MS. WIEST: Is there any objection? 1 MR. COIT: My comment would be that I just 2 received this so I haven't had an opportunity to go 3 through to make sure this is all accurate. I guess I 4 can take Mr. Best's word that it is accurate and I'll 5 6 have to do that, I guess. Other than that, I don't 7 have any comment. 8 MS. WIEST: Do you want an opportunity to look it over? 9 MR. COIT: Well, it might take me a while, so 10 11 I don't have any objection. 12 MS. WIEST: Okay. Then Staff Exhibit No. 1 13 will be admitted into all of the dockets that we have 14 gone through so far. 15 MR. HOSECK: Okay. Thank you. Q. Based on the review of these dockets that you 16 have done and relying to whatever extent you may on 17 Staff's Exhibit No. 1 did the applicant companies meet 18 19 the requirements of becoming an eligible 20 telecommunications carrier? 21 A. Yes, they have, with the noted late-filed affidavits that will be done in a number of the 22 dockets. 23 24 Q. And with regard to advertising services exchange-wide, do you have a recommendation to the 25

	58
1	Commission for a provision to be included in an order
2	which would come out of these proceedings?
3	A. Yes. Staff's recommendation for advertising
4	would be that the ETC carrier be required to advertise
5	at least once each year; and if they have any rate
6	change, that that rate change be advertised when it
7	does change.
8	Q. And in conclusion, do you have an opinion as
9	to whether or not the applicants contained on Exhibit
10	1, with the exception of U S West which has not had its
11	case heard yet at this time, whether or not those
12	applicants meet the qualifications as an eligible
13	telecommunications carrier?
14	A. With staff's review that has been undertaken,
15	yes, they do meet the requirements for ETC status.
16	MR. HOSECK: I have no further questions of
17	this witness.
18	MS. WIEST: Are there any questions of this
19	witness? Mr. Coit?
20	CROSS-EXAMINATION
21	BY MR. COIT:
22	Q. I assume when you talked about advertising
23	rate changes that you're referencing the rates just for
24	the essential services that are supported by universal
25	service?

1	Α.	Yes.
2		MR. COIT: No further questions.
3		MS. WIEST: Ms. Rogers?
4		MS. ROGERS: No, no questions.
5		MS. WIEST: Mr. Heaston?
6	1 N 2 N 3	MR. HEASTON: No.
7		CHAIRMAN BURG: The only question I'd have is
8	there any	is advertising identified in any way? Is
9	there any	criteria for what advertising means in the
10	context of	this? Is the methods in the FCC Order as
11	well?	
12		MS. WIEST: I'm sorry, what was the
13	question?	
14		CHAIRMAN BURG: The question I had for Harlan
15	or anybody	y else is, is there a meaning, is there a
16	descriptio	on, definition for advertising, what that
17	constitute	as?
18		MS. WIEST: Under the statute itself
19	214 (e) (1)	(B) they must advertise the availability of
20	such servi	ices and if you're referring to the services
21	that are s	supported by federal universal service and the
22	charges th	nerefore using media of general distribution.
23		CHAIRMAN BURG: Okay. I think that satisfies
24	me.	
25		COMMISSIONER NELSON: Does that mean for

Lifeline and Link Up, they have to advertise this 1 once? 2 MS. WIEST: That would be under staff's 3 recommendation, I believe. 4 5 A. Yes, once each year. COMMISSIONER NELSON: Well, frankly, I don't 6 7 think it's adequate. COMMISSIONER SCHOENFELDER: Are you doing 8 that? Are you -- to follow up -- excuse me, to follow 9 up on Commissioner Nelson's question, are you 10 11 recommending that they advertise once each year after? 12 I believe our order said that you have to send an application to everyone once initially and then to 13 14 every new customer. You're requesting this 15 advertisement of Lifeline, Link Up in addition to. 16 would that be accurate or not? 17 A. Right. The Lifeline, Link Up under TC97-150, 18 which was issued yesterday, states that it shall be -a form shall be, or a letter shall be sent to present 19 2.0 customers, and then this would be an advertisement of it. They'd have to do advertisement of this for at 21 22 least once each year. 23 COMMISSIONER SCHOENFELDER: Okay. Thank you. 24 COMMISSIONER NELSON: So is the answer to 25 Laska's questions it's in addition to?

Yes. They would do it originally, and once a A . 1 year after. 2 MS. WIEST: How would they advertise? 3 Where? 4 Where would they advertise? 5 A. MS. WIEST: Yes. 6 Whatever general distribution it meets 7 Α. according, I assume, it means newspapers and those 8 9 types of publications. MS. WIEST: So it could be any type of 10 general distribution media once a year? 11 Α. Whatever is available within their given 12 exchanges that they serve. 13 MS. WIEST: And it would only be for those 14 15 services supported right now by federal universal service? 16 17 A. Yes. 18 MS. WIEST: And every time they changed a rate for one of those services, then that would have to 19 20 be re-advertised at that time? A. 21 Yes. MS. WIEST: Are there any other questions of 22 this witness? If not, thank you. Actually, I do. 23 Could you retake the stand, Harlan? I guess we have a 24 question for you. Could you look at your exhibit for 25

62 Venture Communications, TC97-095? 1 A . Yes. 2 MS. WIEST: Does the answer to number four, 3 single party service, we did grant them a waiver 4 because currently they do not have single party service 5 apparently to three customers? 6 7 A. Yes. MS. WIEST: So would that be incorrect there, 8 your question there? 9 10 It would be a clarification there to it, yes. Α. MS. WIEST: Okay. Thank you. Do you have 11 12 anything further, Mr. Hoseck? 13 MR. HOSECK: Staff has nothing further. 14 Thank you. MS. WIEST: Do you want to take a short break 15 16 until we go to U S West? 17 MR. COIT: When does the Commission -- are 18 you going to wait until the end to rule on all of these with respect to the actual ETC designation? 1.9 20 MS. WIEST: That's why we're taking a short 21 break. 22 (AT THIS TIME A SHORT RECESS WAS TAKEN.) 23 MS. WIEST: Let's get started again. And we 24 will go to TC97-163. 25 MR. HEASTON: And I would move admission of

	63
1	Exhibit 1, which is the request, and Exhibit 2, which
2	is the amended request, and Exhibit 3, which is the
3	service territory map. That's Exhibit 1, 2 and 3
4	respectively in the docket.
5	MS. WIEST: Any objection to Exhibits 1, 2
6	and 3? Do you have a copy of the service territory
7	map? Are there any objections to Exhibits 1, 2 and 3?
8	If not, they've been admitted. You may proceed,
9	Mr. Heaston.
10	MR. HEASTON: We would also join in the
11	motion on the toll control. The reason we did not seek
12	a waiver in the initial application is because as I
13	read Paragraph 388 of the Order in the DA 97-157
14	indicated that toll blocking would be sufficient in the
15	meantime and it was dependent upon when you upgraded
16	switches. And so we do not feel we need a waiver of
17	toll control, but the common wisdom seems to be there
18	needs to be a waiver, so we will follow the herd here
19	and request the toll control waiver also.
20	And we are also one of the parties to the
21	request of the FCC to reconsider the toll limitation,
22	that this includes both toll blocking and toll
23	control. And I guess we would also point out that with
24	the implementation of number portability that is going
25	to impact toll control somewhat significantly. And so

1	while we agree with Bob Barfield in his observation
2	that since we don't know when it's going to happen,
3	that's why we wouldn't want a time limit on it, but we
4	are willing to accept the one year with the
5	understanding that if there is not the ability to
6	implement it or if the ability is too expensive to
7	implement, that we would be able to come back to this
8	Commission and seek further waiver of that, of
9	implementing toll control with part of the essential
10	telecommunications carrier obligation.
11	MS. WIEST: Okay. Would the Commissioners
12	CHAIRMAN BURG: Did we admit the exhibits?
1.3	MS. WIEST: Yes.
14	CHAIRMAN BURG: I'll move that we waive toll
15	control for TC97-163 for one year.
16	COMMISSIONER NELSON: Well, I'm going to
17	second it, but I heard an expansion of what we've been
18	waiving in the past from giving them one year with the
19	idea we're going to renew it. And the reason I was
2.0	willing to grant it is because technology is not out
21	there. Now, the Act requires that it be there and it
22	didn't say anything about how much it cost. So I
23	didn't hear anything about one of the reasons we were
24	waiving it in the past was because that it might be

there. I can understand why technology wasn't there, 1 but I didn't -- I wasn't in Congress when they voted 2 that was part of the Act. 3 MR. HEASTON: It's not part of the Act. I 4 guess that's the first thing. It's an FCC --5 COMMISSIONER NELSON: It's a rule. 6 MR. HEASTON: It's an FCC dictate. 7 COMMISSIONER NELSON: But it has the same 8 weight as the rules and statute unless it's changed in .9 court; right? 10 MR. HEASTON: That's true. But unless the 11 FCC changes, as we've urged them to do. 12 COMMISSIONER NELSON: Right. So I'm 13 seconding your motion with the understanding it's 14 exactly as we had stated it originally; is that 15 correct? 16 CHAIRMAN BURG: I mean the motion was for one 17 18 vear. COMMISSIONER SCHOENFELDER: I believe the 19 motion was for one year, a waiver for one year, and I 20 didn't know that the motion had anything more than 21 that, than just a waiver from toll control for one 22 23 year. CHAIRMAN BURG: It doesn't. 24 COMMISSIONER SCHOENFELDER: Then I'll concur. 25

1	COMMISSIONER NELSON: All I'm saying, though,
2	is I voted for it and there will be a record that I
3	voted for it; and the reason I voted for it was the
4	technology wasn't available. And that's a lot
5	different in my mind than it's cost prohibitive.
6	COMMISSIONER SCHOENFELDER: I think
7	COMMISSIONER NELSON: Not that that wouldn't
8	be an issue in my mind that you could debate. I don't
9	want a record that I'm supporting something for a
10	different reason than I did.
11	CHAIRMAN BURG: Just a comment that I'd make
12	on it, I guess. If there isn't a technology, I really
13	hate to see all 50 or 75 filings just for an
14	extension. If there is some way we could certify there
15	is no technology and extend it as we come up towards
16	that year, I'd welcome that solution rather than go
17	through this with this many of them. I, personally, in
18	my own mind, cannot see a solution when we're going to
19	have multiple companies in number portability. It
20	boggles my mind to see how that's even going to happen
21	that you could end up with any kind of toll
22	limitation. So I'm guessing when we come up to the
23	year, we're still not going to have a solution, and I'm
24	not looking toward to requiring all of you I mean
25	that's the name of a bureaucrat to file that many

	67
1	pieces of paper. So if we can find a way to
2	consolidate it at that time, I would welcome any
3	suggestions. That's all I have.
4	MR. HEASTON: I have Mr. Lehner available
5	here, and we do have a couple questions to ask him.
6	JON LEHNER,
7	called as a witness, being first duly sworn,
8	was examined and testified as follows:
9	DIRECT EXAMINATION
10	BY MR. HEASTON:
11	Q. Mr. Lehner, in our application we described
12	the issue of eliminating multi-party services and going
13	to single party service throughout U S West service
14	areas. Can you update the Commission on the status of
15	that consistent with what we've already put in the
16	application?
17	A. Yes. As of October 31 of this year the
18	number of multi-party or two- and four-party customers
19	in U S West's territory is 612. 612.
20	CHAIRMAN BURG: What was the date on that,
21	Jon?
22	A. As of 10-31-97.
23	Q. And what can you tell the Commission about
24	our continuing effort to eliminate the multi-party
25	service?

The plan right now is to eliminate all of 1 Α. those 612 except for 52 of them. And the time frame 2 for that will be by the end of the second quarter, 3 which I suppose we could put for a date of 6-30 of 4 '98. So all but 52 of those will be completed by 6-30 5 of '98. 6 7 Q. And what about the remaining 52? A. A. The remaining 52 are extremely high cost upgrades. And until other technology or other means 9 become available, there are no plans right now. We 10 have no plans to move ahead with those 52. 11 Q. With that we still believe that it is 12 appropriate for us to -- we still believe the waiver is 13 appropriate in this case: is that correct? 14 15 A. That is correct. 16 MR. HEASTON: That's all the questions I 17 have. 18 MS. WIEST: Ms. Cremer? 1.9 CROSS-EXAMINATION BY MS. CREMER: 20 Q. Mr. Lehner, where are those 52 located? Are 21 they spread throughout, or are they in a specific area, 22 23 do you know? A. I could read them off for you. There's about 24 a dozen exchanges. Or I could give you a late-filed 25

exhibit. Let me just read them off. Arlington is 1 four; Belle Fourche, six; De Smet, four; Huron, three: 2 3 Lake Preston, one. COMMISSIONER NELSON: Do you want to start 4 5 over? 6 A. Arlington, four; Belle Fourche, six; De Smet, four; Huron, three; Lake Preston, one; Madison, two; 7 8 Milbank, four; Pierre, two; Redfield, two; Sisseton, 9 six; Spearfish, two; Volga, five; Watertown, ten; Yankton, one. 10 11 Q. Is there a particular reason? Is it like Anaconda line or something? 12 13 A. It's a combination of many factors, but you mean as far as the 52 are concerned? 14 15 0. Yes. 16 A. It's a combination of many factors. We're talking about feeder distribution, we're talking about 17 18 in some cases a PAIR GAIN systems like Anaconda that 19 would need to be replaced. MS. CREMER: Okay. That's all the questions 20 I have. 21 CHAIRMAN BURG: Have you investigated any 22 other technical solutions other than to a single party 23 other than line extension? 24 A. You mean in order to provide a single party 25

	70
1	service to these customers?
2	CHAIRMAN BURG: Yes.
3	A. Yes. I think the answer is we are constantly
4	looking for a cheaper way to do this because in some
5	cases, Commissioner, we're talking about over \$100,000
6	to upgrade a single customer, and it just doesn't make
7	sense to do that. And the answer would seem to lie
8	probably in some form of wireless, but so far the
9	wireless technologies, whether then satellite or fixed
10	wireless, are still pretty expensive. I see that as
11	the ultimate solution, though, to some of these.
12	CHAIRMAN BURG: I'm going to move to grant
13	the waiver.
14	MS. WIEST: Just a second. Do the
15	Commissioners have any other questions? As opposed to
16	the other ones, I'm going to have to ask you some
17	questions to verify things that were in the application
18	because that was signed by Mr. Heaston. It wasn't
19	signed by a witness with an affidavit, as all the
2.0	others were. So bear with me for a second.
21	A. I've never trusted his signature either.
22	MS. WIEST: First one, does U S West provide
23	voice grade access to the public switched network to
24	all in its service area?
25	A. Yes.

MS. WIEST: And does it provide local usage? 1 A. Yes. 2 MS. WIEST: Do you provide dual tone 3 multi-frequency signalling or its functional 4 equivalent? 5 A. Yes. 6 MS. WIEST: Do you provide access to your 7 emergency services? 8 Α. Yes. 9 MS. WIEST: Do you provide access to operator 10 services? 11 A. Yes. 12 MS. WIEST: Do you provide access to 13 interexchange service? 14 A. Yes. 15 MS. WIEST: And do you provide access to 16 directory assistance? 17 A. Yes. 18 MS. WIEST: And you've already talked about 19 toll control and the waiver. Do you provide or are you 20 able to provide toll blocking? 21 A. Yes. 22 MS. WIEST: Then getting back to your request 23 for the waiver on single party service, I know in your 24 application you talked about the ones that you have no 25

plans, you know, of providing service due to the cost and everything. My problem, I guess, is that I don't see that there is any de minimus exception within the FCC rules with respect to single party service. Have you been granted any of this type of de minimus exception to that requirement, do you know, in any of the other states?

A. I am not aware.

8

MS. WIEST: And what I'm getting at is that 9 10 it appears, according to the FCC rules -- and I'm looking at 47 54.101(c), that in order to grant any 11 additional time to complete network upgrades for single 12 13 party or enhanced 911 or toll limitation, that the Commission does in fact have to set a time period for 14 you to complete those network upgrades. Is your 15 16 contention that we do not?

A. I would not make that contention. I'm going
 to let my attorney argue with you about that.

MS. WIEST: Well, then, I do have a couple other questions. My other question is on service area. And it is also a requirement of the state Commission to designate service areas as opposed to study areas for nonrural telecommunications companies. First of all, you would agree that you are a nonrural telecommunications company?

	35
Α.	Yes.

MS. WIEST: And in the FCC's public notice 2 96-45 issued 9-29-97, it does state that we must send 3 to USAC the names of the ETC's and the designated 4 service areas for nonrural carriers no later than 5 6 December 31st, 1997. And I know you made some reference to these things in your application, but I 7 don't think you really told us what you want your 8 service area to be. Because the FCC has told us that 9 we better not adopt your study area as your service 10 area for large ILEC's. Do you have service areas for 11 your company that you want the Commission to adopt at 12 13 this time?

A. Well, I suppose that -- a.d, Bill, jump in 14 here, I guess, to help me with this. But I suppose 15 that our service area ought to be our exchanges in the 16 state of South Dakota. Now, the study area is a 17 different issue and that has not been determined yet. 18 But I would think that our service area would be our 19 exchanges that we serve in the state of South Dakota. 20 MR. HEASTON: If I may from a legal 21 standpoint, there is no definition yet; and certainly 22 our service area would be those areas within which we 23 are authorized to provide the supported services. 24 25 MS. WIEST: Right. And that's my question.

	/1
1	MR. HEASTON: From a general perspective, I
2	guess, if that's what you're looking for is what you
3	would designate to the FCC would not be anything
4	outside the area where we're authorized or certified to
5	provide service. When it comes to where the areas are
6	going to be that would be where the services would be
7	supported by a universal service fund, whether it's
8	high cost or low income or libraries or whatever it
9	happens to be, you know, that's an area that's
10	currently under debate depending upon which proxy cost
11	model is going to be accepted. And so that's why we
12	are somewhat vague on that term because what this
13	Commission has not done and nor has the FCC come out
14	with any final decision as to what model it is going to
15	accept. So I think if we're required to take a look at
16	a "service area," I would do it from the standpoint of
17	what Jon to comply with the law. If that's what
18	we're looking for, to comply with the FCC requirement.
19	I think that's what we would look at is an area,
20	though, no larger than an exchange area, which we would
21	equate to a wire center or an exchange area. And we
22	have however many are on that.
23	MS. WIEST: He how many exchanges do you
24	still have?
25	MR. HEASTON: It's on the list we submitted.

75 A. I can't answer that exactly. It's 1 2 approximately 35. 3 MS. WIEST: It would be attached? MR. HEASTON: It's on our exhibit to our 4 5 application. MS. WIEST: So however many with the 6 amendment the three that were missed. That's how many 7 service areas you would like the Commission to 8 9 designate for U S West at this time? 10 A. I guess I'm not sure whether we would want to 11 designate each exchange. MS. WIEST: My problem is we are supposed to 12 tell the FCC by December 31st what your designated 13 14 service area is. A. Then I suppose we ought to do it exchange by 15 16 exchange. MS. WIEST: If you want more time to think 17 18 about it --MR. HEASTON: Yes, I think I would. I mean 19 this is not something that's come up in the other two 20 states that I've done this in, and I had the same basic 21 application. I will have to -- I will do a late-filed 22 exhibit on that if I could with an affidavit from Jon. 23 24 MS. WIEST: Okay. MR. HEASTON: What are you relying on again, 25

Rolayne? 1 MS. WIEST: Actually what as far as the FCC's 2 public notice, that was docket 96-45 DA 97-1892 issued 3 9-29-97. 4 ς. MR. HEASTON: 1892. MS. WIEST: And I'm also relying on 6 paragraphs 185, 192, 193 of the FCC's universal service 7 order. 8 MR. HEASTON: 197, 175. 9 MS. WIEST: 157 or --10 MS. CREMER: 185, 192. 11 12 MS. WIEST: The docket number for the FCC 13 universal service. MR. HEASTON: Not the docket number but the 14 order number, the order number. 15 MS. WIEST: Okay. I was looking at 185, 192 16 and paragraph --17 18 MR. HEASTON: I got those. Was it FCC 19 97-157? MS. WIEST: 157, right. And the other thing 20 you might want to address in paragraph 185, for 21 example, it does say if a state PUC adopts its existing 22 service areas for large ILEC's, their study area, this 23 would erect significant barriers to entry. We are also 24 encouraged to consider designating service areas that 25

require an ILEC to serve areas other than they have not
 traditionally served.

MR. HEASTON: Yes. And, see, this -- what 3 the problem this causes is where you have not 4 considered and have left to the FCC to determine how 5 6 that's going to be modeled from a proxy standpoint. And, yes, we are advocating smaller geographic elements 7 8 than the wire center for universal high cost support but I do not have a South Dakota specific look because 9 10 this Commission decided not to do their own earlier this -- a couple months ago, as opposed to Wyoming and 11 North Dakota where I do have that because those two are 12 looking at doing their own, or suggesting their own 13 cost study. So I do have the small grids, as we call 14 it, and I could identify that for you. I cannot 15 identify anything smaller than righ now than a wire 16 17 center.

18

MS. WIEST: Okay.

MR. COIT: Excuse me, may I comment briefly on this? And I understand that I'm not a party but I do believe it was my understanding today that the whole issue of disaggregated service areas for U S West or any other company may come up. But I would like to say we certainly have an interest in the issue. And I think that the FCC rules indicate that -- the orders

1	and the rules indicate that before changing an existing
2	service area, that the Commission at the state level
3	needs to find that it's consistent with universal
4	service requirements. So I think it's a really
5	involved involves a lot more than the review of
6	actually looking at ETC service obligations. You're
7	talking about making changes in a U S West service area
8	that could significantly change the level of support it
9	might receive under a federal universal service fund.
10	Decisions on U S West service area disaggregation and
11	so forth could certainly impact rural telephone
12	companies as well. And I guess going into this
13	proceeding it was our understanding that there are
14	certain established incumbent LEC service areas, and we
15	didn't understand, I guess, that we that the issue
16	in this U S West docket or any of the other ones would
17	be with regard to disaggregating service areas.
18	MS. WIEST: I'm not talking about
19	disaggregating service areas. And I think you have to
20	recognize the distinction that was made between
21	nonrurals and rural companies with respect to service
22	area. If we want to look at doing anything to rural
23	companies with respect to disaggregation, we have to
24	specifically petition the FCC. That's all I'm talking
25	about, and that's the reason why I only brought up this

issue with respect to U S West. And it's just my
understanding the Commission does have to do the
service area in order for U S West to get your
universal service money.
MR. HEASTON: If I could have until whatever
date was suggested earlier on getting the additional
affidavits in, I'll have a recommendation for you from
U S West on that.
MS. WIEST: Okay. Are there any other
questions of this witness? One more question,
Mr. Lehner. Do you have any observation to what
Mr. Best suggested as advertising requirements for your
company?
A. I'm not sure that I understood exactly what
he was requiring. If the requirement is to advertise
it once a year in the newspaper, I don't think we have
a problem with that.
MS. WIEST: And getting back to single party
service is high cost, the only barrier is to provide
single party service to those 52 customers?
A. Yes.
MS. WIEST: Is it also U S West's position
that the settlement agreement that you've stated is
suspended concerning single party service no longer
applies where I believe you stated you would have

	80
1	single party service to all customers by the year 2000?
2	A. Had the 121 investment program continued, I
3	would have been out here talking to the staff and to
4	you about these anyway, because as we honed down to
5	some to the last few on some of these exchanges, it
6	became obvious that this was this is foolish to
7	spend that kind of money with the current technology.
8	Just doesn't make any sense.
9	MS. WIEST: That's all I have. Mr. Heaston,
10	you might also want to address the question of whether
11	the Commission has the authority to provide any de
12	minimus exception to the single party without putting
13	the time line on it.
14	MR. HEASTON: I don't know that de minimus is
15	the issue, but I do think that you could put a time
16	line on it and make it renewable that we would have to
17	come in. I think what the rule would allow you to do
18	is require us to come in on a regularly-scheduled
1.9	basis, maybe annually, maybe semi-annually, to update
20	the Commission of where we are technologywise in taking
21	care of these last 52. That would be my position on
22	this is that that puts a time limit on and it makes it
23	driven by the technology and the affordability of it.
24	MS. WIEST: Okay. Any other questions?
25	COMMISSIONER SCHOENFELDER: I have a guestion

	81
1	of Mr. Lehner. And the reason I have a question is
2	because in your amended application you might have
3	addressed it, however, I don't have a copy of that and
4	I apologize. But you addressed in here and you have an
5	exhibit on your original application that regards
6	Lifeline, Link Up. And basically what it is it's your
7	tariff, or a page that looks like a tariff page to me.
8	Now, U S West really intends to comply with the
9	Commission order in Lifeline, Link Up?
10	A. Absolutely.
11	COMMISSIONER SCHOENFELDER: I need to know
12	that.
13	A. And that page doesn't apply any more.
14	COMMISSIONER SCHOENFELDER Thank you.
15	MS. WIEST: Any other questions? Thank you.
16	COMMISSIONER NELSON: I guess I have a
17	question. You know, you when you were talking about
18	why you shouldn't have to provide this single party
19	systems for these areas that you listed like Spearfish
20	and Pierre and all the list that you went through
21	A. Yes.
22	COMMISSIONER NELSON: Why would it it just
23	seems weird to me that it would be that expensive to
24	provide those services in some areas. Like Pierre and
25	Huron, those are pretty I mean can you explain that

1	to me a little bit because I find that a little odd.
2	A. The high cost we're talking about in many
3	cases, not only replacing, we're talking about
4	customers that were engineered probably back in the
5	sixties and seventies to multi-party service with no
6	intention of having single party service. So we're
7	talking in many cases miles and miles of distribution
8	cable, some cases six pair, 11 pair, maybe even greater
9	pair. So we're talking about now having to replace
10	that cable with probably 50 pair or a hundred pair
11	cable. And we're also talking about many cases where
12	at the end of that cable we have to extend what some
13	people will call a drop, what I call a pair of wires,
14	sometimes several miles. And in order to provide
15	single party service well, I take that back in that
16	case. The drop piece of that will be okay. I was
17	thinking of if they have more than one line. But we're
18	talking about distribution cable, we're talking about
19	feeder, and we're talking in some cases about PAIR GAIN
20	systems that are just plain full. I'm talking about
21	systems that you've heard like Anaconda that are going
22	to need to be replaced. It's expensive.
23	COMMISSIONER NELSON: I guess in my mind it
24	seems to me that cost prohibitive I didn't exactly
25	envision exactly what you were just explaining to me

1	because I was thinking maybe these lines had to be run
2	out miles and miles and miles and there's nobody out
3	there or something. But if this is in a fairly
4	populated area, and it doesn't seem to me that these
5	people should have to live with just two party
6	telephone system when most of the world doesn't, as we
7	know it in South Dakota, doesn't have to do that
8	because the lines are all filled up. I mean I'm
9	looking for some reason why that's acceptable,
10	especially when some of those little companies are
11	saying that they got maybe three or four people left
12	that they don't have that service for and they've made
13	every effort to say, well, we want a waiver but we will
14	do it by the end of the year or whatever.
15	A. I think that most of the companies you've
16	been listening to up until now and I obviously can't
17	speak for them, but I think you're talking about
18	engineering that was done probably 15, 20 years ago in
19	most of these companies' cases where they at the time
20	spent the money to do that. We did not do that. We
21	provided distribution systems that were literally
22	designed not to provide single party service. There
23	are different funding mechanisms and different
24	requirements that we've had. They've had the ability
25	to spend that kind of money and recover it. Now, I can

1	spend \$100,000 or \$150,000 or 50,000, whatever it is,
2	to do these, but somewhere that has to be recovered and
3	it isn't going to be recovered from a customer. That
4	customer isn't going to pay for that.
5	COMMISSIONER NELSON: It seems to me this
6	flies in the face of what the governor's bill said last
7	year. I mean here we're talking making available high
8	technology to everybody in South Dakota. Basically
9	that's what the bill says. And we're talking here some
0	people that aren't even going to have single party
1	telecommunication in this state.
2	A. Commissioner, all I can tell you is what the
3	cost is. And I think that's I think that's, unless
4	there's a recovery mechanism, it would make no sense to
5	spend that kind of money. And I certainly wouldn't
6	recommend it.
7	CHAIRMAN BURG: The question I have in the
8	LEC industry when we have these kind of situations once
9	in a while there's another provider that is closer that
0	can do it. Would that be the case to any of these?
1	Would that be a reasonable solution ever?
2	A. Yes, it would. And, Commissioner, if there
3	is any company in this room that would like to serve
4	any of these 52, I would be happy to negotiate.
15	CHAIRMAN BURG: I think maybe when we're down

	85
1	to 52, we ought to get a list of those names and see if
2	we could work it out. I share what Counsel has said.
3	I'm not sure we can make the exception. I know that
4	U S West's counsel has given us what I call a short
5	term one, that in other words, we could give the waiver
6	for a limited period of time, but I don't know that's
7	an indefinite solution and we probably ought to work
8	look at working together to meet and find the solution
9	to meet the FCC rules I think if we can. But so many
10	maybe, I guess, what I would like to request is the
11	actual name and location of those 52 filed at some
12	time. I don't care whether it's part of this docket or
13	not.
14	A. I think that can be provided.
15	MS. WIEST: Any other questions? If not,
16	thank you.
17	CHAIRMAN BURG: I suppose we do need some
18	type of waiver in order to grant them an ETC status.
19	MS. WIEST: Sorry, for which now?
20	CHAIRMAN BURG: For single party.
21	MS. WIEST: At this time staff has a witness
22	on this case first.
23	MS. CREMER: Staff would call Harlan Best.
24	HARLAN BEST,
25	called as a witness, being previously sworn,

Children in

-

	86
1	was examined and testified as follows:
2	DIRECT EXAMINATION
3	BY MS. CREMER:
4	Q. Harlan, were you the analyst assigned to
5	TC97-163, U S West's application?
6	A. Yes.
7	Q. And have you reviewed that application by U s
8	West?
9	A. Yes.
10	Q. And would you agree with Mr. Lehner when he
11	testified earlier that they met all the requirements of
.2	47 CFR 54-101?
3	A. That they have met those?
4	Q. Yes.
5	A. Yes, with the discussion that we've had on
6	single party.
7	Q. Right. Okay. And at your recommendation for
8	advertising, would that be the same for U S West as it
9	was for the others?
0	A. Yes.
1	Q. And what would your recommendation be for the
2	Commission in defining a service area for U S West?
3	A. It would be the wire center.
4	MS. CREMER: That's all the questions I would
5	have.

	87
1	MS. WIEST: Any questions, Ms. Wilka?
2	MS. WILKA: No questions.
3	MS. WIEST: Commissioners?
4	CHAIRMAN BURG: The question I'd have is
5	based on that, should we not I mean is this what
6	do I call it? Is this a document that is filed in
7	these hearings?
8	MS. CREMER: Yes.
9	CHAIRMAN BURG: I guess I think we ought to
10	correct that exhibit to put no on each of those that
11	we've made a waiver for on the single party because I
12	believe the answer is no and we've made a waiver to
13	satisfy that.
14	MS. CREMER: Okay.
15	CHAIRMAN BURG: Since that's filed.
16	COMMISSIONER SCHOENFELDER: We have not moved
17	for a waiver in that area, have we?
18	CHAIRMAN BURG: Yes, for six months on one
19	other company.
20	MS. WIEST: We have two single party waivers
21	so far, but U S West we haven't moved yet; right?
22	CHAIRMAN BURG: But if we do and for any we
23	do, since he's a witness on the stand and this is his
24	document, I think that this document should be
25	corrected to reflect, no, they do not meet that to

	88
1	coincide with the waivers we've given.
2	MS. CREMER: Okay.
3	CHAIRMAN BURG: I guess I don't know. What
4	do we need to do to make sure that correction is made?
5	MS. WIEST: I believe there are three
6	companies that do not at this time provide single party
7	service, so all they would have to do is change that
8	yes to no for those Stateline, Venture, and U S West;
9	right?
10	CHAIRMAN BURG: And the testimony on the
11	record is adequate to accomplish that?
12	MS. WIEST: Yes.
13	CHAIRMAN BURG: Okay. That's all I
14	wondered.
15	MS. WIEST: So how many wire centers does U S
16	West have?
17	A. 38.
18	MS. WIEST: 38. Thank you. Any other
19	questions of this witness?
20	MS. CREMER: No.
21	MS. WIEST: Would you like to admit this
22	docket for the purposes of this docket? Before I only
23	admitted it for the other dockets.
24	MS. CREMER: Actually I wasn't going to move
25	it into this one because people testified to it, so I

didn't really need it in mine. But I can certainly 1 move it. 2 MS. WIEST: It's up to you. 3 MS. CREMER: We don't need it in this docket. 4 5 MS. WIEST: Any other questions of this witness? Thank you. Anything else from any of the 6 parties? At this time I believe the Commission will 7 take these matters under advisement. We are waiting 8 for some late-filed exhibits in some dockets, and it 9 10 will be possible that perhaps the Commission will make the decisions either at a Commission meeting or at the 11 December 2nd hearing on some other related ETC 12 dockets. Are there any questions from anybody or any 13 14 comments? 15 MR. COIT: I would just, for the record, like to formally request that the Commission designate each 16 of the -- based upon the record, the affidavits yet to 17 be submitted, that the Commission designate each of the 18 rural telephone companies, SDITC member companies, as 19 ETC's and that their study areas be designated as their 20 service area. That's all I have. 21 MS. WIEST: Thank you. That will close the 22 23 hearing. (THE HEARING CONCLUDED AT 3:50 P.M.) 24 25

1	STATE OF SOUTH DAKOTA)
2	COUNTY OF HUGHES
3	
4	I, Lori J. Grode, RMR, Notary Public, in and
5	for the State of South Dakota, do hereby certify that
6	the above hearing, pages 1 through 89, inclusive, was
7	recorded stenographically by me and reduced to
8	typewriting.
9	I FURTHER CERTIFY that the foregoing
10	transcript of the said hearing is a true and correct
11	transcript of the stenographic notes at the time and
12	place specified hereinbefore.
13	I FURTHER CERTIFY that I am not a relative or
14	employee or attorney or counsel of any of the parties,
15	nor a relative or employee of such attorney or counsel,
16	or financially interested directly or indirectly in
17	this action.
18	IN WITNESS WHEREOF, I have hereunto set my
19	hand and seal of office at Pierre, South Dakota, this
20	1st day of December, 1997.
21	
22	
23	Lori J. Grode, RMR
24	
25	

÷	٤.	
	5	
22	5	
1	£.	
-	5	
÷	٤.	
-		
	5	
Ŧ	٤.	
	۰	
1		
_	2	
т	r	
-	г.	
_	2	
т	۶.	
~	ŝ.	
e	,	
	\$	
-	2	
2	1	
2	2	
c	2	
COMMU	2	
	2	
-		
×.		
=	2	
	3	
5	2	
٠	5	
-	4	
÷	z	
c	١	
2	2	
2		
77	5	
μ	2	
-	÷.	
	2	
•		
c	2	
л	3	
2	í	
~		
in the	=	
п	1	
-	ń	
~	ø	
-	÷	
7	3	
-	÷	
	9	
c)	
2	z	
C	2	
	ñ	
13	2	
U	ŋ	
1	4	
	1	

			at U.S.C. 21449(518) advectes services exchange wide	et U.S.C. 214(e)(5) Selected before and (by VCC)	et C.F.R. Statistics and Statist matter seated at these and the type servers to painting the econy containent		 tail instalant for qualifying towardown consumers 	It access to devolvy associance	7 BODESS IS IN INTERNATION OF MENUCES	9 BOLINE ADDITION OF A DITION OF A DITIONO OF A DIT	3 access to smarperio services	 angle party service or its functional reportants 	2. Sue the must reserve voneing or is functions equal	2 Yoosi usege	I voice pride access to public selected features	47 C F R 54 101(0)
outh by J Brown	101/07 letter; response due by 10/14/07		we do so pany forward in accord with any specific adverting transferration the Commission may deneto	rei Sain Bonessei NE Sain Bunn NE Sain Gregon NE	a cheese is purchased USVC subseque to othered connects to we USVE is according with 41 CVR (14.400 - 34.41) and any 520°UC decisions (U)-46)	tal control not provided reputationy a warver for one rear	Li booky	1	i		:	1. 101497	i	i	i	Concert Concert ICSI cost
response 10/1497 call by J. Brown	a 101/97 wher: response the by 101/497		will do to pany bread in accord with any second envertienty standards that the Commission may stready	Yea Sauth Argenore NE Sauth Demona NE NAME Carly NE	OV/Coop does not current offer within its service and triffed will be obleved under terms of 47 CPR 54 400 - 417 10/1497	val control we privided	forces pa-	ź	i	í	í	Ver 121497	:	1	i	Content View Content view Contention Contention Contention Contention
separate 10/997 selfs by D. Queschvich	a 101.97 what response the by 101497		will do its pany forward in accord with any specific according standards that the Commission may denauge	i	VCSC currently offers within vi to service weak. 11/28 will be any SDPUC sectional 10/497	-bet control not provided requesting a warver for one year	Average of	í	1	i	1	Yes to business and residence business and residence business	1	1	í	Valley Case A Samila Communications TCB7-070 CH
sepante 10/9/07 tell by D. Queschnick	NOTAT MEN INCOME DIS by 1014/07		will be to party forward in accord with any specific scheetung standards that the Commission may breakly breakly	ĩ	Children Coop Boen not annersky ofter writen to betweet under write 11 CPR 54.400 - 417 - 10655	when the server to be an advected and control will be available and the server of the	for pressive	:	i		3	Ver to business and version of the statement in the statement in the statement in the statement in the statement is statement in the statement in the statement in the statement is statement in the statement in the statement in the statement in the statement is statement in the state	:	i	i	Tesocommunications Cooperative Asian loss TCBT-CTI CH
response 10/14/97 odlit by P. Rasmusson	by 101457		will do to an a pony time basis in according with any specific advertary sangleds that the Commission may beyong	í	SYTC does not currently offer white its service and a VINB will be down of white terms of all CIR 54 400 7 412 107442	And convert not proved	-tel hockey	ĩ	ĩ	i	1	AN 10140	í	i	í	Sous Valley Tesphore Conyany TCS7-073 KC
separate 11/3/97 sett by B. Harson	by 101497		rfuel de le or a grey foreir bast e societario alt e gaste starteg stardarts the to Commission may devery	1	Valley Coop does not SVTC does not ourworky. M. Rushmort does not II. Randall ourworky offen a service areas. 11/164 will be initial and ourworky offen areas ourworky offen as anyong areas. 11/164 will be offend under areas of areas and areas of	- val control and provided. - requesting a waver for one year	furced ps	i	1		ź	Yes 11007	Yes	i	1	Mount Rustmore Teaphare Company TCWT 074 CH
cett by 6 Henson	101197 tedar: response due 101197 tedar: response due by 1011497 by 1011497	Intervention granted to DTI and D75 - 7/2017	duels de la on a gran brueard eel de la on a poerd torvard baak en accordance alle argination in accordance alle argination baodard allevelland in accordance alle argination baodard fait fait fait and argination may deneral Committee may deneral Committee may deneral	1986 Lane Andes 401 NE 1 407 SD 7	F) Rendationnerly offen within 3 service errets in the state of CFR 34 400 and any SDPUC decision. 11/2/97 decision. 11/2/97	-col points not provided representing a warver for one year	-set toocary	i		1	i	COUL MA		1	i	For Randal Telephone Company TC97-075 CH

Support And

10.111

	11	
1		
	÷.	
è	5	
4	а.	
,		
k		
÷	6	
r	-	
ŝ	ø	
4	-	
ø	-	
۲	••	
1	"	
2	5	
č	'n	
į	2	
ļ	2	
5	25	
	CAS	
	CAB	
	CAD	
	CADE	
	CABB	
	CABBI	
	CABBI	
	CADDIE	
	CADDIE	
	CADDIED	
	CADDIED DE	
	CADDIED DE	
	CADDIED DEL	
	CADDIED DEC	
	CADDIED DEO	
	CADDIED DEOI	
	CADDIED DECI	
	CADDIED DEOL	
	CADDIED DECI I	
	CADDIED DECI IE	
	CADDIED DECITE	
	CADDIED DECLIES	
	CADDIED DEDIED	
	CADDIED DECLIES	
	ECONVINICATIONS CARRIER RECITEST	
	CADDIED DEDI IEST	

		47 U S.C. 21 Angli 1581 advantas services auchunge aute	аг U.S.C. 214(р.)б) бекриле комог има (by NOV)	47 CFR 54 405 and 54 411 make invaluable Division and Dra Ub services to qualifying towincome consumers		 tol instation for qualifying low-income consumers 	1. ACCESS IN DIRECTORY ADMILIANCE	7. BOORN IS INVESTIGATION REPORTS	E ACCENT IN ODELINY MENNIN	5 access to emergency services	 angle party service or 15 functions 	3. dual tions much trequency signaling or its functional equal	2 manuale	1 voice grade access to public switched nativo?	47 C F R 54 101(4)
set to D. Ardenon	10107 and response for	ani sa ta gong tawart n accord with any space an-anting standarts that the Contribution may breakly	I	TC currently offers within a service areas, striket with the circles under new terms 47 circles 4 and 2 with new area SOPUC decisions, 10%87	tal control net provided requesting a warver for one year	tol becarg	í	:	i	í	year and 100007	1	í	ĩ	Tesphere Carvery TC01.017 KC
IND by D. Anderson	torist when automes the	will be apply forward in source with any specific potentiary standards that the Commission may drivery	1	TC currently often within its TC basis not currently often service areas	tes control not provided into any first and the second sec	Arose in	1	1	1	1	All are single party and have been for many years 100007	1	1	1	Teconomication Concentra ICET-071 KC
response 101-497 sets by D. Handerson	tights? when response due by 10/14/97	will be to garry toward in accord with any locatic advertary blackards that the Commission may density	Yes West Camp Cross, WY	VMCcop does not current offer within its service and turned of 0 CPR 54 420 417, 10/1497	-ad control not provided imputating a warver for one year	Press In-	1	1	1	1	• *** 101457	1	1	:	Cooperative Cooperative TCOTOCO COOPERATI
negone 1015/07	- 101157 Letter response due by 10114/07	with to as going forward in accord with any specific anestimary standards that the Control secon may denergy	Yes Nort Lennon, NO	Support at service of them within its service areas in the set of the service areas in the set of the service areas at 1 and any SCHUC deceases. 10/15/97	-bil sprats not provided requesting a water for pro-	-tol becavy	i	1	:	1	Yes all but 10 Request over the yes water 101597	1	-	1	Teamore No. No.
response 105/97 call by president of ACI	10197 when response the by 101407	will de to pary forward in accord with any tends, accentary standards that the Commasion may deneral	Name Participan (NO	AC survey days when when server areas 10.184 with critical access resultants 4 critical sectors and access and SOPUC sections 10.865	the control of provided.	ent boosing	í	i	1	1	1	1	1	i	Accent Communications, Inc. TC(211:00) CH
response 105/97 cath by president of Coop	tights? where response due by IGNAS?	will do to gong forward in accord with any seechs; abertang standards that of Commaccion Twy dateting	í	AC currently offers will be write its AVC does not currently offer service areas. 117.58 will be write its service areas offered under new terms 47 117.58 will be offered under CFR 54 400 - 17 ters are served of 47 CFR 54 400 - SDPUC decisions. 107.57 417, 107.67	-sal control not provided	Arcond pri-	í	1	:	i	i	ĩ	i	i	Cooperative Temporal Concerny ICUI-204 CH
nesponse 101097 cett by M. Serson	• 10142 letter response que by 101497	will be appropriate in accord with any specific advecting standards that the Commission may denotice	1	e bearted conversion after women to serve an even viriable will be offered under new server of DIR 34 eXX8 extra even SCIPLIC decisions (U)1087 decisions (U)1087	-tail control not provided macunating a warner for one year	Pressed pre-	1	ŝ	1	*	Yes IGTOW	ĩ	Local and anys serves	i	Communications Ins TCNT 2015 CH

2

11/14/97

		47 U.S.C. 21404(1)(B) REVENUE REVOLUTI RECENCES AND	47 U.S.C. 214(4)(2) designed serves are by NOOT	41 C / R M 44 400 and M 41 11 matrix metabolis Utative and Live Up services to qualifying low-income consumers		 tis instation for qualitying over-income containers 	1 HOLEN IS GREENY MANAGE	7. sccats to interaction of services	4. ACCRASH IN ODMERICA PROVIDER	5 access to emergency services	4. single party service or its functions equivalent	2 and time multi-tequency signaling or its functional equal	1 local unage	sectored network	47 C F R 54 101(0)
response 10/10/97 celh by M. Senion	1011/27 latter; response due by 1011-497	will do to going forward in accord with any specific atvantang standards that the Commission may density density	ſ	Messale does not currently office within its service event trimite will be officered under terms of 47 CPR 54 400 - 417 10/1007	tel control net provided, requesting a warve for one year	-tel booting	1	í	1	i	. Y. 101047	1	Local exchange service	1	Listense Temphone Company TCHT-088
mapsione 10/16/07	101.97 where response due by 1014497	will do to porty forward in accord with any specific successing standards that the Commission may denergy	1	Balls does not arrendy other works in service area tring of a 7 CFR 64-000 417, 10/16/97	net control net prineded. Inspectify a value for one year	Arrest In-	1	:	1	1	YM 101607	1	Local exchange service	1	Tangan Congenition TCDT-GDT NC
response 10/16/97 cell by president	10157 were response due	vid da to pore forward in accord with any specific appendixing standards that the Commaster may stream	TH AND A	East Plans currently offers when its tendes even in the streng of the first streng have tended of the first store A17 and any \$20PuC decisions, 10/18/07	-ad coverd not provided requesting a warver for one year	Autom Jac	1	1	1	1	VII 10160	1	Local and any service	1	Tourness Tourness No
mapones 10/21/67 oath by H. Brown	101.07 where response the by 101.407	all do to gong browed in sociotarca with any specific coversing standards that the Commanion may beening	1	Vession does offer service in another performing term USVC builder of commonly offer services for another serves. Virial and offered under serves. Virial offered under serves.	All control not provided, reportedly a velocer for one	Arcess pr	1	1	1	1	Y 102147	1	1	1	Versions Convers
response 10/24/97 oath by H. Nowick	10137 Men response due	val to a point forward in factored with any specific aniversitivity standards that this Commission may derived	1	 Boothness does after service in all of its subbands weeks frinklig will be aftered unoter all the still 1002/007 MAACO. 	-tal control not provabed requesting a waves for one year	and blocking	1	1	AN 193461	1	Ven 102487	î	1	1	Temphone Company Temphone Company TC(2) 400 KC
response 10/10/07 selft by D. Johnstone	1011/07 MAR		1		-tal control not provided, requesting a waiver for one year	to proceed to	1	1	1	1	Single party in Presto and Kampeter areas 10/10/07	1	1	1	Kannaker Tanghora Ca. Ins TOUT-002 CH
each by R. Conners	response due 107.67 with: response due by 107.497	will do to grand forward in sector to going forward in accurations with any specific accurations with any specific activities that accurations with any specific activities that accurations in the sector the Communication may any activities activities and activities and activities and activities any activities and activities and activities and activities any activities and activities and activities and activities and activities activities activities and activities activities activities and activities activities and activities activitities activities activities activities activities activit	1	Kennebec daes offer service Jeferson daes not currently in Prance service and but offer works its service exert setter in Cornerly offer setter in Cornerly offer setter in Cornerly offer setter in Cornerly of Corn setter in Cornerly of Corn setter in Cornerly of Corn setter in Cornerly (11, 10/1047) Setter - ATT, 10/1047	As cores at product requesting a wave for one year	heroet pr-	1	1	1	1	Y 101087	1	1	1	North Contraction

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

11/14/07

andum and

	1	
G	5	
	2	
	1	
	1	
c	5	
Ş	2	
ŝ		
	2	
S	2	
2	Į.	
	TIONED	
Ş	TIONIC CAD	
	TIONS CADDIE	
	TIONS CADDIED	
	TIONE CADDIED DE	
	TIONS CADDIED DENI	
	TIONS CADDIED DECINES	

		ел и S.С. 214ер/13/8) астепля нечен Калануя нем	ет и \$.С. 214(едб) секупале мочка але (уу КССТ)	47 C.F.R. St. 405 and St.411 nate: Instability Dealer and List Up services to qualifying low-income consumers		 Ind tension for qualifying low-models consumers 	L access to directory essentance	7 access to international services	4 NOTING IN OPPORTUNISMOUTH	5 Access to essentancy services	 angle party service or its functional equivalent 	1. Suil tone multi-trepuency signaling or its functional equal	2. local unage	1. wards grade access to public sedicities instrument	47 C.F.R. 54 101(a)
naponal 101597	10107 eter, response due by 101407	will de to goeg toward in sociori with any spacific solvertang standards that the Commaster may develop	i	Sury bures been not currently offer within th service strate. 11/168 will be offered under serve of 47 CFR 54.400 - 417 10/15/07	As control not provided, requesting a warver for one year	for soon and	1	1	1	1	**** 101547	1	1	1	Sury Bucan Temptore Conjunction TCHT-ON C
nesponse 10/15/97 oath by R. Houdes	101/57 user response the by 101497	will da to gong forward in accord with any specific according standards that the Commission may densing	Yuu North Brittan, NO	Venue currently offer within its service area in 11.00 with a pleased under a 11.00 with a pleased under a 11.00 with any SDPUC decisions 10.1597	and control not provided.	And Descend	1	ĩ	1	1	Ym 101567	1	1	1	Communications, No. TOUTONS
cash by R. Johnston	101/87 week: response due	will do to on a ganny basis in socionance specific advantance stancingts may be Comprisation may de	1	SAVCCM surveys offer when its service even in 100 with by Direct 4 400 417 and say SDPuc decision. 10/1097	and control and provided	An and a	1	1	1	1	Y. 101007	1	ĩ	1	SAMECOM, INC. TCOTOM
nesponse 10/10/97 oath by R. Johnston	NOTIST Letter response the by 101457	faell da la ce a gang fan pisan in socionide elle supporte alternitery supporte alternitery Commission may develo	1	Sandom does not currently offer which its service arread to risk of the offered under the service of the offered under 417, 10/10/87	real status or barrent	to boosy	1	í	ĩ	1	V+4 191047	1	1	1	Santom Telephone Cooperative TCST-ONT XC
response 10/14/97 ueth by W. Asland	by 101497 and response due	howardsill do so gong howard in with unperconduce with any source setting the Communics may the Communics may denotes	1	Beneficid Goes not car offer within its service a term of 47 CFR 54.40 417, 10/1497	reparently a water to provided	free pro-	1	1	1	1	Yes 101497	1	1	1	Langua Tangasa Canany TCATAN KC
authorse 10/0/97 auth by P. Harrington		will do be gang forward in to accurate with any second accurate grandwith that the Commission may beening	Via North New Ellington, ND	V RC Coop does not current a citize within its service area of the within the colleved under the main at 47 CFR 54 400 - 417, 109497	-sal covers not provided.	-tod because	1	i	1	1	VM. 106407	1	1	1	Tesphere Coupy Tesphere Coupyerster Association TC211000 NC
call by P. Harrington	10137 Jater: response due 10137 Jater: response due by 101497	n will da te gong towerd in orde-contence with any teerdord eccontence with any teerdord eccontence with any teerdord eccontence with any teerdord teerdord terror any teerdord terror and any teerdord terror teerdord terror any teerdord terror any	Yes North Vielson, NO	V RC currently offers within its an anotal areas. 1/1/58 will be control under new terms of control under new terms of SDPUC decisions. 105697	nat covers not provided requesting a wave fut one	herent se-	1	1	1	1	VM 10007	ì	1	1	RC Communications, Viz. 1(CB1.100 RC

esphorm with

m
÷
ELIGIBLE
G
-
¥
in .
TELECON
m
-
m
0
0
≥.
≤.
C
7
=
n
>
-
TIONS
¥
*
S
0
5
51
~
~
m
20
-
2
m
Ø
C
m
0

		er u.S.C. 21440(1)(8) Monetan havden and ange wete	47 U.S.C. 214(4)(5) Sumples serves are (by NOV)	41 C F R. Sk 405 and Sk 411 make resistant there and the Up services is qualityed be-more consumer		 Inditionation for qualitying investigation containent 	1. Access to devidery existence	7 saless to interescharge services	t. access to operator services	5. Increase to emergency services		2 dual tone multi-bequency expressing or 23 functional equal	2 local unage:	 voice grade access to public switched network 	47 C F R 54 101(N)
response 1014/97	toriol war, response the	ved du as gang forward in accord with any separatic achievision standards that the Constation may deriviting	i	Splatnos Propertes currenty offen velten its service areas 1/1/68 will be offend under new terms of C/FR 54-600 - 4/17 and any SDPUC decisions 1/0/1497	-tal cardrol not provided, requesting a waiver for one year	forest re-	1	1	1	1	YM 101407	1	1	:	lipetrus Propertes Inc. TC97-101 KC
response 10/1497	10137 leter, response due	vid de as gang tinnerd in accord with any specific accentary attachants has the Commission may thereag	Fast Garrages, MN	Applicate does not currently other within its service areas (arms) will be offered under (arms) of all by offered 400 417, 1014497 7	-tal control not provided. respectively a waiver for one year	fuecos pr-	1	**	1	1	VM 101497	1	10	1	Spannes Telecom Cooperation, Inc. TCWT-102 KC
response 10/14/87 oath by J. Exerend	101/87 water, inspense due	val do no priny toward in accord with any south, atverting taxwards that the Commission may develop	1	Tri-County date not connectly date within the device strengt. Initial will device strengt. Initial within Chill SA 800 - 417 10/14/97	-ted control net provided. International a water for one	-tel booking	1	1	1	1	Y 101407		1	1	Tricanty Tostina CH
response 10/14/97 owth by V. Miller	- 10137 Hear, Insponse due by 1014/97	will do so pony forward in accordance with any speci alivertary standards field the Commission may develop	1	Sufficient net currently off writes its serves areas torn of 47 CFR S4.400 - 417, 10/1447	-al control not provided.	tel techny	1	1	1	1	Yes 101497	1	î	1	Faith Managad Telephone Company TC07-108 KC
napone 107057 oath by B. Haugen, Sr. Pre-	107/97 Male: Reporte	will do to gong forward in concretance with any specific concretance may the Commission may denoting denoting	1	Markensar Josen not ourmenty Uniter watten its service arress are in 11748 and 218 offshord under Ord artit, 102497 54400 50 417, 102497 54400 50	-of coversi not provided, requesting a waiver for one year	-tel becarry	1	1	1	1	Y 10997	1	1	1	Amour independent Telephone Company TCIP 113 CH
response 104497 Loath by B. Haugen, Sr. Pres	10147 when response due	art In will do as pany forward in specific accurations with any specific shall be conversion may develop develop	1	B-C currently offer 1 wells in approval attract. In the left will be contrast under mass letters of contrast under mass letters of contrast under mass letters \$209UC decisions. 100607	and control not provided, requesting a waiver for one year	- at heading	1	1	1	1	YM 10007	1	1	1	Independent Teachors Converse TCOLOIN CH
response 10497 response 10497 Pres call by B. Haugen, Sr. Pres. call by B. Haugen, Sr. Pres	101.87 when response due	 vel do te gorg forwer's n dependence with any toecho dependence statutes the seventies statutes may develop. 	1	B-C currently offer 1 within 12 Union does not currently service area. 11/164 wit to other within its service areas. CPR 4.400 - 11/164 with the C to othered under CPR 4.400 - 11/164 with the C to othered under CPR 4.400 - 11/164 with the C to othered under SDPUC decisions. 10/9407 411/10/9407	ad control not provided, requesting a wave for one year	Ad boomy	:	1	:	1	AN 10901	1	1	1	Union Temphone Company TCB1.115 CH

.

all party and a

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

47 C F R 54 101(4)	McCook Cooperative Teleptone Company TCB7-117 CH	Katoka Telephone Company TC97-121 CH	Brockings Municipal Talephone TCS7-125 KC	Hanaon Communications Inc. dible Hanaon County Telephone Co. TC87-130 CH	Hanson Communications Inc. difue McCook Telecom TCB7-131 CH	West Rover Telecommunications Cooperative TC97-154 KC	Matiritàge Teleconterunicatione Co. TCW7-155 CH
1. voice grade access to public switched network	Yes	Y	Y	Y	Y	Y ==	Yes
2. tocal usage	Y	Yes	Yes	7.00	Yes	Yes	7.00
3. dual tone multi-frequency signaling or its functional equal		Y	-			Yes	Y
 single party service or its functional spanned 	Yes 10/14/97	Yes. 10/28/07	Y	Yes. 101497	Yes. 10/1497	Yes 10/16/97	Yes. 101697
5. access to emergency services	-	Y	Yes	Y	Y	Y	T==
8. eccess to operator services	Yes	Yes	Yes	Y ==	Yes	Yes	Yes
7. access to interexchange services	Yes	Yes	Yes	Y	Y	Y	Y
L access to directory assistance	Yes	Y ==	Yes	Y	Yes	Yee	Yes
 toli limitation for qualifying low-income consumers 	-tol blocking	-tol blocking	-tol blocking	-tell biocking	-tuli blocking	-tol blocking -tol control not provided, requesting a waiver	-toil blocking -toil control not provided, requesting a waiver
	Abil control not provided, requesting a waiver for one year	aul control not provided. requesting a waiver for one year	-suit control not provided, requesting a walver for one year	-soil control not provided, requesting a waiver for one year	-tul control net provided, requesting a waiver for one year		
CTFR. 54.405 and 54.411 mate soundole (Deline and Uni Up " soundors to qualifying low-income consumers)	offer within its service areas	Kadoka does not currently offer which its sankce eres. 1/1/68 will be offered under terms of 47 CFR 54.400 - .417 10/28/97	Brookings does not current offer within its service area. 1/1/58 will be offered under serms of 47 CFR 54.400 .417. 10/28/97	Hanson County does not currently other within its service areas. 11748 with to otherwise under terms of 47 CFR 54.400 - 4117. 1014/87	Hanson Communications currently offers within its isonce areas. 11748 will be offerd under new terms 47 CFR 54.400 - 417 and any SDPUC decisions. 1014/91	LA17 and any SDPUC	Mobridge Telecommunications currently offices within its service ansats. 111.68 will be offend under new terms 47 OFR 54.400 - 417 and any SOPUC decisions. 101697
47 U S C 214(e)(5) Sesignale service area (by NXX)	¥#	744	5 4	*•	14	v 	Y
47 U.S.C. 214(eX1X8) Boolenia Mondel Mohange unde	will do so going forward in accord with any specific adversing landards that the Commasion may develop	will do so poing forward in accordance with any specifi existence janderts that the Commission may develop	second with any specific	will do so going forward in scourd with any specific adversing stantiants that the Commission may develop	will do as poing forward in accord with any specific advertising standards that the Commission may develop	will do so poing forward in accord with any specific advertising standards that the Commission may develop	will do so poing forward in accord with any specific advertising standards that the Commission May develop
	10/1.07 letter, response due by 10/14/07	10/1/97 letter, response due by 10/14/97	10/1/97 latter, response due by 10/14/97	10/1/97 latter; response due by 10/1497	101.57 letter response due by 101497	10/1/97 letter: response due by 10/14/97	101/97 letter, response due by 10/1497
	response 10/14/97 path by president	response 10/25/97 celh by P. Mone	response 10/29/97 selh by C. Oevog	response 10/14/97 oath by L. Johnson		response 10/16/97 oeth by president	response 10/16/97 path by president

elctorm.m44

.

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

l

• .

47 U S.C. 21 4(4)(1)(5) Advertise nervosa and anys wide	47.U.S.C. 21.4(a)(3) Designate service area (by NCO)	47 C.F.R. S.A.C.S. and S.A.A.11 maker invalidate (Defer and Live Top- menters to qualifying its encourse consumer)	 tal lansaton for pushing low-encodes consumers 	A scent to directory anastarce	7. access to interestive or services	6. Access to operator services	5 Access to emergency services	 sequences 	3 dual tone multi-treplancy seguring or its functional equal	2 local unage	47 C.F.R. 54 101(4) 1. voice grade access to public metated network
presently advertises analisativity of services throughout its cantined servicely	î	Provides both plans to explain subsortiers, Programs to be obtend an included in application	and tensory	74.	ĩ	î	ĩ	i	1	i	U S WEST TC97:162 KC
vel do so paro trever in accordance web any specific scientistic devices the The Conversion may develop	Yes North Nager, SD	Currently provides Link Lip service but not Likeling service VMC of Likeling at service VMC of CIR States and the CIR States and beginning 11/58	-set lessang -set control not provided, respectively a warver for one year	1	í	í	î	ĩ	Ĩ	1	These Rows Takes TCGR-NBT KC

1

BOOM IN MALE

BEFORE THE PUBLIC UTILITIES COMMISSION OF

THE STATE OF SOUTH DAKOTA

RECEIVED

JUN 2 4 1997

IN THE MATTER OF THE REQUEST OF () AITH MUNICIPAL TELEPHONE COMPANY FOR () DESIGNATION AS AN ELIGIBLE () TELECOMMUNICATIONS CARRIER ()

GHAN .VON

.000

REQUEST FOR ETC DESIGNATION DOCKET TC97-

N SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

TC 97-

FAX Received JUN 2

Faith Municipal Telephone Company ("Faith Telephone") pursuant to 47 United States Code ("U.S.C.") Section 214(e) and 47 Code of Federal Regulations ("CFR") Section 54.201 hereby seeks from the Public Utilities Commission ("Commission") designation as an eligible telecommunications carrier ("ETC") within the local exchange areas that constitute its service area in South Dakota. In support of this request, Faith Telephone offers the following

1. Pursuant to 47 U.S.C. § 214(e) it is the Commission's responsibility to designate local exchange carriers ("LECs") as ETCs, or in other words, to determine which LECs have assumed universal service obligations consistent with the federal law and should be deemed eligible to receive federal universal service support. At least one eligible telecommunications carrier is to be designated by the Commission for each service area in the State. However, in the case of areas served by rural telephone companies, the Commission may not designate more than one LEC as an ETC without first finding that such additional designation would be in the public interest. Under 47 CFR § 54.201, beginning January 1, 1998, only telecommunications carriers that have received designation from the Commission to serve as an eligible telecommunications carrier within their service area will be eligible to receive federal universal service support.

 Faith Telephone is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange.

Faith, South Dakota (605) 967

Faith Telephone to its knowledge is the only carrier today providing local exchange telecommunications services in the above identified exchange areas.



 Faith Telephone in accordance with 47 CFR § 54,101. Ters the following local exchange telecommunications services to all consumers throughout its service area:

- Voice grade access to the public switched network;
- Local exchange service including an amount of local usage free of per minute charges under a flat rated local service package;
- Dual tone multi-frequency signaling;
- Access to emergency services such as 911 or enhanced 911 public services;
- Access to operator services;
- Access to interexchange service;
- Access to directory assistance; and
- Toll blocking service to qualified low-income consumers.

As noted above, Faith Telephone does provide toll limitation service in the form of toll blocking to qualifying consumers; however, the additional toll limitation service of "toll control" as defined in the new FCC universal service rules (47 CFR § 54.400(3)) is not provided. Faith Telephone is not aware that any local exchange carrier in South Dakota has a current capability to provide such service. The FCC gave no indication prior to the release of its universal service order (FCC 97-157) that toll control would be imposed as an ETC service requirement and, to our information and belief, as a result, LECs nationwide are not positioned to make the service immediately available. In order for Faith Telephone to provide the service, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. At minimum, the service requires a switching software upgrade and at this time Faith Telephone is investigating and attempting to determine whether the necessary software has been developed and when it might become available.

Accordingly, Faith Telephone is faced with exceptional circumstances concerning its ability to make the toll control service available as set forth in the FCC's universal service rules and must request a waiver from the requirement to provide such service. At this time, a waiver for a period of one year is requested. Prior to the end of the one year period, Faith Telephone will report back to the Commission with specific information indicating when the necessary network upgrades can be made and the service can be made available to assist low income customers. The Commission may properly grant a waiver from the "toll control" requirement pursuant to 47 CFR 54 (101(c).

4. Faith Telephone has previously and will continue to advertise the availability of its local exchange services in media of general distribution throughout the exchange areas served. Prior to this filing, Faith Telephone has not generally advertised the prices charged for all of the above-identified services. It will do so going forward in accordance with any specific advertising standards that the Commission may develop.

5 Based on the foregoing. Faith Telephone respectfully requests that the Commission:
 a) grant a temporary waiver of the requirement to provide "toll control" service, and
 b) grant an ETC designation to Faith Telephone covering all of the local exchange areas that constitute its present service area in the State.

Dated this 20 day of June, 1997.

Faith Municipal Telephone Company

miller

Vivian Miller, Finance Officer

TC97-108

City of Faith Box 368 Faith, SD 57626 605-967-2261

October 9, 1997

RECEIVED

Karen Cremer South Dakota Public Utilities Commission State Capitol Building 500 East Capitol Avenue Pierre, SD 57501-5070 OCT 1 4 1997

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Dear Ms. Cremer:

Pursuant to 47 CFR 54.101 (a)(4), single-party service is available by Faith Municipal Telephone Company.

Faith Municipal Telephone Company is not currently offering Lifeline and Link Up services within its exchange, but will as required by the FCC rules, 47CFR SS 54 400 - 54 417, make the established discount programs available to its qualifying low-income customers beginning January 1, 1998. It is our understanding that while providing the Lifeline and Link Up services is a requirement imposed on ETC's pursuant to 47 CFR SS 54 405 and 54 411, it is not actually a precondition which must be met before ETC status can properly be granted by the Commission 47 CFR S 54 101 which lists the service obligations that must be met before a carrier can receive federal universal service support does not specifically reference Lifeline and Link Up services.

Vivian Miller, being first duly sworn, states that she is the Finance Officer for the responding party, that she has read the initial ETC application and the foregoing, and the same are true to her own best knowledge, information and belief.

wan

October 9, 1997

Vivian Miller, Finance Officer

STATE OF SOUTH DAKOTA

SS

COUNTY OF MEADE

On this 9th day of October, 1997, Vivian Miller, personally appeared before the undersigned officer and signed the foregoing instrument in any presence.

Aloria Dirpper

(Seal) My commission expires 02-11-02



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY FAITH) MUNICIPAL TELEPHONE COMPANY FOR) DESIGNATION AS AN ELIGIBLE) TELECOMMUNICATIONS CARRIER) FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER AND NOTICE OF ENTRY OF ORDER TC97-108

On June 23, 1997, the Public Utilities Commission (Commission) received a request for designation as an eligible telecommunications carrier (ETC) from Faith Municipal Telephone Company (Faith Telephone). Faith Telephone requested designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area.

The Commission electronically transmitted notice of the filing and the intervention deadline to interested individuals and entities. No person or entity filed to intervene. By order dated November 7, 1997, the Commission set the hearing for this matter for 1:30 p.m. on November 19, 1997, in Room 412, State Capitol, Pierre, South Dakota.

The hearing was held as scheduled. At the hearing, the Commission granted Faith Telephone a one year waiver of the requirement to provide toll control service within its service area. At its December 11, 1997, meeting, the Commission granted ETC designation to Faith Telephone and designated its study area as its service area.

Based on the evidence of record, the Commission enters the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

On June 23, 1997, the Commission received a request for designation as an ETC from Faith Telephone. Faith Telephone requested designation as an ETC within the local exchange areas that constitute its service area. Faith Telephone serves the following exchange: Faith (967). Exhibit 1.

н

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

ш

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

The Federal Communications Commission (FCC) has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade

access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

v

Faith Telephone offers voice grade access to the public switched network to all consumers throughout its service area. Exhibit 1.

Faith Telephone offers local exchange service including an amount of local usage free of per minute charges to all consumers throughout its service area. [d.

VII

VIII

Faith Telephone offers dual tone multi-frequency signaling to all consumers throughout its service area. Id.

IX

Faith Telephone offers single party service to all consumers throughout its service area. Exhibit 2.

х

Faith Telephone offers access to emergency services to all consumers throughout its service area. Eithibit 1.

XI

Faith Telephone offers access to operator services to all consumers throughout its service area. Id.

XII

Faith Telephone offers access to interexchange services to all consumers throughout its service area. Id.

XIII

Faith Telephone offers access to directory assistance to all consumers throughout its service area. Id.

NAMES I

One of the services required to be provided by an ETC to qualifying low-income consumers is toll limitation. 47 C.F.R. § 54.101(a)(9). Toll limitation consists of both toll blocking and toll control. 47 C.F.R. § 54.400(d). Toll control is a service that allows consumers to specify a certain amount of toll usage that may be incurred per month or per billing cycle. 47 C.F.R. § 54.400(c). Toll blocking is a service that lets consumers elect not to allow the completion of outgoing toll calls. 47 C.F.R. § 54.400(b).

XV

Faith Telephone offers toll blocking to all consumers throughout its service area. Exhibit 1.

XVI

Faith Telephone does not currently offer toll control. Id. In order for Faith Telephone to provide toll control, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. Faith Telephone is attempting to determine whether the necessary softwa a has been developed and when it might become available. Id.

XVII

Faith Telephone stated that it is faced with exceptional circumstances concerning its ability to make toll control service available and requested a one year waiver from the requirement to provide such service. Id. Prior to the end of the one year period, Faith Telephone will report back to the Commission with specific information indicating when the network upgrades can be made in order to provide toll control. Id.

XVIII

With respect to the obligation to advertise the availability of services supported by the federal universal service support mechanism and the charges for those services using media of general distribution, Faith Telephone stated that it advertises the availability of its local exchange services in media of general distribution throughout its service area. However, Faith Telephone has not generally advertised the prices for these services. Id. Faith Telephone stated its intention to comply with any advertising standards developed by the Commission. Id.

XIX

Faith Telephone does not currently offer Lifeline and Link Up service discounts in its exchanges. Exhibit 2. Faith Telephone will offer the Lifeline and Link Up service discounts in all of its service area beginning January 1, 1998, in accordance with 47 C.F.R. §§ 54.400 to 54.417, inclusive, and any Commission imposed requirements. Exhibit 2.

XX

The Commission finds that Faith Telephone currently provides and will continue to provide the following services or functionalities throughout its service area: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling; (4) single-party service; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll blocking for qualifying low-income consumers.

The Commission finds that pursuant to 47 C.F.R. § 54.101(c) it will grant Faith Telephone a waiver of the requirement to offer toll control services until December 31, 1998. The Commission finds that exceptional circumstances prevent Faith Telephone from providing toll control at this time due to the difficulty in obtaining the necessary software upgrades to provide the service.

XXII

The Commission finds that Faith Telephone intends to provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

XXIII

The Commission finds that Faith Telephone shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor throughout its service area using media of general distribution once each year. The Commission further finds that if the rate for any of the services supported by the federal universal service support mechanism changes, the new rate must be advertised using media of general distribution.

XXIV

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates Faith Telephone's current study area as its service area.

CONCLUSIONS OF LAW

1

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 214.

11

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

111

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

IV

The FCC has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator

4

8

Co th

-10m - 00m

.

services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

V

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link. Up services to qualifying low-income consumers. 47 C.F.R. § 54:405; 47 C.F.R. § 54:411.

VI

Faith Telephone has met the requirements of 47 C.F.R. § 54.101(a) with the exception of the ability to offer toll control. Pursuant to 47 C.F.R. § 54.101(c), the Commission concludes that Faith Telephone has demonstrated exceptional circumstances that justify granting it a waiver of the requirement to offer toll control until December 31, 1998.

VII

Faith Telephone shall provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

VIII

Faith Telephone shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor using media of general distribution once each year. If the rate for any of the services supported by the federal universal service support mechanism changes, the new rate shall be advertised using media of general distribution.

IX

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates Faith Telephone's current study area as its service area.

х

The Commission designates Faith Telephone as an eligible telecommunications carrier for its service area.

It is therefore

it is

ORDERED, that Faith Telephone's current study area is designated as its service area; and

FURTHER ORDERED, that Faith Telephone shall be granted a waiver of the requirement to offer toli control services until December 31, 1998; and it is

FURTHER ORDERED, that Faith Telephone shall follow the advertising requirements as listed above; and it is

FURTHER ORDERED, that Faith Telephone is designated as an eligible telecommunications carrier for its service area.

NOTICE OF ENTRY OF ORDER

00. 40. WA-0

1000

PLEASE TAKE NOTICE that this Order was duly entered on the 17^{20} day of December, 1997. Pursuant to SDCL 1-26-32, this Order will take effect 10 days after the date of receipt or failure to accept delivery of the decision by the parties.

Dated at Pierre, South Dakota, this 17th day of December, 1997. CERTIFICATE OF SERVICE BY ORDER OF THE COMMISSION: The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in property JAMES A. BURG, Chairman addressed envelopes, with charges prepaid thereon. By PAM NELSON, Commissioner Date LASKA SCHOENFELDER, Commissioner (OFFICIAL SEAL)



ちょうう

10000

5

ð

CITY OF FAITH

P.O. Box 368 206 Main Street FAITH, SOUTH DAKOTA 57626 Ph: (605) 967-2261

TC97-108

RECEIVED

DEC 2 4 1997

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

December 19, 1997

Mr. Bill Bullard South Dakota Public Utilities Commission 500 East Capitol Pierre, South Dakota 57501

Dear Mr Bullard

We are enclosing a copy of Faith Municipal Telephone Company's Lifeline and Link Up Plans which are consistent with the criteria in South Dakota Public Utilities Commission's Docket TC97-150. (also enclosed) and in 47 CFR 54.400 - 54.417.

Please call Loretta Calabro of TELEC Consulting Resources, (402) 398-0062, with any questions you may have on this matter.

Yours truly,

wian miller

Vivian Miller Finance Officer

RECEIVED

DEC 2 4 1997

LIFELINE AND LINK UP PLAN OF FAITH MUNICIPAL TELEPHONE COMPANY BOUTH DAKOTA PUBLIC

The Faith Municipal Telephone Company submits this plan pursuant to 47 CFR § 54 401(d) Faith Municipal Telephone Company has been designated as an eligible telecommunications carrier by the South Dakota Public Utilities Commission ("SDPUC") and, as such, must make Lifeline and Link Up service available to qualifying low-income consumers as set forth in the Commission's Final Order and Decision, Notice of Entry of Decision dated November 18, 1997, issued in Docket TC97-150 (In the Matter of the Investigation into the Lifeline and Link Up Programs), which is attached as Exhibit A, and consistent with the criteria established under 47 CFR §§ 54 400 to 54 417, inclusive

A. General

0143.65.21

.

1 The Lifeline and Link Up programs assist qualified low-income consumers by providing for reduced monthly charges and reduced connection charges for local telephone service. The assistance applies to a single telephone line at a qualified consumer's principal place of residence.

2. A qualified low-income consumer is a telephone subscriber who participates in at least one of the following public assistance programs:

- a Medicaid
- b. Food Stamps
- Supplemental Security Income (SSI)
- d. Federal Public Housing Assistance
- e. Low-Income Home Energy Assistance Program (LHEAP)

3. A qualified low-income consumer is eligible to receive either or both Life ne and Link Up assistance.

4. Faith Municipal Telephone Company will advertise the availability of Lifeline and Link Up services and the charges therefore using media of general distribution and in accord with any rules that may be developed by the SDPUC for application to eligible telecommunications carriers.

5. In addition, Faith Municipal Telephone Company, as required by the Final Order and Decision; Notice of Entry of Decision of the SDPUC (Exhibit A), will indicate in it's annual report to the SDPUC the number of subscribers within it's service area receiving Lifeline and/or Link Up assistance. In addition, this information will be provided to the Universal Service Administrative Company ("USAC")

6. Information as to the number of consumers qualifying for Lifeline and/or Link Up assistance cannot currently be provided by Faith Municipal Telephone Company because it has no access to the government information necessary to determine how many of its telephone subscribers are participating in the above referenced public assistance programs. Without this information, Faith Municipal Telephone Company cannot provide, at this time, even a reasonable estimate of the number of its subscribers who, after January 1, 1998, will be receiving Lifeline and/or Link Up service. Information as to the number of its low-income subscribers qualifying for Lifeline and/or Link Up can be provided after applications for Lifeline and Link Up assistance have been received by Faith Municipal Telephone Company.

7 In accord with the SDPUC's Final Order and Decision; Notice of Entry of Decision, Faith Municipal Telephone Company will make application forms available to all of its existing residential customers, to all new customers when they apply for residential local telephone service, and to other persons or entities upon their request.

B. Lifeline

1. Lifeline service means a retail local service offering for which qualified lowincome consumers pay reduced charges

2 Lifeline service includes voice grade access to the public switched network, local usage, dual tone multi-frequency signaling or its functional equivalent, singleparty service or its functional equivalent, access to emergency services, access to operator services, access to interexchange service, access to directory assistance, and toll limitation.

3 Qualified low-income subscribers are required to submit an application form in order to receive Lifeline service. In applying for Lifeline assistance, the subscriber must certify under penalty of perjury that they are currently participating in at least one of the qualifying public assistance programs listed in Section A.2, above In addition, the subscriber must agree to notify Faith Municipal Telephone Company when they cease participating in the qualifying public assistance program(s)

4. The total monthly Lifeline credit available to qualified consumers is \$5.25. Faith Municipal Telephone Company shall provide the credit to qualified consumers by applying the federal baseline support amount of \$3.50 to wave the consumer's iederal End-User Common Line charge and applying the additional authorized federal support amount of \$1.75 as a credit to the consumer's intrastate local service rate. The federal baseline support amount and additional support available, totaling \$5.25, shall reduce Faith Municipal Telephone Company's lowest tariffed (or otherwise generally available) residential rate for the services listed above in Section B.3. Per the attached SDPUC Final Order and Decision, Notice of Entry

of Decision, the SDPUC has authorized intrastate rate reductions for eligible telecommunications carriers making the additional federal support amount of \$1 75 available. The SDPUC did not establish a state Lifeline program to fund any further rate reductions (Exhibit A, Findings of Fact VII and VIII, and Conclusions of Law II and III)

5 Faith Municipal Telephone Company will not disconnect subscribers from their Lifeline service for non-payment of toll charges unless the SDPUC, pursuant to 47 CFR § 54.401(b)(1), has granted the company a waiver from the non-disconnect requirement.

6. Except to the extent that Faith Municipal Telephone Company has obtained a waiver from the SDPUC pursuant to 47 CFR § 54 101(c), the company shall offer toll limitation to all qualifying low-income consumers when they subscribe to Lifeline service. If the subscriber elects to receive toll limitation, that service shall become part of that subscriber's Lifeline service.

7. Faith Municipal Telephone Company will not collect a service deposit in order to initiate Lifeline service if the qualifying low-income consumer voluntarily elects toll blocking on their telephone line. However, one month's local service charges may be required as an advance payment.

C. Link Up

1. Link Up means

(a) A reduction in the customary charge for commencing telecommunications service for a single telecommunications connection at a consumer's principal place of residence. The reductions shall be 50 percent of the customary charge or \$30.00, whichever is less, and

(b) A deferred schedule for payment of the charges assessed for commencing service, for which the consumer does not pay interest. The interest charges not assessed to the consumer shall be for connection charges of up to \$200.00 that are deferred to a period not to exceed one year.

2 Charges assessed for commencing service include any charges that are customarily assessed for connecting subscribers to the network. These charges do not include any permissible security deposit requirements

3. The Link Up program shall allow a consumer to receive the benefit of the Link Up program for a second or subsequent time only for a principal place of residence with an address different from the residence address at which the Link Up assistance was provided previously.

Faith Municipal Telephone Company P.O. Box 368 Faith, South Dakota 57626-0368

By <u>Mirian Miller</u> Finance Name Position Officer

100

Jer WP-2-

0007

EXHIBIT "A"

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE I	TAN	TER OF TH	IE INVE	STIGA	TION)	FINAL ORDER AND
INTO T	HE	LIFELINE	AND	LINK	UP)	DECISION; NOTICE OF
PROGRA	MS)	ENTRY OF DECISION
						1	TC97-150

At its August 18, 1997, regularly scheduled meeting, the Public Utilities Commission (Commission) voted to open a docket concerning the Federal Communications Commission's (FCC's) Report and Order on Universal Service regarding the Lifeline and Link Up programs. In its Report and Order, the FCC decided that it would provide for additional federal support in the amount of \$1.75, above the current \$3.50 level. However, in order for a state's Lifeline consumers to receive the adoitional \$1.75 in federal support, the state commission must approve that reduction in the portion of the intrastate rate paid by the end user. 47 C.F.R. § 54.403(a). Additional federal support may also be received in an amount equal to one-half of any support generated from the intrastate jurisdiction, up to a maximum of \$7.00 in federal support. 47 C.F.R. § 54.403(a). A state commission must file or require the carrier to file information with the administrator of the federal. universal service fund demonstrating that the carrier's Lifeline plan meets the criteria set forth in 47 C.F.R. § 54.401.

By order dated August 28, 1997, the Commission allowed interested persons and entities to submit written comments concerning how the Commission should implement the FCC's rules on the Lifeline and Link Up programs. In their written comments, interested persons and entities commented on the following questions:

1 Whether the Commission should approve intrastate rate reductions to allow consumers eligible for Lifeline support to receive the additional \$1.75 in federal support?

Whether the Commission should set up a state Lifeline Program to fund further reductions in the intrastate rate paid by the end user?

3. Whether the Commission should modify the existing Lifeline or Link Up Programs?

4. Shall the Commission file or require the carrier to file information with the administrator of the federal universal service fund demonstrating that the carrier's Lifeline plan meets the criteria set forth in 47 C.F.R. § 54.401(d)?

By order dated October 16, 1997, the Commission set public hearings to receive public comment on the questions listed above. The hearings were held at the following times and places:

RAPID CITY

Monday, October 27, 1997, 1:00 p.m., Canyon Lake Senior Citizens Center, 2900 Canyon Lake Drive, Rapid City, SD

2005

PIERRE: Tuesday, October 28, 1997, 1:30 p.m., State Capitol Building, Room 412, 500 East Capitol Avenue, Pierre, SD

SIOUX FALLS Wednesday, October 29, 1997, 9:00 a.m., Center for Active Generations, 2300 West 46th, Sioux Falls, SD

At its November 7, 1997, meeting, the Commission ruled as follows: On the first issue, the Commission authorized intrastate rate reductions to allow eligible consumers to receive the additional \$1.75 in federal support. With respect to the second issue, the Commission decided to not set up a state Lifeline program to fund further reductions at this time. On the third issue, the Commission eliminated the existing TAP program that requires U S WEST and carriers that have purchased U S WEST exchanges to fund a \$3.50 reduction of local rates to low income customers age 60 and over. The Commission further ruled that the South Dakota Link Up program follow the FCC rules. In addition, the Commission ordered that staff, in consultation with the carriers, develop a standard form for self-certification; that these forms be sent to all of their customers prior to January 1, 1998, and thereafter, to all new customers; and that the carriers make the forms available to any person or entity upon request. On the fourth issue, the Commission ruled that the carrier be equired to file with the FCC the information demonstrating that the carrier's plan meets the applicable FCC criteria and that the carrier send an informational copy to the Commission. Further, that the carriers include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

Based on the written comments and evidence and testimony received at the hearings, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1

The current state Lifeline program is referred to as the Telephone Assistance Plan (TAP). The current state Link Up program is referred to as the Link Up America program. The Commission implemented these programs in the U S WEST exchanges pursuant to its Decision and Order dated February 17, 1988, issued in Docket F-3703, In the Matter of the Investigation into Implementation of a Telephone Assistance Plan for South Dakota Customers. Exhibit 1 at page 1. Subsequent buyers of U S WEST exchanges were required to also offer the TAP and Link Up America programs. Id. at pages 1-2.

11

The amount of TAP assistance is \$7.00, \$3.50 of which is federally funded, with the remaining \$3.50 funded by the local telecommunications carrier. Id. at page 3. Although U.S.WEST was originally allowed to charge a surcharge to fund the program, U.S.WEST subsequently gave up that right in Docket F.3647-8, In the Matter of the Public Utilities Commission Investigation into the Effects of the 1986 Tax Reform Act on South Dakota Utilities. Exhibit 5. In order to receive the TAP assistance, a member of the household

STAN . CON . TY

must be 60 years of age or older and participate in either the food stamp or the low-income energy assistance program. Exhibit 1 at page 2.

III

The Link Up America program provides assistance in an amount equal to one-half of the qualifying subscriber's telephone service connection charges up to a maximum of \$30.00. Id at page 3. In order to receive Link Up assistance, a customer must be receiving either food stamps or low-income energy assistance, must not presently have local telephone service and must not have been provided telephone service at his or her residence within the previous three months, and must not be a dependent for federal income tax purposes (dependency criteria does not apply to those 60 years of age or older). Id. The Link Up program is funded entirely out of federal funds. Id.

IV

The FCC revised the current Lifeline and Link Up programs in CC Docket No. 96-45, In the Matter of Federal-State Joint Board on Universal Service, adopted May 7, 1997. Beginning January 1, 1998, the FCC found that the federal baseline Lifeline support will be \$3.50 per qualifying low-income consumer with an additional \$1.75 in federal support if the state commission approves a corresponding reduction in intrastate local rates. 47 C.F.R. § 54.403(a). Additional federal Lifeline support in an amount equal to one-half the amount of any state Lifeline support (not to exceed \$7.00) is also available. Id.

v

The FCC further found that the federal support for Link Up will continue to be a reduction in the telecommunications carrier's service connection charges equal to one half of the carrier's customer connection charge or \$30.00, whichever is less. 47 C.F.R. § 54.413(b)

VI

Pursuant to the FCC's rules, if there is no state Lifeline or Link Up program, a consumer is eligible for support if the consumer participates in one of the following programs Medicaid, food stamps; Supplemental Security Income; federal public housing assistance; or the Low-Income Home Energy Assistance Program. 47 C.F.R. §§ 54.409(b) and 54.415(b). In addition, if there is no state Lifeline or Link Up program, a customer must certify under penalty of perjury that the customer is receiving benefits from one of the programs listed above and agrees to notify the carrier if the customer ceases to participate in such program or programs. Id.

VII

The first issue is whether the Commission should approve intrastate rate reductions to allow consumers eligible for Lifeline support to receive the additional \$1.75 in federal support. The Commission finds that it shall authorize intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support. Thus, the total amount of federal support is \$5.25 per eligible customer.

VIII

The second issue is whether the Commission should set up a state Lifeline program to fund further reductions in the intrastate rate paid by the end user. The Commission finds it will not set up a state Lifeline program to fund further reductions at this time.

IX

The third issue is whether to modify or eliminate the existing Lifeline program or Link Up program. With respect to the existing Lifeline program, the Commission finds that it shall eliminate the existing TAP program that requires U S WEST and carriers that have purchaned U S WEST exchanges to fund a \$3.50 reduction of local rates to low income customurs age 60 and over. The Commission further finds that the South Dakota Lifeline and Link Up programs shall follow the FCC rules. See 47 U.S.C. §§ 54.400 to 54.417. The effect of following the FCC rules and not instituting further state funded reductions is that the FCC eligibility requirements and self-certification requirements will apply to the South Dakota Lifeline and Link Up programs. In addition, the Commission orders that the Commission staff, in consultation with the carriers, develop a standard form for selfcertification. The carriers shall send these forms to each customer prior to January 1, 1998. The carriers shall also send a form to each of their new customers. Finally, the carriers shall make the forms available to any person or entity upon request.

х

The fourth issue is whether the Commission should file, or in the alternative, require the carrier to file information with the fund administrator. See 47 C.F.R. § 54.401(d). The Commission finds the carriers shall be required to file that information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carrier's shall also be required to include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

CONCLUSIONS OF LAW

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-11, 49-31-3, 49-31-7, 49-31-7, 1, 49-31-11, 49-31-12, 1, 49-31-12, 2 and 12.4, and 47 C.F.R. §§ 54.400 to 54.417.

12/12/97 16.59 2605 224 1637

11

Pursuant to 47 C.F.R. § 54.403(a), the Commission authorizes intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support.

111

The Commission declines to institute a state Lifeline program to fund further reductions at this time. The existing South Dakota Lifeline and Link Up programs shall be modified to follow the FCC rules found at 47 U.S.C. §§ 54.400 to 54.417, inclusive, on January 1, 1998. The Commission staff, in consultation with the carriers, shall develop a standard form for self-certification. The carriers shall send these forms to each customer prior to January 1, 1998. The carriers shall also send a form to each of their new customers. Finally, the carriers shall make the forms available to any person or entity upon request.

IV

Pursuant to 47 C.F.R. § 54.401(d), the Commission finds the carriers shall be required to file that information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carriers shall also be required to include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

It is therefore

.

ORDERED, that the Commission authorizes intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support; and it is

FURTHER ORDERED, that the Commission will not set up a state Lifeline program to fund further reductions at this time; and it is

FURTHER ORDERED, that the Commission shall eliminate the existing TAP program; that the South Dakota Lifeline and Link Up programs follow the FCC rules; that the Commission staff, in consultation with the carriers, develop a standard form for self-certification; that the carriers shall send these forms to all of their customers prior to January 1, 1998; that the carriers shall also send a form to each of their new customers; and that the carriers make the forms available to any person or entity upon request; and it is

00. U.O. U.A.O

P

FURTHER ORDERED, that the carrier shall file with the FCC the information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carriers shall also include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

Dat id at Pierre, South Dakota, this 18th day of November, 1997.

6

	CERTIFICATE OF SERVICE
document i record in to list, by fac	undersigned hereby outlies that this has been served locary upon all parties of its dockat, as listed on the dockat service simile or by first class mail, in property envelopes, with charges prepaid thereon.
or 1	Ulaine Kalles
Date	11/18/97

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairpran

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner