

TC 97-181



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U S WEST COMMUNICATIONS, INC.  
1801 CALIFORNIA SUITE 5100  
DENVER CO 80202

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE SETTING OF ) ORDER OPENING DOCKET  
PERMANENT PRICES, TERMS, AND )  
CONDITIONS FOR INTERCONNECTION WITH ) TC97-181  
U S WEST COMMUNICATIONS, INC. )

In its Order on Reconsideration in Docket TC96-184, In the Matter of the Petition for Arbitration on Behalf of AT&T Communications of the Midwest Inc with U S WEST Communications, Inc., the Public Utilities Commission (Commission) stated that the prices, terms, and conditions set by the Commission in that docket were interim prices, terms, and conditions. The Commission further stated that it would open a new docket to set permanent prices, terms, and conditions for interconnection with U S WEST.

At its October 28, 1997, meeting, the Commission considered whether to open a docket to set permanent prices, terms, and conditions for interconnection with U S WEST. U S WEST and AT&T both stated that they had no objection to the Commission opening the docket. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 49-13 and 49-31, and the federal Telecommunications Act of 1996. The Commission unanimously voted to open the docket.

It is therefore

ORDERED that a docket shall be opened to set permanent prices, terms, and conditions for interconnection with U S WEST.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of November, 1997.

CERTIFICATE OF SERVICE

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 prepaid thereon.

By: Delaine Kalbs

Date: 11/7/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner

# TELECOMMUNICATIONS SERVICE FILINGS

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

11/07/97 through 11/13/97

If you need a complete copy of a filing listed, overnight express, or mailed to you, please contact Delinea Koller within five days of this filing.

Public Utility Commission  
 State Capitol 500 J. Capitol  
 Pierre, SD 57501-5070  
 Phone: (800) 332-1782  
 Fax: (605) 773-3800

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
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## ORDER OPENING DOCKET

In its Order on Reconsideration in Docket TC97-184, in the Matter of the Petition for Arbitration on Behalf of AT&T Communications of the Midwest Inc. with U S WEST Communications, Inc., the Commission stated that the prices, terms, and conditions set by the Commission in that docket were interim prices, terms, and conditions. The Commission further stated that it would open a new docket to set permanent prices, terms, and conditions for interconnection with U S WEST. At its October 28, 1997, meeting, the Commission considered whether to open a docket to set permanent prices, terms, and conditions for interconnection with U S WEST, U S WEST and AT&T both stated that they had no objection to the Commission opening the docket. The Commission unanimously voted to open the docket.

TC97-181	opened 11/07/97	11/28/97
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## REQUEST FOR ELIGIBLE TELECOMMUNICATIONS COMPANY STATUS

Valley Telephone Company pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Valley is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange in South Dakota: (605) 338 Browns Valley. Valley, to its knowledge, is the only carrier meeting the eligibility requirements of 47 U.S.C. 214(e) and 47 C.F.R. 54.201 in its exchanges. (Staff: HB/KC)

Farmers Mutual Telephone Company pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Farmers is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange in South Dakota: (605) 324 Marietta. Farmers, to its knowledge, is the only carrier meeting the eligibility requirements of 47 U.S.C. 214(e) and 47 C.F.R. 54.201 in its exchanges. (Staff: HB/CH)

TC97-182	11/13/97	11/28/97
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The Cheyenne River Sioux Tribe Telephone Authority (Telephone Authority) pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 has been granted eligible telecommunications carrier status by the Cheyenne River Sioux Tribe, and for reasons set forth in its petition states that the Commission does not have jurisdiction to designate the Telephone Authority as an eligible telecommunications carrier. In the alternative, in the event that the Commission concludes that it has jurisdiction to designate eligible telecommunications carriers within the exterior boundaries of the Cheyenne River Indian Reservation, which the Telephone Authority does not concede, the Telephone Authority meets the requirements for designation as an eligible telecommunications carrier for its service area. (Staff: HB/CH)

TC97-184	11/13/97	11/28/97
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Important Notice: The Commission is compiling a list of Internet addresses. If you have an Internet address please notify the Commission by: E-mailing it to Terry.Norum@puc.state.sd.us Faxing the address to the Commission #1: 605-773-3800



**DAKOTA TELECOM, INC.**

P.O. BOX 127

IRENE, SOUTH DAKOTA 57037

(605) 263-3921

SD WATS 800-952-0004

MN AND IA WATS 800-239-7501

November 14, 1997

**RECEIVED**

NOV 17 1997

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

**BY FIRST CLASS MAIL**

William Bullard, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, South Dakota 57501

**RE: TC97-181 MOTION FOR LEAVE TO INTERVENE**

Dear Mr. Bullard:

On behalf of Dakota Telecom, Inc., and Dakota Telecommunications Systems, Inc. (collectively "Dakota") I have enclosed the original and four copies of the MOTION FOR LEAVE TO INTERVENE in the above referenced docket.

Please file stamp and date the extra copy and return to Robert G. Marmet, attorney for DCT in the enclosed self-addressed stamped envelope. Thank you.

Sincerely,

Kristie Lyngstad  
Administrative Assistant

Enclosures

RECEIVED

NOV 17 1997

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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

IN THE MATTER OF THE SETTING )  
OF PERMANENT PRICES, TERMS )  
AND CONDITIONS FOR )  
INTERCONNECTION WITH )  
US WEST COMMUNICATIONS, INC )

DOCKET TC97-181  
MOTION FOR LEAVE  
TO INTERVENE

COME NOW Dakota Telecom, Inc. and Dakota Telecommunications Systems, Inc. (collectively "Dakota") and Petition the Commission for leave to intervene in the above entitled docket. In support thereof, Dakota states the following

1. Dakota Telecom, Inc. and Dakota Telecommunications Systems, Inc. are certified to provide local exchange service in South Dakota.
2. Dakota anticipates providing local exchanges services in U S WEST territories at some time in the near future through either the use of its own facilities or through use of U S WEST facilities or through a combination of its own facilities and U S WEST facilities.
3. Based upon the foregoing, Dakota is an interested party in this proceeding and seeks intervention herein.

WHEREFORE, Dakota respectfully requests leave to intervene and an opportunity to be heard in this matter.

Dated this 14<sup>th</sup> day of November, 1997.

Dakota Telecom, Inc.  
Dakota Telecommunications Systems, Inc.

By: 

Robert G. Marmel  
Attorney for Dakota  
PO Box 66  
Irene, SD 57037  
(605) 263 3301 phone  
(605) 263 3995 fax





Mary B. Tribby  
Attorney

Room 1575  
1875 Lawrence Street  
Denver, CO 80202  
303 298-6508

November 21, 1997

RECEIVED

NOV 25 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

William Bullard, Jr., Executive Director  
SD PUC, State Capital  
500 E. Capitol  
Pierre, SD 57501

Re: Docket No. TC97-181

Dear Mr. Bullard:

Enclosed herewith please find an original and 10 copies of AT&T Communications of the Midwest, Inc's Petition to Intervene with regard to the above-captioned docket.

Please return a file stamped copy to me in the envelope enclosed. Thank you.

Respectfully yours,

Mary B. Tribby  
Attorney

enclosures

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF SETTING OF )  
PERMANENT PRICES, TERMS, AND )  
CONDITIONS FOR INTERCONNECTION )  
WITH U S WEST COMMUNICATIONS, INC. )

TC97-181

**AT&T COMMUNICATIONS OF THE MIDWEST, INC.'S  
PETITION TO INTERVENE**

AT&T Communications of the Midwest, Inc. (AT&T), by and through its attorneys, requests pursuant to ARSD 20:10:01:15.02 that it be permitted to intervene and granted status as a party in the above matter. In support of its petition to intervene, AT&T states as follows:

1. On November 7, 1997, the Commission opened a new docket to set permanent prices, terms, and conditions for interconnection with U S WEST.
2. AT&T is a telecommunications company certified by this Commission to do business in the State of South Dakota.
3. AT&T has negotiated and arbitrated an interconnection agreement with U S WEST.
4. As a party to TC96-184, AT&T has an interest in participating in this docket to insure permanent prices, terms and conditions for interconnection with U S WEST are appropriate based upon state and federal law.

WHEREFORE, AT&T respectfully requests that this Commission grant AT&T's petition to intervene and grant AT&T status as a party to this proceeding.

DATED November 21, 1997

Respectfully submitted,

AT&T Communications of the Midwest  
Inc.

By:

*Mary B. Tribby*

Mary B Tribby

Maria Arias-Chapleau

AT&T Law Department

1875 Lawrence Street

Suite 1500

Denver, Colorado 80202

Telephone: (303) 298-6508

Facsimile: (303) 298-6301

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE SETTING OF ) ORDER GRANTING  
PERMANENT PRICES, TERMS AND ) INTERVENTION  
CONDITIONS FOR INTERCONNECTION WITH )  
U S WEST COMMUNICATIONS, INC. ) TC97-181

In its Order on Reconsideration in Docket TC96-184, In the Matter of the Petition for Arbitration on Behalf of AT&T Communications of the Midwest Inc., with U S WEST Communications, Inc., the Commission stated that the prices, terms, and conditions set by the Commission in that docket were interim prices, terms, and conditions. The Commission further stated that it would open a new docket to set permanent prices, terms, and conditions for interconnection with U S WEST. At its October 28, 1997, meeting, the Commission considered whether to open a docket to set permanent prices, terms, and conditions for interconnection with U S WEST. U S WEST and AT&T both stated that they had no objection to the Commission opening the docket. The Commission unanimously voted to open this docket. On November 17, 1997, Dakota Telecom, Inc., and Dakota Telecommunications Systems, Inc., filed to intervene, on November 26, 1997, AT&T Communications of the Midwest, Inc., filed to intervene.

On November 13, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of November 28, 1997, to interested individuals and entities.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-31 and the Telecommunications Act of 1996.

At a regularly scheduled meeting of December 2, 1997, the Commission found that the petitions to intervene were timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED that the request for intervention of Dakota Telecom, Inc., Dakota Telecommunications Systems, Inc., and AT&T Communications of the Midwest, Inc. is hereby granted.

Dated at Pierre, South Dakota, this 12<sup>th</sup> day of December, 1997.

<b>CERTIFICATE OF SERVICE</b>	
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 prepaid thereon.	
By:	<u><i>Delaine Kalbs</i></u>
Date:	<u>12/12/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION

*James A. Burg*

JAMES A. BURG, Chairman

*Pam Nelson*

PAM NELSON, Commissioner

*Laska Schoenfelder*

LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE SETTING OF ) ORDER CLOSING DOCKET  
PERMANENT PRICES, TERMS AND )  
CONDITIONS FOR INTERCONNECTION WITH ) TC97-181  
U S WEST COMMUNICATIONS, INC. )

In its Order on Reconsideration in Docket TC96-184, In the Matter of the Petition for Arbitration on Behalf of AT&T Communications of the Midwest Inc., with U S WEST Communications, Inc., now known as Qwest Corporation, the Commission stated that the prices, terms, and conditions set by the Commission in that docket were interim prices, terms, and conditions. The Commission further stated that it would open a new docket to set permanent prices, terms, and conditions for interconnection with U S WEST. At its October 28, 1997, meeting, the Commission considered whether to open a docket to set permanent prices, terms, and conditions for interconnection with U S WEST. U S WEST and AT&T both stated that they had no objection to the Commission opening the docket. The Commission unanimously voted to open this docket. On November 17, 1997, Dakota Telecom, Inc., and Dakota Telecommunications Systems, Inc., filed to intervene; on November 26, 1997, AT&T Communications of the Midwest, Inc., filed to intervene.

On November 13, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of November 28, 1997, to interested individuals and entities.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-31 and the Telecommunications Act of 1996.

At a regularly scheduled meeting of December 2, 1997, the Commission found that the petitions to intervene were timely filed and demonstrated good cause to grant intervention. The Commission voted to grant intervention to Dakota Telecom, Inc., Dakota Telecommunications Systems, Inc., and AT&T Communications of the Midwest, Inc.

At a regularly scheduled meeting of October 10, 2001, Commission Staff recommended that the docket be closed. Qwest did not object. The Commission voted to close the docket. It is therefore

ORDERED, that the docket shall be closed.

Dated at Pierre, South Dakota, this 18th day of October, 2001.

<b>CERTIFICATE OF SERVICE</b>	
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 prepaid thereon.	
By: <u>Alpine Kelbo</u>	
Date: <u>10/19/01</u>	
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner