



TC01-047

May 2, 2001

VIA FACSIMILE 605-773-3809

Debra Elofson, Executive Director
SD Public Utilities Commission
500 East Capitol
Pierre, SD 57501

RE: Application of McLeodUSA To Offer A Different Calling Area Than That Which Is
Provided By The Incumbent Local Exchange Carrier, Qwest

Dear Ms. Elofson:

Please find Application and Certificate of Service in the above referenced matter.
The original and ten (10) copies will be sent by US Mail

Sincerely,

Barbara E. Berkenpas
Regional Counsel
McLeodUSA
29705 453rd Ave
PO Box 66
Irene, SD 57037-0066
(605) 263-7213

CC: Harlan Best
Karen Cremer

RECEIVED

MAY 04 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

FAX Received MAY 02 2001

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

MAY 04 2001

In the Matter of the Application of)
McLeodUSA Telecommunications)
Services, Inc. to Provide a)
Different Calling Area Than)
That Which is Provided by the)
Incumbent Local Exchange Carrier)

Docket No. _____

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

FAX Received MAY 03 2001

APPLICATION OF McLEODUSA TELECOMMUNICATIONS SERVICES, INC.,
TO OFFER A DIFFERENT CALLING AREA
THAN THAT WHICH IS PROVIDED BY THE INCUMBENT
LOCAL EXCHANGE CARRIER, QWEST

McLeodUSA Telecommunications Services, Inc., ("McLeodUSA") submits this application, to provide a different calling area than that which is provided by Qwest Corporation ("Qwest") and, in support of its application states as follows:

1. McLeod Telemanagement, Inc., was originally granted a Certificate of Authority from the South Dakota Public Utilities Commission ("Commission") on October 22, 1996, which was amended and transferred to McLeodUSA Telecommunications Services, Inc., ("McLeodUSA") consistent with the Commission Order dated December 5, 1997.
2. McLeodUSA provides competitive local exchange services in an area presently served by the incumbent local exchange carrier, Qwest Corporation ("Qwest") and Black Hills FiberCom, L.L.C. ("Black Hills") in the community of Rapid City. In order to be competitive, McLeodUSA needs a calling area similar to what Black Hills is offering.
3. McLeodUSA proposes to provide free calling (no toll calls) for its customers in Rapid City to all other customers, including but not limited to Qwest customers, Black Hills customers and McLeodUSA customers in Belle Fourche, Black Hawk, Deadwood, Lead, Piedmont, Hills City, Spearfish, Keystone, St. Onge, Whitewood, Ferosa, Sturgis, West Belle Fourche, Wyoming, and West Spearfish, Wyoming.
4. Toll free calling from Rapid City to the Northern Hills area of South Dakota has been a concern for the citizens of Rapid City over the last several years, and McLeodUSA proposes to provide these customers with an alternative to the calling area presently served by Qwest. Attached to the Application, please see Exhibit "A", the Application of Black Hills Fibercom, L.L.C. to Offer A Different Local Calling Area Than That Which is Provided By the Incumbent Local Exchange Carrier, U.S. West (now Qwest). McLeodUSA

shares the same concerns as Black Hills expressed in paragraph #5 of its Application. Even though McLeodUSA cannot provide exactly what Black Hills is offering, we need the opportunity to offer the requested calling plan in order to be more competitive with Qwest and Black Hills.

WHEREFORE, McLeodUSA respectfully requests that the Commission order an Order authorizing McLeodUSA to provide the toll free calling that is different than that presently served by Qwest, the incumbent local exchange carrier.

DATED this 2nd day of May, 2001.

McLeodUSA Telecommunication Services, Inc.

BY:



Barbara E. Berkenpas
Regional Counsel
29705 453rd Avenue
PO Box 66
Irene, SD 57037-0066
605-263-7213

CERTIFICATE OF SERVICE

I, Barbara E. Berkenpas, do hereby certify that I am an attorney for McLeodUSA Telecommunications Services, Inc., and that on the 2nd day of May 2001, a true and correct copy of the Application of Provide a Different Calling Area was sent via US Mail, postage prepaid, to the following addresses:

Harlan Best
SD Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Karen Cremer
SD Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501


Barbara E. Berkenpas

EXHIBIT "A"

TC99-056

RECEIVED
MAY 21 1999

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Post-it [®] Fax Note	7671	Date	# of pages
To Barb Berkempas		From K. Cremer	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 263-3995		Fax #	

UTILITIES COMMISSION
SOUTH DAKOTA

In the Matter of the Application of Black Hills FiberCom, L.L.C., to Provide a Different Local Calling Area Than That Which is Provided by the Incumbent Local Exchange Carrier)

Docket No. _____

APPLICATION OF BLACK HILLS FIBERCOM, L.L.C.
TO OFFER A DIFFERENT LOCAL CALLING AREA
THAN THAT WHICH IS PROVIDED BY THE INCUMBENT
LOCAL EXCHANGE CARRIER, U. S. WEST
CONSISTENT WITH ARSD 20:10:32:11

Black Hills FiberCom, L.L.C. ("Black Hills"), submits this application, consistent with the provisions of ARSD 20:10:32:11, to provide a different local calling area than that which is provided by U. S. West and, in support of its application and consistent with the provisions of ARSD 20:10:32:11, states as follows:

1. Black Hills FiberCom, L.L.C., through its predecessor in interest, was originally granted a Certificate of Authority from the South Dakota Public Utilities Commission ("Commission") on August 5, 1998, which has been transferred to Black Hills consistent with the Commission Order dated May 5, 1999.
2. Black Hills proposes to provide competitive local exchange services in an area presently served by the incumbent local exchange carrier, U. S. West, in the communities of Belle Fourche, Black Hawk, Deadwood, Lead, Piedmont, Rapid City, Spearfish, Sturgis, St. Onge, and Whitewood.
3. Black Hills proposes to provide extended area service (no toll calls) for its customers to all other customers, including but not limited to U.S. West customers, and Black Hills customers, between the communities of Belle Fourche, Black Hawk, Deadwood, Lead, Piedmont, Rapid City, Spearfish, Sturgis, St. Onge, and Whitewood.
4. Presently, the communities identified in paragraph 3 and/or served by U.S. West have free calls only within the local calling areas identified below:

- o Belle Fourche
- Aladdin, Wyoming
- Colony, Wyoming
- Fruitdale, South Dakota
- Nisland, South Dakota

- Black Hawk
 - Box Elder, South Dakota
 - Ellsworth Air Force Base, South Dakota
 - Hermosa, South Dakota
 - Hill City, South Dakota
 - Keystone, South Dakota
 - Piedmont, South Dakota
 - Rapid City, South Dakota

- Deadwood
 - Beulah, Wyoming
 - Lead, South Dakota
 - Spearfish, South Dakota
 - Whitewood, South Dakota

- Lead
 - Beulah, Wyoming
 - Deadwood, South Dakota
 - Spearfish, South Dakota
 - Whitewood, South Dakota

- Piedmont
 - Black Hawk, South Dakota
 - Box Elder, South Dakota
 - Ellsworth Air Force Base, South Dakota
 - Hermosa, South Dakota
 - Hill City, South Dakota
 - Keystone, South Dakota
 - Rapid City, South Dakota

- Rapid City
 - Black Hawk, South Dakota
 - Box Elder, South Dakota
 - Ellsworth Air Force Base, South Dakota
 - Hermosa, South Dakota
 - Hill City, South Dakota
 - Piedmont, South Dakota

- Spearfish
 - Beulah, Wyoming
 - Deadwood, South Dakota
 - Lead, South Dakota
 - Whitewood, South Dakota

- Sturgis
 - None

- St. Onge
 - None

Whitewood

Deadwood, South Dakota
Lead, South Dakota
Spearfish, South Dakota
Beulah, Wyoming

5. The local calling area proposed by Black Hills is not contrary to the universal service, public safety and welfare, quality of service, or consumer rights to the communities in which Black Hills will provide service, as the customer will have a choice of continuing its service through U. S. West as the local exchange carrier or, alternatively, by agreeing to the service provided by Black Hills. Black Hills' extended area service will provide a free local calling area between Rapid City to the north, inclusive of Spearfish and Sturgis and everything in between. Extended area service has been a point of contention and concern for the citizens of the Northern Hills and their incumbent local exchange carrier over the last several years, and Black Hills proposes to provide these customers an alternative to the calling area presently served by U. S. West.

WHEREFORE, Black Hills respectfully requests that the Commission enter an Order authorizing Black Hills to provide a local exchange service area different than that which is presently served by U. S. West, the incumbent local exchange carrier, consistent with the provisions of ARSD 20:10:32:11.

Dated this 20th day of May, 1999.

BLACK HILLS FIBERCOM, L.L.C.

By Kyle D. White
its Vice President of Marketing and Regulatory Affairs

STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON)

Kyle D. White, being first duly sworn on his oath, deposes and says: That he is the Vice President of Marketing and Regulatory Affairs of Black Hills FiberCom, L.L.C., named in the within and foregoing Application; that he has read the same and knows the contents thereof to be

true of his own knowledge except as to those matters therein stated on information and belief, and as to such matters, he believes it to be true.

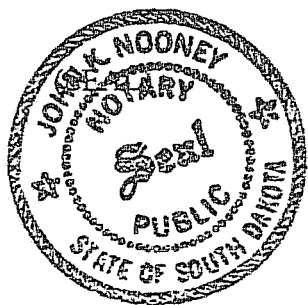
Kyle D. White

Kyle D. White

Subscribed and sworn to before me this 24th day of May, 1999.

[Signature]

Notary Public



MY COMM. EXPIRES
7/12/2001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
BLACK HILLS FIBERCOM, L.L.C. FOR)	APPROVAL TO OFFER A
APPROVAL TO OFFER A DIFFERENT LOCAL)	DIFFERENT CALLING AREA
CALLING AREA)	TC99-056

On May 21, 1999, the South Dakota Public Utilities Commission (Commission) received an application from Black Hills FiberCom, L.L.C. (Black Hills). According to its application, Black Hills submitted the application pursuant to the provisions of ARSD 20:10:32:11, to provide a different local calling area than that which is provided by U S WEST Communications, Inc. (U S WEST).

On May 27, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of June 11, 1999, to interested individuals and entities. On June 11, 1999, U S WEST filed a Petition for Leave to Intervene. At its regularly scheduled June 22, 1999, meeting, the Commission granted U S WEST's request for intervention. On July 23, 1999, U S WEST filed Interrogatories and a Request for Production of Documents. Black Hills filed its response on August 25, 1999. At its regularly scheduled meeting of October 19, 1999, the Commission considered this matter. Black Hills explained its application. U S WEST stated that it did not oppose the granting of the application. Commission Staff recommended approval of the application.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-21 and ARSD 20:10:32:11. The Commission found that Black Hills had shown that the different calling area would not be contrary to universal service, public safety and welfare, quality of service, and consumer rights concerns. It is therefore

ORDERED, that the application of Black Hills for a different local calling area is hereby approved.

Dated at Pierre, South Dakota, this 29th day of October, 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>Hildine Kabis</u>
Date:	<u>10/29/99</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

Post-it* Fax Note	7671	Date	
To	<u>Arch Becken pass</u>	From	<u>Kate Cramer</u>
Co./Dept.		Co.	
Phone #		Phone #	
Fax #	<u>263-3445</u>	Fax #	

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of May 3, 2001 through May 9, 2001

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: 605-773-3733 Fax: 605-773-3859

CONSUMER COMPLAINTS

CT01-021 In the Matter of the Complaint filed by Romy Rasmussen and Mick Barmann, Black Hawk, South Dakota, against U.S. Republic Communications, Inc. Regarding Unauthorized Long Distance Services, Failure to Cancel and Continued Billing.

Complainants allege unauthorized switching of long distance services several times by U.S. Republic Communications, Inc.; unauthorized charges and failure to cancel account. Complainants request full reimbursement of charges and one thousand dollars for their trouble and other fees and penalties as allowed by SD law.

Staff Analyst: Charlene Lund
Staff Attorney: Kelly Frazier
Date Docketed: 05/03/01
Intervention Deadline: N/A

CT01-022 In the Matter of the Complaint filed by Judy C. Foster, Sioux Falls, South Dakota, against WebNet Communications, Inc. and ILD Teleservices, Inc. Regarding Unauthorized Switching of Services.

Complainant alleges that she never ordered or approved long distance service with WebNet (ILD). Complainant believes these companies should pay for their dishonest business practices and she is asking for \$1000 restitution as provided by SD law.

Staff Analyst: Charlene Lund
Staff Attorney: Kelly Frazier
Date Docketed: 05/07/01
Intervention Deadline: N/A

CT01-023 In the Matter of the Complaint filed by Ten Thousand Villages, Sioux Falls, South Dakota, against NCP, Inc. and ILD Teleservices, Inc. Regarding Unauthorized Billing for Services.

The Complainant's representative states that her business was billed for a collect call that was not accepted at her business. Complainant's representative states that she was told on three different occasions that the charge would be removed and that her business would receive a credit on its Quest statement. Complainant has not received the credit and is asking for \$1,000.00.

Staff Analyst: Mary Healy
Staff Attorney: Kelly Frazier
Date Filed: 05/09/01
Intervention Deadline: N/A

ELECTRIC

EL01-007 In the Matter of the Petition of Otter Tail Power Company for Approval of a Renewal of a Released Energy Tariff.

Otter Tail Power Company (OTP) is requesting the Commission renew its Released Energy Tariff. The original tariff was approved by the Commission on July 13, 2000 and expired December 31, 2000. This renewal would allow OTP to purchase energy from its large customers who opted their load.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF) ORDER GRANTING
MCLEODUSA TELECOMMUNICATIONS) APPROVAL TO OFFER A
SERVICES, INC. FOR APPROVAL TO OFFER) DIFFERENT CALLING AREA
A DIFFERENT LOCAL CALLING AREA) TC01-047

On May 3, 2001, the South Dakota Public Utilities Commission (Commission) received an application from McLeodUSA Telecommunications Services, Inc (McLeod). According to its application, McLeod proposes to provide a different calling area than that which is provided by the incumbent local exchange carrier, Qwest Corporation, and Black Hills FiberCom, L.L.C., in Rapid City.

On May 10, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of May 25, 2001, to interested individuals and entities. No parties filed for intervention. At its regularly scheduled meeting of July 10, 2001, the Commission considered this matter. McLeod explained its application. Commission Staff recommended approval of the application.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-36 and 49-31 and ARSD 20:10:32:11. The Commission found that McLeod had shown that the different calling area would not be contrary to universal service, public safety and welfare, quality of service, and consumer rights concerns. It is therefore

ORDERED, that the application of McLeod for a different local calling area is hereby approved.

Dated at Pierre, South Dakota, this 12th day of July, 2001

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: Melanie Kalbo

Date: 7/13/01

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner