

TC00-059

TC00-059

TC00-059

DOCKET NO.

In the Matter of

IN THE MATTER OF THE FILING BY U  
S WEST COMMUNICATIONS, INC. FOR  
APPROVAL OF REVISIONS TO ITS  
EXCHANGE AND NETWORK  
SERVICES TARIFF

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDUM
3/27 00	Filed andocketed;
3/30 00	Weekly Filing;
4/10 00	Notice and Notice of Motion;
5/5 00	Amended Notice of Motion;
5/12 00	US West's Response to Staff Motion;
11/27 00	Revised Tariff Pages;
12/7 00	Order Approving Revised Tariff Pages;
12/7 00	Docket Closed

125 South Dakota Avenue, 8th Floor  
Sioux Falls, South Dakota 57194

**USWEST**  
COMMUNICATIONS ©

March 24, 2000

Mr. William Bullard, Executive Director  
Public Utilities Commission  
State Capitol Building  
Pierre, South Dakota 57501

RECEIVED

MAR 27 2000

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Dear Mr. Bullard:

U S WEST Communications has attached for filing with the Commission the following revised pages from our Exchange and Network Services Tariff:

<u>Section</u>	<u>Page</u>	<u>Release</u>
1	13	3
2	Index 1	3
2	20	3
2	21	3

This filing is being made to clarify the terms and conditions relating to customer payment options and application of the charge for a payment returned to U S WEST for insufficient funds or account closed.

We would appreciate acknowledgment of this filing. A duplicate copy of this letter is attached for your convenience.

Sincerely,



Colleen E. Sevold  
Manager-Regulatory Affairs

Attachment

Receipt Acknowledged \_\_\_\_\_  
(Date)

By \_\_\_\_\_, Executive Director  
Public Utilities Commission  
State of South Dakota

## TELECOMMUNICATIONS NEW SERVICES CLASSIFICATION FILING

- 1) Requested Classification:  Non-Competitive  
 Emerging Competitive  
 Fully Competitive
  
- 2) This service will be offered:  Intrastate, IntraLATA  
 Intrastate, InterLATA  
 Interstate
  
- 3) Detailed Description of Service: This filing changes the text in the tariff to reflect that customers have additional options besides a check to pay their bill.
  
- 4) Reason for Change: Customers currently have multiple options for paying their bills, including a transfer of funds from their bank, credit card or debit charge. This change is to reflect additional customer payment options. This filing also clarifies the application of the returned payment charge to accommodate the additional customer payment options available.
  
- 5) Basis for Rates: Rates are not affected.
  
- 6) Quantification of Customer Impact: N/A
  
- 7) Proposed Effective Date: April 25, 2000

U S WEST COMMUNICATIONS, INC.  
Exchange and Network  
Services Tariff

SECTION 1  
Page 13  
Release 3  
Effective 1

State of South Dakota  
Issued: 3-24-2000

1. APPLICATION AND REFERENCE

1.3 SUBJECT INDEX (Cont'd)

Party Line Service .....  
Payment for Service .....  
Payment of Bills .....  
Payment Plans .....  
Premium Exchange Services .....  
Private Branch Exchange (PBX) Trunks .....  
Private or Hotel Branch Exchange Station Line Mileage .....  
Public Access Line Service .....  
Public Communications Service - Coin and Coinless .....  
Public Emergency Reporting System .....  
Public Response Calling Service .....  
  
Reasons for Termination .....  
Refusal .....  
Residence Individual Auxiliary Lines .....  
Responsibilities of the Customer .....  
Restoral of Service .....  
Returned Payment Charge .....  
Rotary Service .....  
Royalty Fees .....  
  
Service Charges .....  
Service Entrance Facilities - Urban Areas .....  
Service Liabilities .....  
Service Stations .....  
Shared Use Service .....  
Special Arrangements .....  
Special Services .....  
Special Taxes, Fees, Charges .....  
STAND-BY Line Service .....  
Supplemental Information Services .....  
SWITCHNET 56 Service .....

SECTION

100

(C)

**U S WEST COMMUNICATIONS, INC.**  
**Exchange and Network**  
**Services Tariff**

SECTION 2  
 Index Page  
 Release  
 Effective

State of South Dakota  
 Issued: 3-24-2000

**2. GENERAL REGULATIONS - CONDITIONS OF OFFERING**

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Adjustments for Municipality Payments .....	12
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Assigning and Changing of Telephone Numbers .....	12
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Returned Payment Charge .....	18
Royalty Fees .....	18

U S WEST COMMUNICATIONS, INC.  
Exchange and Network  
Services Tariff

SECTION 2

Page 20

Release 3

Effective 1

State of South Dakota  
Issued: 3-24-2000

2. GENERAL REGULATIONS - CONDITIONS OF OFFERING

2.3 PAYMENT FOR SERVICE

2.3.2. PAYMENT OF BILLS

A. Charges Due

Charges for exchange service and facilities are due in advance. Charges for toll and long distance service are due when the bill for such service is rendered. All bills are payable by any means mutually acceptable to the customer and the Company. Failure to receive a bill does not exempt the customer from prompt payment of their account. The customer is held responsible for all charges for exchange service and facilities furnished at the customer's request and for all toll and long distance service furnished at the customer's station or stations, including charges for toll messages received at the customer's station or stations on which the charges have been reversed.

The Company shall only utilize credit policies and reasonable and equitable methods in its debt collection practices as specified in the Administrative Rules of the South Dakota Public Utilities Commission.

B. Late Payment Charge

1. A charge at the rate of 1 1/2% or \$1.00, whichever is greater, applies to all amounts previously billed on customer's bills and remaining unpaid at the time the next bill is prepared.
2. Government accounts, other than Federal or State, where this regulation and state law could conflict, shall be extended an additional 30 days. Amounts unpaid at the end of that 60-day period will be assessed a late payment fee of 3% and 1 1/2% per month thereafter. Where there is no meeting date conflict, the extension does not apply.
3. Collection procedures and the requirement for a deposit are unaffected by the application of a late payment charge.
4. The late payment charge does not apply to final accounts.

**U S WEST COMMUNICATIONS, INC.**  
**Exchange and Network**  
**Services Tariff**

State of South Dakota  
Issued: 3-24-2000

**SECTION 3**  
**Page 11**  
**Release 3**  
**Effective 1**

**2. GENERAL REGULATIONS - CONDITIONS OF OFFERING**

**2.3 PAYMENT FOR SERVICE**

**2.3.2. PAYMENT OF BILLS**

**B. Late Payment Charge (Cont'd)**

5. The late payment charge does not apply to unpaid balances associated with disputed amounts. Undisputed amounts on the same bill are subject to the late payment charge if unpaid and carried forward to the next bill.
6. The late payment charge applies to customers' accounts with an unpaid balance of greater than \$15.00.

**C. Returned Payment Charge**

A returned payment charge is applicable to the customer's account for each occasion that a check, bank draft, or an electronic funds transfer item is returned to the Company for the reason for insufficient funds or no account.

- Returned Payment Charge

**CHARGE**

**\$10.00**

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South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of March 23, 2000 through March 29, 2000

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact  
Delaine Kolbo within five business days of this filing.  
Phone: 605-773-3735 Fax: 605-773-3509

**CONSUMER COMPLAINTS**

**CT00-051 In the Matter of the Complaint filed by Bonnie Struss, Watertown, South Dakota, against HOLD Billing Services and Business Options, Inc. Regarding Unauthorized Switching of Services.**

The complainant indicates that her service was switched to another carrier without her knowledge or permission in January 2000. She is requesting compensation because she is tired of being switched without permission.

Staff Analyst: Charlene Lund  
Staff Attorney: Camron Hoseck  
Date Docketed: 03/23/00  
Intervention Deadline: NA

**CT00-052 In the Matter of the Complaint filed by Phil Edwards, Spearfish, South Dakota, against U S WEST Communications, Inc. and AT&T Communications of the Midwest, Inc. Regarding Billing Issues.**

The Complainant alleges that from May 1999 to January 2000, he was incorrectly billed by AT&T because U S West improperly routed his long distance calls. The Complainant's carrier of choice is Clear Choice. He is seeking restitution of charges in excess of Clear Choice's 5 cent/min. since May 1999.

Staff Analyst: Leni Healy  
Staff Attorney: Camron Hoseck  
Date Docketed: 03/23/00  
Intervention Deadline: NA

**CT00-053 In the Matter of the Complaint filed by James and Darleen Frye, Vermillion, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Tactics.**

The Complainants claim as a result of a deceptive telemarketing call, their long distance service was switched to OLS. They are seeking a full credit of the telecommunications charges plus expenses relating to the resolution of the complaint.

Staff Analyst: Leni Healy  
Staff Attorney: Karen Cremer

Date Docketed: 03/23/00  
Intervention Deadline: NA

**CT00-054** In the Matter of the Complaint filed by Susan R. Sorbel, Rapid City, South Dakota, against Business Options, Inc. Regarding Unauthorized Switching of Services.

The complainant alleges that her services were switched without authorization. Ms Sorbel believes that Business Options, Inc. is in direct violation of SDCL #49-31-92 and should be fined according to SDCL #49-31-93 for intentional theft of long distance service.

Staff Analyst: Charlene Lund  
Staff Attorney: Camron Hoseck  
Date Docketed: 03/24/00  
Intervention Date: N/A

**CT00-055** In the Matter of the Complaint filed by Black Hills FiberCom, L.L.C., Rapid City, South Dakota, against U S WEST Communications, Inc. Regarding Competitive Pricing and Promotion Practices.

On March 14, 2000, Black Hills FiberCom, L.L.C. (FiberCom) filed a complaint with this Commission. The complaint was forwarded to U S WEST Communications, Inc. (U S WEST) on March 15, 2000, to attempt to resolve the complaint informally. The informal attempt to resolve the complaint was not successful within the requested time frame; the complaint was formally docketed on March 29, 2000. FiberCom is of the information and belief that as early as the fall of 1999, U S WEST conducted, and continues to conduct, an unlawful pricing and promotion campaign within the local exchange area serviced concurrently by U S WEST and FiberCom.

Staff Analyst: Harlan Best  
Staff Attorney: Camron Hoseck  
Date Docketed: 03/29/00  
Intervention Deadline: NA

**CT00-056** In the Matter of the Complaint filed by Jeanette Braunstein, Aberdeen, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Practices.

On March 29, 2000, the Complainant filed a formal complaint against OLS indicating the company promised to send information for the Complainant's review before switching service. The Complainant's telecommunications service was switched even though no printed information was received and the assessed rates were higher than discussed during the telemarketing call. The Complainant is seeking reimbursement and compensation for her time.

Staff Analyst: Leni Healy  
Staff Attorney: Karen Cremer  
Date Docketed: 03/29/00  
Intervention Date: NA

## NATURAL GAS

**NG00-002 In the Matter of the Application of Murray Construction L.L.C., Sioux Falls, South Dakota, for a Master Metering Variance Request for Various Apartment Buildings in Sioux Falls, South Dakota.**

Murray Construction, L.L.C. has requested a variance for master metering of gas service on a number of their rental properties in Sioux Falls. The request was based upon ARSD 20:10:26:04 and Murray is requesting a hearing on this matter.

Staff Analyst: Heather Forney

Staff Attorney: Karen Cremer

Date Docketed: 03/24/00

Intervention Date: 04/14/00

**NG00-003 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.**

Application by MidAmerican Energy to revise its South Dakota natural gas tariffs in order to increase flexibility and meet competition. MidAmerican Energy is proposing to increase flexibility by allowing all of its sales and transportation volumetric rates and service charges to flex downward in order to meet competition. Currently medium and small volume sales service and most service charges are not flexible.

Staff Analyst: Dave Jacobson

Staff Attorney: Karen Cremer

Date Filed: 03/27/00

Intervention Deadline: 04/14/00

## TELECOMMUNICATIONS

**TC98-203 In the Matter of Filing by U S WEST Communications, Inc., for Approval of Negotiated/Arbitrated Terms of Agreement for Interconnection, Resale, and Unbundled Elements Between Advanced Communications Group, Inc., and U S WEST Communications, Inc.**

A first amendment to an interconnection agreement between U S WEST Communications, Inc. and Advanced Communications Group, Inc. has been filed with the Commission for approval. The original agreement which was assigned to FirstTel was approved by the Commission on September 14, 1999. The amendment purports to address collocation.

Staff Attorney: Camron Hoseck

Date Filed: 03/21/00

Intervention deadline: 04/06/00

**TC00-059 In the Matter of the Filing by U S WEST Communications, Inc. for Approval of Revisions to its Exchange and Network Services Tariff.**

U S WEST Communications, Inc. has filed to change the text in the Exchange and Network Services Tariff to reflect that customers have additional options besides a check to pay their bill. Customers currently have multiple options for paying their bills, including a transfer of funds from their bank, credit card or debit charge. This filing also clarifies the application of the returned payment charge to accommodate the additional customer payment options available. U S WEST has requested an effective date of April 25, 2000, for the filed changes.

Staff Analyst: Harlan Best  
Staff Attorney: Camron Hoseck  
Dated Docketed: 03/27/00  
Intervention Deadline: 04/14/00

**TC00-060 In the Matter of the Filing for Approval of a Resale Agreement between U S WEST Communications, Inc. and essential.com.**

An interconnection agreement between essential.com and U S WEST Communications, Inc. has been filed with the Commission for approval pursuant to 47 U.S.C. Section 252(e). The resale agreement will extend certain arrangements to one another within the geographical areas where U S WEST is the incumbent local exchange carrier for the purposes of providing the resale of local telecommunications services.

Staff Attorney: Camron Hoseck  
Date Docketed: 03/28/00  
Intervention Deadline: 04/14/00

**TC00-061 In the Matter of the Filing for Approval of an Agreement for Local Wireline Network Interconnection and Service Resale between U S WEST Communications, Inc. and Healthcare Liability Management Corporation.**

An interconnection agreement between Healthcare Liability Management Corporation and U S WEST Communications, Inc. has been filed with the Commission for approval pursuant to 47 U.S.C. Section 252(e). The agreement purports to adopt, in its entirety, the previously negotiated and approved AT&T Communications of the Midwest, Inc. interconnection agreement which was approved by the Commission on March 4, 1999, in Docket TC98-184.

Staff Attorney: Camron Hoseck  
Date Docketed: 03/28/00  
Intervention Deadline: 04/14/00

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>**

# Public Utilities Commission

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



April 10, 2000

Mr. Alex Duarte  
Senior Attorney  
U S WEST Communications, Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

Ms. Colleen E. Sevoick  
Manager-Regulatory Affairs  
U S WEST Communications, Inc.  
125 South Dakota Avenue, 8th Floor  
Sioux Falls, SD 57194

Mr. Thomas J. Welk  
Attorney at Law  
Boyce, Murphy, McDowell & Greenfield  
P. O. Box 5015  
Sioux Falls, SD 57117-5015

Re: In the Matter of the Filing by U S WEST  
Communications, Inc. for Approval of  
Revisions to its Exchange and Network  
Services Tariff  
Docket TC00-059

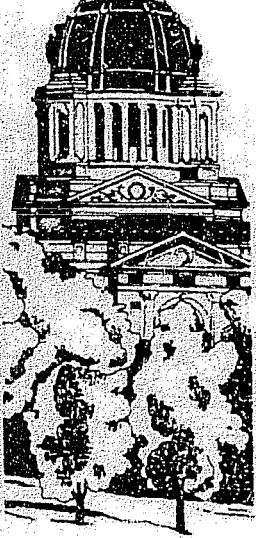
Dear Folks:

Enclosed you will each find a copy of Motion and Notice of Motion in the above captioned matter. This is intended as service upon you by mail.

Very truly yours,

Camron Hoseck  
Staff Attorney

CH:dk  
Enc.



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

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[www.state.sd.us/puc/](http://www.state.sd.us/puc/)

♦  
Jim Burg  
Chairman  
Pam Nelson  
Vice-Chairman  
Laska Schoenfelder  
Commissioner

William Bullard Jr.  
Executive Director

Harlan Best  
Martin C. Bettmann  
Sue Cichos  
Karen E. Cremer  
Terry Emerson  
Michele M. Farris  
Marlette Fischbach  
Heather K. Forney  
Shirleen Fugitt  
Mary Giddings  
Lewis Hammond  
Leni Healy  
Mary Healy  
Camron Hoseck  
Lisa Hull  
Dave Jacobson  
Jennifer Kirk  
Bob Knadle  
Delaine Kolbo  
Charlene Lund  
Gregory A. Rislov  
Keith Senger  
Rolayne Ailts Wiest  
♦

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

IN THE MATTER OF THE FILING BY U S WEST )	MOTION AND NOTICE OF
COMMUNICATIONS, INC. FOR APPROVAL OF )	MOTION
REVISIONS TO ITS EXCHANGE AND )	
NETWORK SERVICES TARIFF )	TC99-059

The Staff of the South Dakota Public Utilities Commission (Staff) hereby moves the Public Utilities Commission (Commission) for an order in this docket pursuant to SDCL 49-31-7.1(3), (4), (6), and (7) in which U S WEST Communications, Inc. (U S WEST) provides information regarding and justification for its actions as described herein.

On March 27, 2000, U S WEST filed with the Commission for approval of certain pages from its Exchange and Network Services Tariff. Among the changes for which approval is sought is for:

Section 1, Page 13, Release 5

The last filing with regard to this specific tariff was in Docket TC97-152 which was for:

Section 1, Page 13, Release 3

U S WEST's web page indicates that a change has already occurred, presumably without Commission approval as the U S WEST web page references:

Section 1, Page 13, Release 4

On February 28, 2000, Staff requested of U S WEST some form of substantiation for the change to:

Section 1, Page 13, Release 4

in that this change purports to have an effective date of December 29, 1999.

U S WEST's filing in this docket indicates that this is for a non-competitive service intrastate intraLATA.

Inasmuch as it appears that U S WEST has not submitted a tariff or tariffs for Commission approval and has unilaterally implemented the provisions of these tariffs for noncompetitive services without Commission approval, the Staff respectfully requests that U S WEST be ordered to appear before the Commission, produce the necessary documentation and further explain its actions as described in this Motion and otherwise demonstrate to the Commission why it should not have statutory penalties imposed against it for violation of SDCL 49-31-12.

Dated this 16<sup>th</sup> day of April, 2000.



Camron Hoseck  
Staff Attorney  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501  
Telephone (605) 773-3201

### NOTICE OF MOTION

PLEASE TAKE NOTICE that the herein attached Motion will be heard before the South Dakota Public Utilities Commission, Room LCR1, State Capitol Building, Pierre, South Dakota, on Tuesday, May 16, 2000, at 1:30 P.M.



Camron Hoseck  
Special Assistant Attorney General  
500 East Capitol  
Pierre, SD 57501  
Telephone (605) 773-3201

### CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion and Notice of Motion were served on the following by mailing the same to them by United States Post Office First Class Mail postage thereon prepaid, at the address shown below on this the 16<sup>th</sup> day of April, 2000.

Mr. Alex Duarte  
Senior Attorney  
U S WEST Communications, Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

Ms. Colleen E. Sevoid  
Manager-Regulatory Affairs  
U S WEST Communications, Inc.  
125 South Dakota Avenue, 8th Floor  
Sioux Falls, SD 57194

Mr. Thomas J. Welk  
Attorney at Law  
Boyce, Murphy, McDowell & Greenfield  
P. O. Box 5015  
Sioux Falls, SD 57117-5015



Camron Hoseck  
Staff Attorney



# South Dakota Public Utilities Commission



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

May 5, 2000

Mr. Alex Duarte  
Senior Attorney  
U S WEST Communications, Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

Ms. Colleen E. Sebold  
Manager-Regulatory Affairs  
U S WEST Communications, Inc.  
125 South Dakota Avenue, 8th Floor  
Sioux Falls, SD 57194

Mr. Thomas J. Welk  
Attorney at Law  
Boyce, Murphy, McDowell & Greenfield  
P. O. Box 5015  
Sioux Falls, SD 57117-5015

Re: In the Matter of the Filing by U S WEST  
Communications, Inc. for Approval of  
Revisions to its Exchange and Network  
Services Tariff  
Docket TC00-059

Dear Folks:

Enclosed you will each find a copy of Amended Notice of Motion in the above captioned matter. This is intended as service upon you by mail.

Very truly yours,

Camron Hoseck  
Staff Attorney

CH:dk  
Enc.

Capitol Office  
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Camron Hoseck  
Lisa Hull  
Dave Jacobson  
Jennifer Kirk  
Bob Kniadle  
Delaine Kolbo  
Charlene Lund  
Gregory A. Rislov  
Keith Senger  
Rolayne Ailts Wiest  
♦



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY U S WEST )  
COMMUNICATIONS, INC. FOR APPROVAL OF )  
REVISIONS TO ITS EXCHANGE AND )  
NETWORK SERVICES TARIFF )

AMENDED NOTICE OF  
MOTION

TC00-059

PLEASE TAKE NOTICE that the Motion in the above captioned matter which was scheduled to be heard before the South Dakota Public Utilities Commission in Room LCR1, State Capitol Building, Pierre, South Dakota, on Tuesday, May 16, 2000 at 1:30 P.M., has been changed and will now be heard on Wednesday, May 17, 2000 at 1:30 P.M., or as soon thereafter as the matter may be heard, in Room 464, State Capitol Building, Pierre, South Dakota.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of May, 2000.



Cameron Hoseck  
Staff Attorney  
500 East Capitol  
Pierre, SD 57501  
Telephone (605) 773-3201

CERTIFICATE OF SERVICE

I hereby certify that copies of the above Amended Notice of Motion were served on the following by facsimile and by mailing the same to them by United States Post Office First Class Mail, postage thereon prepaid, at the address shown below on this the 5<sup>th</sup> day of May, 2000.

Mr. Alex Duarte  
Senior Attorney  
U S WEST Communications, Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

Ms. Colleen E. Sevole  
Manager-Regulatory Affairs  
U S WEST Communications, Inc.  
125 South Dakota Avenue, 8th Floor  
Sioux Falls, SD 57194

Mr. Thomas J. Welk  
Attorney at Law  
Boyce, Murphy, McDowell & Greenfield  
P. O. Box 5015  
Sioux Falls, SD 57117-5015



Cameron Hoseck  
Staff Attorney

**BOYCE, MURPHY, McDOWELL & GREENFIELD, L.L.P.**  
ATTORNEYS AT LAW

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Vance R.C. Goldammer  
Thomas J. Welk  
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James E. McMahon  
Michael S. McKnight  
Gregg S. Greenfield  
Roger A. Sudbeck

OFFICE  
605 336-2424

FAX  
605 334-0618

May 12, 2000

VIA FACSIMILE - 605-773-3809

Mr. William Bullard, Executive Director  
Public Utilities Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, SD 57501

FAX Received MAY 11 2000

RECEIVED

MAY 15 2000

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Re: In the Matter of the Filing by U S WEST Communications, Inc. for Approval of Revisions  
to its Exchange and Network Services Tariff (TC00-059)  
Our File No. 2104.061

Dear Mr. Bullard:

Enclosed please find U S WEST Communications, Inc.'s Response to Staff's Motion and Certificate  
of Service. The original and ten (10) copies are being mailed to you today.

Sincerely yours,

BOYCE MURPHY MCDOWELL  
& GREENFIELD, L.L.P.



Thomas J. Welk

TJW/vjj

Enclosures

cc: Camron Hoseck  
Colleen Sevold  
Alex Duarte

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

MAY 15 2000

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION  
TC00-059

IN THE MATTER OF THE FILING BY U S  
WEST COMMUNICATIONS, INC. FOR  
APPROVAL OF REVISIONS TO ITS  
EXCHANGE AND NETWORK SERVICES  
TARIFF

U S WEST COMMUNICATIONS, INC.'S  
RESPONSE TO STAFF'S MOTION

FAX Received MAY 11 2000

The Staff of the Public Utilities Commission of the State of South Dakota ("Staff") filed a motion with the Commission dated April 10, 2000 in this docket. The Staff requests the Public Utilities Commission ("Commission") for an order which provides information regarding justification for U S WEST Communications, Inc.'s ("U S WEST") actions described in the motion. The specific actions on which the Staff requires the Commission to issue an order related to certain changes to the U S WEST Exchange and Network Services Tariff ("the Tariff")

In response to the motion, U S WEST requests that the Commission, pursuant to SDCL 1-26-19(4), take judicial notice of the Commission's order in Docket TC99-099 entitled "In the Matter of the Inquiry of Whether to Reclassify U S WEST Communications, Inc.'s Intralata Toll and Wide Area Telephone Services" dated December 8, 1999, which is attached hereto as Exhibit A ("Toll Reclassification Order"). Such order unequivocally provides "that U S WEST intralata toll and wide area services are fully competitive and shall be reclassified from emerging competitive to fully competitive." (pg. 2 of Toll Reclassification Order).

The date of the Toll Reclassification Order is significant because all of the information requested by the Staff occurred after the date of the Toll Reclassification Order of December 8, 1999. What U S WEST did in changing the Tariff was to remove the portions of the Tariff identified in the Staff's motion because they are toll related products.

The cited changes in the Staff's motion all relate to Section 1 of the Tariff which is the subject index. Attached as Exhibits B, C and D are releases 3, 4 and 5 which are changes in the subject index of the Tariff which are referred to in the Staff's motion.

Release 3, which is attached as Exhibit B, was the existing subject index of its general exchange tariff that was approved in Docket TC97-152. Release 4, which was effective December 29, 1999, did only one thing in that it removed "Pay Per Call Restrictions" which is a toll restriction service, therefore a toll product. A copy of Section 10 in the General Exchange Tariff that was removed as to Pay Per Call Restriction, is attached at Exhibit E. In addition, other toll services that were removed from the Tariff effective December 29, 1999 include Billed Number Screening, Toll Restriction and Blocking for 10XXX1+/10XXX011+. Again, these are all toll related products. These Tariff sections are attached as Exhibits F, G and H.

U S WEST by changing its Tariff did nothing more than eliminate the toll products that had been deregulated as fully competitive pursuant to the Toll Reclassification Order. Pursuant to SDCL 49-31-4 and SDCL 49-31-12, the Commission provides no regulation of the rates or prices as to fully competitive services.

**WHEREFORE**, U S WEST respectfully requests that the Commission not issue the order requested by the Staff.

DATED this 12th day of May, 2000.



Thomas J. Welk  
BOYCE, MURPHY, McDOWELL &  
GREENFIELD, L.L.P.  
101 North Phillips Avenue, Suite 600  
Sioux Falls, SD 57117-5015  
(605) 336-2424

Alex M. Duarte  
U S WEST Communications, Inc.  
1801 California Street - #5100  
Denver, CO. 80202  
(303) 672-5871  
Attorneys for U S WEST Communications, Inc.

## CERTIFICATE OF SERVICE

I, Thomas J. Welk, do hereby certify that I am a member of the law firm of Boyce, Murphy, McDowell & Greenfield, L.L.P., and on the 12th day of May, 2000 at approximately 1:50 p.m., a true and correct copy of U S WEST Communications, Inc.'s Response to Staff's Motion was personally served on the following via facsimile to the following number:

Camron Hoseck      605-773-3809  
SD Public Utilities Commission  
500 E. Capitol Avenue  
Pierre, SD 57501



---

Thomas J. Welk

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

<b>IN THE MATTER OF THE INQUIRY OF</b>	)	<b>ORDER RECLASSIFYING</b>
<b>WHETHER TO RECLASSIFY U S WEST</b>	)	<b>U S WEST'S INTRALATA</b>
<b>COMMUNICATIONS, INC.'S INTRALATA TOLL</b>	)	<b>TOLL AND WIDE-AREA</b>
<b>AND WIDE-AREA TELEPHONE SERVICES</b>	)	<b>TELEPHONE SERVICES AS</b>
	)	<b>FULLY COMPETITIVE;</b>
	)	<b>ORDER APPROVING</b>
	)	<b>SETTLEMENT AGREEMENT</b>
	)	<b>TC99-099</b>

**DEC 9**

At its August 17, 1999, meeting, the Public Utilities Commission (Commission) voted to direct the Executive Director to open a docket to consider whether to have IntraLATA toll and wide-area telephone services for U S WEST Communications, Inc. (U S WEST) reclassified from emerging competitive to fully competitive (Commissioner Schoenfelder, dissenting). Pursuant to SDCL 49-31-3.2, when determining how a telecommunications service is to be classified, the Commission shall consider the following:

- (1) The number and size of alternative providers of the service and the affiliation to other providers;
- (2) The extent to which services are available from alternative providers in the relevant market;
- (3) The ability of alternative providers to make functionally equivalent or substitute services readily available at competitive rates, terms, and conditions of service;
- (4) The market share, the ability of the market to hold prices close to the cost, and other economic measures of market power; and
- (5) The impact on universal service.

The Commission has jurisdiction over this matter pursuant to SDCL 49-31-3.2 and 49-31-3.4. Pursuant to SDCL 49-31-3.4, in any proceeding to reclassify a telecommunications service, the telecommunications company providing the service has the burden of proving that the classification is appropriate if the proceeding is commenced by the Commission on its own motion. On October 8, 1999, Sprint Corporation (Sprint) and Telecommunications Resellers Association (TRA) filed Petitions for Leave to Intervene. At its November 1, 1999, meeting, the Commission granted the requests for intervention. U S WEST filed testimony on October 22, 1999. The hearing was scheduled for November 22, 1999.

On November 3, 1999, the Commission received a Stipulation and Settlement Agreement entered into between U S WEST and Commission Staff. In the Stipulation and Settlement Agreement, U S WEST and Commission Staff agreed that U S WEST's



Staff requested approval of the Stipulation and Settlement Agreement. On November 8, 1999, the Commission received a letter from Sprint stating that with the inclusion of paragraph III(J), which notes U S WEST's continued imputation of access charges, Sprint was satisfied with the result. TRA did not respond until after the Commission approved the Stipulation and Agreement. TRA was given the opportunity to participate in the settlement negotiations and was sent a copy of the Stipulation and Settlement Agreement. Although TRA stated that it did not have sufficient notice of the Commission meeting, TRA was informed the morning of November 15, 1999, that the Commission would consider whether to approve the Stipulation and Settlement Agreement that afternoon. TRA chose not to participate in the meeting.

At its November 15, 1999, meeting, the Commission considered the Stipulation and Settlement Agreement. The Commission voted to approve the Stipulation and Settlement Agreement. After consideration of the criteria listed in SDCL 49-31-3.2 and based upon the information filed in this docket, the Commission finds that U S WEST's intraLATA toll and wide-area telephone services are fully competitive and shall be reclassified from emerging competitive to fully competitive. The Commission finds the reclassification is in the public interest because there are numerous alternative providers of intraLATA toll and wide-area telephone services in South Dakota. Further, the Commission notes that since the implementation of intraLATA dialing parity all South Dakota customers now have the ability to preselect a specific carrier for their intraLATA toll calls by dialing "1" plus the number.

It is therefore

ORDERED, that U S WEST's intraLATA toll and wide-area telephone services shall be reclassified as fully competitive; and it is

FURTHER ORDERED, that the Stipulation and Settlement Agreement shall be approved and shall be incorporated by reference into this Order the same as if it had been set forth in its entirety herein.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of December, 1999.

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:	<u>Delaine Kalbs</u>
Date:	<u>12/8/99</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

**U S WEST COMMUNICATIONS, INC.**  
**Exchange and Network**  
**Services Tariff**

**SECTION 1**  
**Page 13**  
**Release 3**  
**Effective: 9-29-97**

State of South Dakota  
 Issued: 8-28-97

**1. APPLICATION AND REFERENCE**

**1.3 SUBJECT INDEX (Cont'd)**

	<b>SECTION</b>
Party Line Service .....	2
Pay Per Call Restriction .....	10
Payment for Service .....	2
Payment of Bills .....	2
Payment Plans .....	2
Premium Exchange Services .....	5
Private Branch Exchange (PBX) Trunks .....	5
Private or Hotel Branch Exchange Station Line Mileage .....	10
Public Access Line Service .....	5
Public Communications Service - Coin and Coinless .....	5
Public Emergency Reporting System .....	109
Public Response Calling Service .....	5
Reasons for Termination .....	2
Refusal .....	2
Residence Individual Auxiliary Lines .....	5
Responsibilities of the Customer .....	2
Restoral of Service .....	2
Returned Check Charge .....	2
Rotary Service .....	5
Royalty Fees .....	2
Service Charges .....	3
Service Entrance Facilities - Urban Areas .....	4
Service Liabilities .....	2
Service Stations .....	105
Shared Use Service .....	3
Special Arrangements .....	2
Special Services .....	2
Special Taxes, Fees, Charges .....	2
STAND-BY Line Service .....	5
Supplemental Information Services .....	6
SWITCHNET 56 Service .....	15

**EXHIBIT**  
**B**



**U S WEST COMMUNICATIONS, INC.**  
**Exchange and Network**  
**Services Tariff**

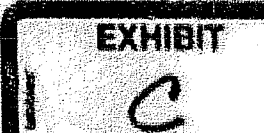
State of South Dakota  
 Issued: 12-22-99

SECTION 1  
 Page 13  
 Release 4  
 Effective: 12-29-99

**1. APPLICATION AND REFERENCE**

**1.3 SUBJECT INDEX (Cont'd)**

	SECTION
Party Line Service .....	2
Payment for Service .....	2
Payment of Bills .....	2
Payment Plans .....	2
Premium Exchange Services .....	5
Private Branch Exchange (PBX) Trunks .....	5
Private or Hotel Branch Exchange Station Line Mileage .....	10
Public Access Line Service .....	5
Public Communications Service - Coin and Coinless .....	5
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Reasons for Termination .....	2
Refusal .....	2
Residence Individual Auxiliary Lines .....	5
Responsibilities of the Customer .....	2
Restoral of Service .....	2
Returned Check Charge .....	2
Rotary Service .....	5
Royalty Fees .....	2
Service Charges .....	3
Service Entrance Facilities - Urban Areas .....	4
Service Liabilities .....	2
Service Stations .....	105
Shared Use Service .....	5
Special Arrangements .....	2
Special Services .....	2
Special Taxes, Fees, Charges .....	2
STAND-BY Line Service .....	2
Supplemental Information Services .....	5
SWITCHNET 56 Service .....	6
	15



**U S WEST COMMUNICATIONS, INC.**  
Exchange and Network  
Services Tariff

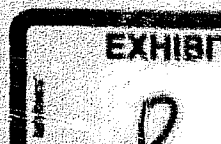
SECTION 1  
Page 13  
Release 5  
Effective: 1

State of South Dakota  
Issued: 3-24-2000

**1. APPLICATION AND REFERENCE**

**1.3 SUBJECT INDEX (Cont'd)**

	<b>SECTION</b>
Party Line Service .....	2
Payment for Service .....	2
Payment of Bills .....	2
Payment Plans .....	2
Premium Exchange Services .....	3
Private Branch Exchange (PBX) Trunks .....	3
Private or Hotel Branch Exchange Station Line Mileage .....	10
Public Access Line Service .....	3
Public Communications Service - Coin and Coinless .....	5
Public Emergency Reporting System .....	109
Public Response Calling Service .....	5
Reasons for Termination .....	2
Refusal .....	2
Residence Individual Auxiliary Lines .....	2
Responsibilities of the Customer .....	2
Restoral of Service .....	2
Returned Payment Charge .....	2
Rotary Service .....	2
Royalty Fees .....	2
Service Charges .....	3
Service Entrance Facilities - Urban Areas .....	3
Service Liabilities .....	3
Service Stations .....	105
Shared Use Service .....	5
Special Arrangements .....	2
Special Services .....	2
Special Taxes, Fees, Charges .....	2
STAND-BY Line Service .....	5
Supplemental Information Services .....	6
SWITCHNET 56 Service .....	13



**U S WEST COMMUNICATIONS, INC.**

Exchange and Network  
Services Catalog

SECTION 10  
Page 4.1  
Rules 1  
Effective: 12-29-99

State of South Dakota  
Issued: 12-22-99

**10. MISCELLANEOUS SERVICE OFFERINGS**

**10.4 TOLL RESTRICTION SERVICE (Cont'd)**

**10.45 PAY PER CALL RESTRICTION**

**A. Description**

Pay Per Call Restriction enables residential and business customers with individual line flat rate or measured rate service to prohibit dialing to 1+900 numbers.

**B. Terms and Conditions**

This service is subject to availability of existing central office facilities.

**C. Rates and Charges**

USOC	NONRECURRING CHARGE	MONTHLY RATE
RTVXN	\$12.50	-

• Pay Per Call Restriction, per line equipped

NOTICE  
THE INFORMATION CONTAINED IN THIS DOCUMENT IS SUBJECT TO CHANGE

EXHIBIT

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State of South Dakota  
Issued: 12-22-99

10. MISCELLANEOUS SERVICE OFFERINGS

10.4 TOLL RESTRICTION SERVICE (Cont'd)

10.4.3 BILLED NUMBER SCREENING

A. Description

Billed Number Screening provides a customer the capability of restricting collect and/or third number billing to his/her telephone number.

B. Terms and Conditions

1. Callers attempting to place a bill to third number or collect call to an equipped line will be advised by the operator that such billing is unauthorized and another form of billing is required.
2. Some calls, originating from locations that do not have screening capabilities, may not be capable of being intercepted and denied. These calls, e.g., International calls and calls that do not go through the Billing Validation Authority data base, will be billed to the customer if completed.

C. Rates and Charges

	USOC	NONRECURRING CHARGE	MONTHLY RATE
• Residence	RTVXQ	\$12.50	-
• Business	RTVXQ	12.50	-

NOTICE

THE INFORMATION CONTAINED IN THIS DOCUMENT IS SUBJECT TO CHANGE

EXHIBIT

F

10. MISCELLANEOUS SERVICE OFFERINGS

10.4 TOLL RESTRICTION SERVICE (Cont'd)

10.4.4 TOLL RESTRICTION

A. Description

Toll Restriction provides for exchange access lines or trunks to be restricted from dialing sent paid toll calls. Local directory assistance calls are allowed. Attempted violation of the restrictions are routed to an announcement.

B. Terms and Conditions

1. This service is offered, subject to the availability of existing CO facilities, to individual line residence, individual line business and dial switching type customers.
2. Provision of Toll Restriction does not alleviate customer responsibility for completed toll calls.
3. Subscription to services that incorporate Toll Restriction may prevent the completion of 1-plus local calls.
4. Toll Restriction is available to Lifeline customers without charge.

C. Rates and Charges

	USOC	NONRECURRING CHARGE	MONTHLY RATE
• Per line or trunk arranged	KX9	\$25.00	\$3.00
• Per line or trunk arranged[1]	KX9	8.50	-

[1] Applies to residence customers subscribing to Deposit Alternative Service in Credit Culture Trial.

U S WEST COMMUNICATIONS, INC.  
Exchange and Network  
Services Catalog

SECTION 10

Page 5

Release 2

State of South Dakota  
Issued: 12-22-99

Effective: 12-29-99

10. MISCELLANEOUS SERVICE OFFERINGS

10.4 TOLL RESTRICTION SERVICE (Cont'd)

10.4.7 BLOCKING FOR 10XXX1+/10XXX011+

A. Description

This service prevents 10XXX1+ and 10XXX011+ calls from being completed. Blocked calls will be routed to an announcement.

B. Terms and Conditions

1. This service is offered subject to the availability of existing central office facilities.
2. Provision of 10XXX1+/10XXX011+ Blocking does not alleviate customer responsibility for completed toll calls.

C. Rates and Charges

	USOC	NONRECURRING CHARGE	MONTHLY RATE
• Per Line, Trunk or Network Access Register Arranged	RTVXY	\$12.50 (1)	\$0.10

NOTICE

THE INFORMATION CONTAINED IN THIS DOCUMENT IS SUBJECT TO CHANGE

EXH

11

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

IN THE MATTER OF U S WEST )	ORDER OPENING NEW
COMMUNICATIONS, INC.'S CLASSIFICATION )	DOCKET
OF CERTAIN SERVICES )	
)	TC00-091

On March 27, 2000, U S WEST Communications, Inc. (U S WEST) filed with the Public Utilities Commission (Commission) for approval of certain pages from its Exchange and Network Services Tariff. U S WEST stated the changes were to clarify the terms and conditions relating to customer payment options and application of the charge for a payment returned to U S WEST for insufficient funds or a closed account. The application was filed as Docket TC00-059.

On April 10, 2000, Commission Staff filed a motion requesting that the Commission issue an order requiring U S WEST to provide information regarding its actions with respect to one of the tariff pages U S WEST was requesting be approved in Docket TC00-059. Staff stated that the tariff page in question, Exchange and Network Services Tariff, Section 1, page 13, Release 5, had been changed earlier without Commission approval. Specifically, Staff noted that the last release approved for Section 1, Page 13 was release 3, and that U S WEST had not filed for approval of Section 1, Page 13, Release 4. Staff requested that U S WEST be ordered to appear before the Commission, produce the necessary documentation, and further explain its actions and demonstrate to the Commission why U S WEST should not have statutory penalties imposed against it for violation of SDCL 49-31-12.

On May 12, 2000, U S WEST filed its response to Staff's Motion. U S WEST stated that it had made the changes to that tariff page without Commission approval because it removed a toll restriction service from its subject index. U S WEST asserted this change did not need Commission approval because the Commission reclassified toll services as fully competitive in Docket TC99-099. U S WEST also attached pages for other services that it considered to be toll related services.

At its May 17, 2000, meeting, the Commission considered this matter. After listening to arguments from Staff and representatives of U S WEST, the Commission voted to consider the issues raised by Staff's motion and U S WEST's response in another docket. The issue before the Commission in this docket will be whether the services that U S WEST referenced in its response are fully competitive services. Specifically, the services in question are: Pay Per Call Restriction; Billed Number Screening; Toll Restriction; and Blocking for 10XXX1+/10XXX011+. The Commission requests that U S WEST explain why these services should be considered as fully competitive services. The Commission is interested in knowing whether these services are currently being provided by interexchange carriers. It is therefore

*This address  
in docket  
TC00-059 for  
informational  
purposes.*

ORDERED, that a new docket will be opened to determine whether U S WEST has properly determined that Pay Per Call Restriction; Billed Number Screening; Toll Restriction; and Blocking for 10XXX1+/10XXX011+ are fully competitive services pursuant to Docket TC99-099.

Dated at Pierre, South Dakota, this 9<sup>th</sup> day of June, 2000.

<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>Delaine Kalbo</u>	
Date: <u>6/9/00</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





November 27, 2000

Mr. Harlan Best, Analyst  
Fixed Utilities Division  
Public Utilities Commission  
State Capitol Building  
Pierre, South Dakota 57501

Dear Harlan:

Enclosed please find 10 copies of revised pages for Docket TC2000-059. The revisions change the header from U S WEST Communications to Qwest Corporation.

If you have any questions, please call me on 605-335-4596.

Sincerely,

Colleen E. Sevold  
Manager-Policy & Law

Attachment

FAX Received NOV 27 2000

**RECEIVED**

NOV 29 2000

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Qwest Corporation  
Exchange and Network  
Services Tariff

SECTION 1  
Page 13  
Release 2  
Effective: }

State of South Dakota  
Issued: 3-24-2000

1. APPLICATION AND REFERENCE

1.3 SUBJECT INDEX (Cont'd)

	SECTION
Party Line Service .....	2
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Private or Hotel Branch Exchange Station Line Mileage .....	10
Public Access Line Service .....	5
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Responsibilities of the Customer .....	2
Restoral of Service .....	2
Returned Payment Charge .....	2
Rotary Service .....	5
Royalty Fees .....	2
Service Charges .....	3
Service Entrance Facilities - Urban Areas .....	4
Service Liabilities .....	2
Service Stations .....	105
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Special Arrangements .....	2
Special Services .....	2
Special Taxes, Fees, Charges .....	2
STAND-BY Line Service .....	5
Supplemental Information Services .....	6
SWITCHNET 56 Service .....	15

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NOV 29 2000

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

**Qwest Corporation**  
**Exchange and Network**  
**Services Tariff**

SECTION 2  
Index Page 1  
Release 2  
Effective: }

State of South Dakota  
Issued: 3-24-2000

**2. GENERAL REGULATIONS - CONDITIONS OF OFFERING**

<b>SUBJECT</b>	<b>PAGE</b>
60 Day Product Guarantee .....	11
Adjustment of Charges .....	26
Advance Payments .....	25
Application for Service .....	7
Assigning and Changing of Telephone Numbers .....	12
Cancellations and Deferments .....	7
Care of Equipment .....	30
Charges Due .....	23
Credit Card Billing of Nonrecurring Charges .....	27
Defacement of Premises .....	29
Definitions .....	1
Deposits .....	25
Directory Errors or Omissions .....	29
Distribution of Directories .....	12
Establishing and Furnishing Service .....	7
Initial Service Periods .....	19
Installment Billing for Nonrecurring Charges .....	27
Interruptions .....	26
Late Payment Charge .....	23
Liability of the Company .....	28
Limitation on Use .....	8
Limitations .....	28
Obligation to Furnish Service .....	10
Party Line Service .....	9
Payment for Service .....	23
Payment of Bills .....	23
Payment Plans .....	27
Protection of Construction .....	30
Reasons for Termination .....	13
Refusal .....	7
Responsibilities of the Customer .....	30
Restoral of Service (Nonrecurring Charge for) .....	15
Returned Payment Charge .....	24
Royalty Fees .....	31

State of South Dakota  
Issued: 3-24-2000

**2. GENERAL REGULATIONS - CONDITIONS OF OFFERING**

**2.3 PAYMENT FOR SERVICE**

**2.3.2 PAYMENT OF BILLS**

**A. Charges Due**

Charges for exchange service and facilities are due in advance. Charges for toll and long distance service are due when the bill for such service is rendered. All bills are payable by any means mutually acceptable to the customer and the Company. Failure to receive a bill does not exempt the customer from prompt payment of their account. The customer is held responsible for all charges for exchange service and facilities furnished at the customer's request and for all toll and long distance service furnished at the customer's station or stations, including charges for toll messages received at the customer's station or stations on which the charges have been reversed.

The Company shall only utilize credit policies and reasonable and equitable methods in its debt collection practices as specified in the Administrative Rules of the South Dakota Public Utilities Commission.

**B. Late Payment Charge**

1. A charge at the rate of 1 1/2% or \$1.00, whichever is greater, applies to all amounts previously billed on customer's bills and remaining unpaid at the time the next bill is prepared.
2. Government accounts, other than Federal or State, where this regulation and state law could conflict, shall be extended an additional 30 days. Amounts unpaid at the end of that 60-day period will be assessed a late payment fee of 3% and 1 1/2% per month thereafter. Where there is no meeting date conflict, the extension does not apply.
3. Collection procedures and the requirement for a deposit are unaffected by the application of a late payment charge.
4. The late payment charge does not apply to final accounts.

**Qwest Corporation**  
**Exchange and Network**  
**Services Tariff**

**SECTION 2**  
Page 24  
Release 2  
Effective: }

State of South Dakota  
Issued: 3-24-2000

**2. GENERAL REGULATIONS - CONDITIONS OF OFFERING**

**2.3 PAYMENT FOR SERVICE**

**2.3.2 PAYMENT OF BILLS**

**B. Late Payment Charge (Cont'd)**

5. The late payment charge does not apply to unpaid balances associated with disputed amounts. Undisputed amounts on the same bill are subject to the late payment charge if unpaid and carried forward to the next bill.
6. The late payment charge applies to customers' accounts with an unpaid balance of greater than \$15.00.

**C. Returned Payment Charge**

A returned payment charge is applicable to the customer's account for each occasion that a check, bank draft, or an electronic funds transfer item is returned to the Company for the reason for insufficient funds or no account.

	<b>CHARGE</b>
• Returned Payment Charge	<b>\$10.00</b>

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

<b>IN THE MATTER OF THE FILING BY U S WEST )</b>	<b>ORDER APPROVING</b>
<b>COMMUNICATIONS INC. FOR APPROVAL OF )</b>	<b>REVISED TARIFF PAGES</b>
<b>REVISIONS TO ITS EXCHANGE AND )</b>	
<b>NETWORK SERVICES TARIFF )</b>	<b>TC00-059</b>

On March 27, 2000, the South Dakota Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST) for approval of revisions to its Exchange and Network Services Tariff. The purpose of the filing is to clarify the terms and conditions relating to customer payment options and application of the charge for a payment returned to U S WEST for insufficient funds or account closed.

On March 30, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of April 14, 2000, to interested individuals and entities. No parties sought intervention.

The following tariff sheets were filed with regard to the Exchange and Network Services Tariff:

<u>Section</u>	<u>Page</u>	<u>Release</u>
1	13	5
2	Index 1	2
2	20	3
2	21	3

On July 10, 2000, U S WEST notified the Commission of a change in corporate name to Qwest Corporation. Commission Staff requested Qwest Corporation to refile the above tariffs under the Qwest Corporation name. These tariffs were received on November 27, 2000, as Section 1, Page 13, Release 2; Section 2, Index Page 1, Release 2; Section 2, Page 23, Release 2; Section 2, Page 24, Release 2.

At its duly noticed meeting on November 30, 2000, the Commission considered this matter. Commission Staff recommended approval of the filing.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31. The Commission unanimously voted to approve the above revisions to the Exchange and Network Services Tariff. It is therefore

ORDERED, that the Commission approves the above referenced revisions to the Qwest Corporation Exchange and Network Services Tariff, effective as of the date of this order.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of December, 2000.

**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: Melvin Kelbo

Date: 12/7/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner