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32790-0200

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June 19, 2003  
Via Overnight

Ms. Pamela Bonrud, Executive Director  
South Dakota Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 East Capitol Ave.  
Pierre, SD 57501-5070

**RE: Z-Tel Communications, Inc.  
Request for Waiver of § 20:10:27:12 and § 20:10:27:07 and Revision to South  
Dakota Tariff No. 3 (Access)**

Dear Ms. Bonrud:

Enclosed are the original and ten (10) copies of a revision to South Dakota Tariff No. 3 (Access) filed on behalf of Z-Tel Communications, Inc. This filing is made to change the Company's rates to mirror the current access rates of Qwest.

The Company was granted an exemption from developing Company-specific cost-based switched access rates and approval of its tariff concurring in the rates of LECA Tariff No. 1 in Order TC01-053, dated July 27, 2001. Z-Tel Communications, Inc. herein seeks waivers of § 20:10:27:12 and § 20:10:27:07 and requests approval of a revision of its current access rates to concur with the current access rates of Qwest. The Company respectfully requests the earliest possible approval date for this filing.

The following revised pages are included:

1 <sup>st</sup> Revised Title Page	Updates Title Page
1 <sup>st</sup> Revised Page 17-1	Changes Rates
1 <sup>st</sup> Revised Page 17-4	Changes Rates

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-8575 or via email at [mbyrnes@tminc.com](mailto:mbyrnes@tminc.com). Thank you for your assistance.

Sincerely,

Monique Byrnes, Consultant to  
Z-Tel Communications, Inc.

MB/sp

cc: P. Nicholson - Z-Tel  
file: Z-Tel - SD Access  
tms: 5516SDa0309

RECEIVED

JUN 20 2003

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

**RECEIVED**

JUN 20 2003

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

REGULATIONS AND SCHEDULE OF CHARGES  
APPLICABLE TO SWITCHED ACCESS SERVICES  
WITHIN THE STATE OF SOUTH DAKOTA

**Z-Tel Communications, Inc.**

Z-Tel Communications, Inc. concurs in the rates, terms and conditions of Qwest Corporation Access Service Tariff governing Intrastate Switched Access Service as filed by Qwest Corporation, in the State of South Dakota.

(C)  
(C)  
(D)  
(D)

Z-Tel Communications, Inc., hereby expressly reserves the right to cancel or void this statement of concurrence at any time consistent with state law and the best interests of Z-Tel Communications, Inc. by filing a replacement tariff with the South Dakota Public Utilities Commission.

Issued: June 20, 2003

Effective: .

Issued by:

Timothy Seat  
Vice President - Regulatory Affairs  
601 South Harbour Island Boulevard, Suite 220  
Tampa, Florida 33602

sda0309

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**ACCESS SERVICE**

17. Rates and Charges

17.1 Common Line Access Service

17.1.1 Carrier Common Line Access Service Rate

Regulations concerning Carrier Common Line Access are set forth in Section 3. preceding.

Access

- |   |                               |                  |
|---|-------------------------------|------------------|
| - | Originating Per Access Minute | \$0.03890500 (I) |
| - | Terminating Per Access Minute | \$0.03890500 (I) |

17.1.2 Reserved For Future Use

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Issued: June 20, 2003

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Vice President - Regulatory Affairs  
601 South Harbour Island Boulevard, Suite 220  
Tampa, Florida 33602

sda0309

**ACCESS SERVICE**

17. Rates and Charges

17.2 Switched Access Service

17.2.1 Nonrecurring Charges

	<u>Rate</u>	
(A) <u>Local Transport Element - Installation Per Line or Trunk</u>		
First Trunk	\$412.28	(C)
Each Additional Trunk	\$44.88	(C)

(B) <u>Reserved For Future Use</u>		(D)
		(D)

17.2.2 Traffic Sensitive

Local Switching (End Office)

Per Access Minute	Originating	\$0.00861000 (R)	
Per Access Minute	Termination	\$0.00861000 (R)	
Interconnection, per minute		\$0.00468100	(N)

Local Transport

Tandem Transmission			(C)
	<u>Mileage</u>	<u>Per Minute</u>	<u>Per Minute, Per Mile</u>
	0	\$0.00000000	\$0.00000000
	Over 0 to 8	\$0.00023700	\$0.00001500
	Over 8 to 25	\$0.00027300	\$0.00001800
	Over 25 to 50	\$0.00030800	\$0.00001900
	Over 50	\$0.00031100	\$0.00002000

<u>8XX Data Base Query Service</u>			(D)
	Per Query		(D)
	Basic	\$0.00331200 (R)	(D)

Issued: June 20, 2003

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Timothy Seat  
 Vice President - Regulatory Affairs  
 601 South Harbour Island Boulevard, Suite 220  
 Tampa, Florida 33602

sda0309

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
**For the Period of June 19, 2003 through June 25, 2003**

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 report. Phone: 605-773-3705

**CONSUMER COMPLAINTS**

**CT03-011**     **In the Matter of the Complaint filed by Jon Briggs on behalf of Pioneer of Pierre, Pierre, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that long distance and 800-phone service was discontinued without notice, resulting in a loss of sales business for that week. No resolution was indicated at this time.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-012**     **In the Matter of the Complaint filed by Jon Briggs on behalf of Hand County Implement, Miller, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that long distance and 800-phone service was discontinued without notice, resulting in a loss of sales business for that week. No resolution was indicated at this time.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-013**     **In the Matter of the Complaint filed by Jon Briggs on behalf of Pioneer Garage, Inc., Highmore, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that long distance and 800-phone service was discontinued without notice, resulting in a loss of sales business for that week. Complainant seeks to have all assets of the respondent seized and a much higher bond requirement for companies doing this type of business in the future.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-014**     **In the Matter of the Complaint filed by Janet Davis on behalf of Legend Seeds, Inc., DeSmet, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that after purchasing two four year pre-paid long distance plans at a

total price of \$11,700.28, service was terminated after thirty days of use due to a financial crisis on the part of the respondent. Complainant seeks to have the contract fulfilled or to be refunded the full purchase price of the contracts.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-015 In the Matter of the Complaint filed by Denny and Doris Lauing, Blunt, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants state that they purchased a seven year pre-paid long distance plan on 8/1/99 and that service was terminated on 6/5/03, three years before the plan was to expire. Complainants seek to be reimbursed for the amount of service not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-016 In the Matter of the Complaint filed by Marlene C. Frantz on behalf of Winner Livestock Auction Co., Winner, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that on 10/23/00 they purchased a six-year pre-paid long distance service plan. On 6/6/03 service was terminated without notice. Complainant seeks to be reimbursed for three years of pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-017 In the Matter of the Complaint filed by Verna Koskan on behalf of Koskan's, Wood, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that on 11/10/00 they purchased a four year pre-paid long distance service plan on the four lines in their homes and business plus various calling card plans. In December of 2002, an overpayment was made to the respondent and has not been refunded. Complainant seeks to be reimbursed for pre-paid service not provided and the overpayment that was made in December of 2002.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-018 In the Matter of the Complaint filed by Karen Jones on behalf of Jones Trucking, Ipswich, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that the respondent caused them to lose their 800 service for two weeks before it could be changed to another carrier and did not honor pre-paid long distance service contracts. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-019 In the Matter of the Complaint filed by Lyle Perman, Lowry, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that his pre-paid long distance service plan was terminated one thousand one hundred and thirty-seven days into his two thousand one hundred and ninety-day contract. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-020 In the Matter of the Complaint filed by Byron and Penny Woodruff, Wessington, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants state that the six-year pre-paid long distance service plan they purchased on 12/31/02 was terminated on 6/5/03. Complainants seek to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-021 In the Matter of the Complaint filed by Glen Behnke, Britton, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that his pre-paid long distance service plan was terminated without notice three and one half years prior to the expiration date. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-022 In the Matter of the Complaint filed by Paul D. Nelson, Gettysburg, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that his pre-paid long distance service plan was terminated with eleven months of service remaining on the plan. Complainant seeks to be reimbursed for pre-paid service that was not provided and/or to be included in any bond disbursements.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-023 In the Matter of the Complaint filed by Tom Logue on behalf of Tyndall Motors, Tyndall, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six year pre-paid long distance service plan was purchased on 4/26/02 and that on 6/5/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-024 In the Matter of the Complaint filed by Lars Lyngaas on behalf of Rapid Precision Manufacturing, Inc., Britton, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 9/17/02 and that on 5/27/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-025 In the Matter of the Complaint filed by James Gesswein on behalf of Gesswein Motors, Inc., Milbank, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 5/22/02 and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-026 In the Matter of the Complaint filed by Dennis VanDerWerff, Platte, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a four-year pre-paid long distance service plan was purchased on 9/20/02 and that on 6/4/03 service was terminated without notice. During the time the service was in place \$878.59 was paid to another long distance company for which the respondent agreed to reimbursement the complainant. In addition to the \$878.59, the complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-027 In the Matter of the Complaint filed by William Schuneman on behalf of Grant County Implement Co., Milbank, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 8/9/02 and that on 6/4/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-028 In the Matter of the Complaint filed by John Scott on behalf of Scott Supply Co., Mitchell, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 1/15/03 and that on 6/9/03 service was terminated without notice. Complainant seeks to be reimbursed for the full cost of the contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-029 In the Matter of the Complaint filed by Garry Peterka on behalf of First State Bank Miller, Miller, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that pre-paid long distance service contracts were purchased for the Miller and Highmore branches and that both plans have been terminated without notice prior to the expiration date of the contracts. Complainant seeks to have the losses covered by the bond carried by the respondent.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-030 In the Matter of the Complaint filed by Von Denning on behalf of V & S Trucking, Corsica, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 11/19/02 and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided or to have the respondent fulfill the contract.

Staff Analyst: Jim Mehlhaff

Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-031 In the Matter of the Complaint filed by Robert Angerhofer on behalf of South Dakota Automobile Club, Inc. dba AAA Travel Agency and AAA South Dakota, Sioux Falls, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four year pre-paid long distance service plan was purchased on 7/12/02 for each of the 15 offices in the state of SD. On 6/3/03 service was terminated without notice at one office and that over the next few days all 15 locations had lost service. Complainant seeks to be reimbursed by the respondent, bond or letter of credit for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-032 In the Matter of the Complaint filed by David Gullickson on behalf of Farmers Implement and Irrigation, Inc., Brookings, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 8/15/02 and that during the week of 6/9/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided either by S&S or via the bond.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/19/03  
Intervention deadline: N/A

**CT03-033 In the Matter of the Complaint filed by Mike Schulte on behalf of Schulte's Flandreau Motors, Inc., Flandreau, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased in August of 2002 and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-034 In the Matter of the Complaint filed by Renae Tisdall on behalf of Mobridge Regional Hospital, Mobridge, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 1/27/03 and that on 6/2/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-035 In the Matter of the Complaint filed by Bryan Krauter on behalf of Rushmore Electric Power Coop, Rapid City, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a three-year pre-paid long distance service plan was purchased on 4/10/02 and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided along with the costs associated with re-establishing service.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-036 In the Matter of the Complaint filed by Karen Marcus on behalf of Olsen Implement, Inc., Huron, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 5/14/02 and that in early June of 2003 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided or to have the respondent fulfill the contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-037 In the Matter of the Complaint filed by Joe Wurtz on behalf of New Port Colony, Claremont, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that 2 seven year pre-paid long distance service plans were purchased, one on 9/20/99 and a second on 11/21/00 and that on 6/9/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-038 In the Matter of the Complaint filed by Kenneth Wiese, Twin Brooks, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a six-year pre-paid long distance service plan was purchased on 4/30/01. Service was terminated without notice after only two years. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-039 In the Matter of the Complaint filed by Terry Jacobson on behalf of Eugene Beckman & Sons, Brookings, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that on 2/2/03 a contract was signed for pre-paid long distance service with the respondent. During the months of April and May, the business locations were connected to the pre-paid service. On 6/3/03 service began to fail and all service had been terminated at both location by 6/5/03. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-040 In the Matter of the Complaint filed by David Moodie on behalf of Moodie Implement, Inc., Pierre, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that on 11/6/02 a number of four year pre-paid long distance service plans were purchased for two business locations in SD, two business locations in MT, 2 residential locations in SD and one residential location in MT, and that on 6/3/03 service was terminated without notice. Complainant seeks to be refunded the full amount paid for the contracted service.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-041 In the Matter of the Complaint filed by Rod Skorpik on behalf of Skorpik's, Inc., Tyndall, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 11/2/02 and that on 6/6/03 service was terminated without notice. Complainant seeks a refund of the contract purchase price or to have the respondent fulfill the contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-042 In the Matter of the Complaint filed by A. E. Buresh on behalf of Great Plains International, Inc., Sioux Falls, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 10/23/02, service was established on 2/5/03 and that on 6/2/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided either by the

respondent or the bonding company.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-043 In the Matter of the Complaint filed by Jae J. Koletzky on behalf of Koletzky Implement, Inc., Yankton, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 10/11/02, and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-044 In the Matter of the Complaint filed by Leo Beranek on behalf of Miller Livestock Auction, Inc., Miller, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a seven-year pre-paid long distance service plan was purchased on 7/22/99, and that on 6/5/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-045 In the Matter of the Complaint filed by Troy and Tember Beckett, Miller, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants state that the respondent disconnected phone service after having accepted pre-payment on a ten-year service plan. The plan has not expired and the complainants seek to have the Commission do what is possible to improve their circumstances.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-046 In the Matter of the Complaint filed by Allen and Jean Croyle, Black Hawk, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants state that a six-year pre-paid long distance service plan was purchased on 6/28/02, and that on 6/3/03 service was terminated without notice. Complainants seek to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-047 In the Matter of the Complaint filed by Paula J. Barber on behalf of Barber Farm Service, Inc., Onida, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a five-year pre-paid long distance service plan was purchased on 5/22/02, and that on 6/5/03 service was terminated without notice. Complainant seeks to have the Commission require the Bond Company to reimburse it for unused pre-paid service and to pay restitution for lost business and time due to the failure on the part of the respondent.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-048 In the Matter of the Complaint filed by Lyle Magorien on behalf of Chase Auto Connection, Pierre, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 5/17/02 to serve three locations, and that in June of 2003 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention deadline: N/A

**CT03-049 In the Matter of the Complaint filed by DeWayne Weiszhaar on behalf of Haberer's Implement, Inc., Bowdle, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 4/1/01 and that in June of 2003 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-050 In the Matter of the Complaint filed by Curtis E. Sylte, Sisseton, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a seven-year pre-paid long distance service plan was purchased on 11/30/99 and that in June of 2003 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided or to have the contract honored by the respondent.

Staff Analyst: Jim Mehlhaff

Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-051 In the Matter of the Complaint filed by Judy Nichols, Mobridge, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that she purchased a ten-year pre-paid long distance service plan and that service was terminated after four years and six months service. Complainant seeks to be reimbursed for pre-paid service that was not provided or to have the contract honored by the respondent.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-052 In the Matter of the Complaint filed by Rello Meyers on behalf of Eastern Plains Urology, Aberdeen, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four year pre-paid long distance service plan was purchased on 5/15/02, service was established on 6/14/02 and that on 6/14/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided and to be included in any disbursements of bond monies.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-053 In the Matter of the Complaint filed by Dave Hahler on behalf of Dave Hahler Automotive, Inc., Webster, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant entered into a contract with the respondent for pre-paid phone service on 8/29/02. Respondent terminated service to customers in June of 2003. Complainant seeks to have respondent's license revoked, reimbursement of money paid to the respondent and criminal prosecution of respondent.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-054 In the Matter of the Complaint filed by Larry L. Coyle on behalf of Highmore Cattle Auction, LLC, Highmore, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 8/20/02, and that on 6/2/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided or to be provided service for the balance of the contract at no additional cost.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-055 In the Matter of the Complaint filed by Scott Vance on behalf of Faith Livestock Commission Co., Faith, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 12/31/02, and that on 6/3/03 service was terminated without notice. Complainant seeks to have the PUC use the bond money to make whole all that suffered losses as a result of the failure on the part of the respondent. If the bond is not adequate, complainant seeks to have the PUC take action against the personal assets of the respondent owners and staff and to seek criminal action against the same.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-056 In the Matter of the Complaint filed by Ron Wagner on behalf of Country Ford, Inc., Tyndall, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 11/13/02, and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-057 In the Matter of the Complaint filed by Roger Eich on behalf of Prostrollo Motor Company, Madison, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 5/28/03, and that on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-058 In the Matter of the Complaint filed by Ronald R. Graves, Cresbard, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a seven-year pre-paid long distance service plan was purchased and financed through a lease company, and that on 6/3/03 service was terminated without notice. Even though the complainant is no longer receiving service the responsibility remains for the lease payment. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-059 In the Matter of the Complaint filed by Walter F. Keller on behalf of Jobbers Moving & Storage, Aberdeen, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 1/13/03, due to problems in transferring the service, the respondent provided service for only two months before service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-060 In the Matter of the Complaint filed by Shawn Chase, Redfield, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a six-year pre-paid long distance service plan was purchased on 5/21/02, and that on 6/5/03 service was terminated without notice. No resolution was requested at this time.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-061 In the Matter of the Complaint filed by Melvin, Phoebe, Tim and Sonja Huber, Hoven, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants have a ten-year pre-paid long distance phone service contract with the respondent and service has been terminated without notice. No resolution was requested at this time.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/23/03  
Intervention deadline: N/A

**CT03-062 In the Matter of the Complaint filed by Calvin and Marcella Huber, Hoven, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants have a ten-year pre-paid long distance phone service contract with the respondent that should be in effect through 2/4/07. Service has been terminated without notice. Complainants seek to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03

Intervention deadline: N/A

**CT03-063 In the Matter of the Complaint filed by Greg Wolkow on behalf of O'Keefe Implement, Inc., DeSmet, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four-year pre-paid long distance service plan was purchased on 12/20/02 for two locations. Service was established on 1/7/03 and on 6/3/03 service was terminated without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided or to have the contract honored.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-064 In the Matter of the Complaint filed by Wayne Heien, Onida, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a six-year pre-paid long distance service contract and was only able to get six months of use out of it before service was terminated without notice. Complainant would like to have his service restored for the balance of the contract or to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-065 In the Matter of the Complaint filed by Charles Simon, Hoven, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a ten-year pre-paid long distance service plan and was only able to get six months of use out of it before service was terminated without notice. Complainant would like to have his service restored for the balance of the contract or to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-066 In the Matter of the Complaint filed by Jake Volk, Ipswich, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant had a contract in place that was to provide pre-paid long distance service through 11/5/08. Service was terminated without notice in June of 2003. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-067 In the Matter of the Complaint filed by Brandon Peterson on behalf of SDAPV Dakota Premium Hay, LLC, Meckling, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a six-year pre-paid long distance service plan was purchased on 4/30/03, the check cleared the bank on 5/7/03 and service was never established. Complainant seeks to be reimbursed for pre-paid service that was not provided and a full refund of the purchase price.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-068 In the Matter of the Complaint filed by Maurice Hoffman, Bowdle, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a ten-year pre-paid long distance service plan on 4/5/99, service was terminated without notice on 6/5/03. Complainant would like to have service restored for the balance of the contract or to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-069 In the Matter of the Complaint filed by Craig Engel, Piedmont, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a six-year pre-paid long distance service plan on 2/21/00, service was terminated without notice in early June 2003. Complainant would like to have his service restored for the balance of the contract or to be reimbursed fifty percent of the original purchase price.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-070 In the Matter of the Complaint filed by Dennis and Jeanne Bieber, Bowdle, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainants lost service on their ten year pre-paid long distance service plan with six years service remaining. Complainants would like to have service restored for the balance of the contract or to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-071 In the Matter of the Complaint filed by Keith Hainy on behalf of North Central Farmers Elevator, Ipswich, South Dakota, against S&S Communications/Alterna-Cell**

**Regarding Loss of Long Distance Services.**

Complainant purchased a four-year pre-paid long distance service plan that was to go into effect on 11/10/02, service was terminated without notice in early June 2003. Complainant seeks to participate in the distribution of the bond and/or any other monies that the Commission should take receivership of in relation to the failure of the respondent.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/24/03  
Intervention deadline: N/A

**CT03-072 In the Matter of the Complaint filed by Randy Sondreal on behalf of Huron Manufacturing, Huron, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a three-year pre-paid long distance service plan on 10/1/02, service was terminated without notice on 6/2/03. Complainant seeks a refund of the full purchase price of the contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-073 In the Matter of the Complaint filed by Doug Bierschbach on behalf of Enercept, Inc., Watertown, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant purchased a four year pre-paid long distance service plan on 9/10/02, service was established on 11/1/02 and service terminated without notice on 6/2/03. Complainant seeks to have the PUC foreclose on the bond and letter of credit and reimburse it for the pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-074 In the Matter of the Complaint filed by Brian Severeid on behalf of Ellefson Implement, Inc., Mitchell, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a four year pre-paid long distance service plan was purchased on 7/18/02, service was provided for ten months and terminated without notice in early June of 2003. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-075 In the Matter of the Complaint filed by Lynne A. and Raymond J. Duling, Gregory, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long**

## **Distance Services.**

Complainants state that a six year pre-paid long distance service plan was purchased to serve five business locations on 10/15/02. Service was terminated without notice on 6/2/03. Complainant seeks to be reimbursed the full purchase price of the contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-076 In the Matter of the Complaint filed by Wayne Bartscher on behalf of Farmers Union Service Association, Huron, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that they purchased four-year pre-paid long distance service contracts on three different occasions starting with a purchase on 11/1/01 and ending with a purchase on 4/9/02. Service was terminated on all three agreements on 6/2/03 without notice. Complainant seeks to be reimbursed for pre-paid service that was not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-077 In the Matter of the Complaint filed by Dan Noteboom on behalf of Corsica Implement, Inc., Corsica, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a four year pre-paid long distance service plan was purchased. Service was terminated without notice after thirteen months of service. Complainant seeks to be reimbursed the full purchase price of the contract, plus damages caused by the unexpected loss of service.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-078 In the Matter of the Complaint filed by Dan Noteboom on behalf of Platte Parts Store, Platte, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant's representative states that a five year pre-paid long distance service plan was purchased. Service was terminated without notice after five months of service. Complainant seeks to be reimbursed the full purchase price of the contract, plus damages caused by the unexpected loss of service.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

**CT03-079 In the Matter of the Complaint filed by Jaime and Jason Anderberg, Ree Heights, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long**

## **Distance Services.**

Complainants state that a six year pre-paid long distance service plan was purchased on 5/23/00. Service was terminated without notice in early June 2003. Complainant seeks to be reimbursed for the pre-paid service not provided or at least the amount owed on the lease contract.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

### **CT03-080 In the Matter of the Complaint filed by Curt Bossert, Aberdeen, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.**

Complainant states that a ten year pre-paid long distance service plan was purchased on 12/31/96. Service was terminated without notice in early June 2003, leaving three and one half years of the contract unfulfilled. Complainant seeks to have service restored for the remainder of the contract or to be reimbursed for the pre-paid service not provided.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/25/03  
Intervention deadline: N/A

## **TELECOMMUNICATIONS**

### **TC03-097 In the Matter of the Petition of Midcontinent Communications for a Waiver of ARSD 20:10:33:30.**

On June 19, 2003, Midcontinent Communications filed a Petition For Waiver pursuant to ARSD 20:10:33:30 of the Service Standard contained in ARSD 20:10:33:19. Midcontinent Communications states that the rule may be appropriate for a copper based system, but the cable based system utilized by Midcontinent Communications requires a different plan designed to meet the needs of a cable system. Midcontinent Communications asks the Commission to grant a Waiver pursuant to rule which acknowledges the Midcontinent Communications' power supply response team as adequate in place of the requirements in ARSD 20:10:33:19.

Staff Analyst: Harlan Best  
Staff Attorney: Karen Cremer  
Date Docketed: 06/19/03  
Intervention Deadline: 07/11/03

### **TC03-098 In the Matter of the Application of Capsule Communications, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

Capsule Communications, Inc. has filed an application for a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The applicant intends to provide resold interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services, and travel card service throughout South Dakota.

Staff Analyst: Bonnie Bjork  
Staff Attorney: Kelly Frazier  
Date Docketed: 06/20/03  
Intervention Deadline: 07/11/03

**TC03-099 In the Matter of the Filing by Z-Tel Communications, Inc. for Approval of Revisions to its Intrastate Switched Access Tariff.**

On June 20, 2003, Z-Tel Communications, Inc. filed a petition to revise its South Dakota Tariff No. 3, which is its switched access tariff. Z-Tel was granted an exemption from developing company-specific cost-based switched access rates and approval of its tariff concurring in the rates of LECA Tariff No. 1 in SDPUC Docket TC01-053. Z-Tel herein seeks waivers of ARSD 20:10:27:07 and 20:10:27:12 and requests approval of a revision of its current access rates to concur with the current access rates of Qwest.

Staff Analyst: Michele Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 06/20/03  
Intervention Deadline: 07/11/03

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

<b>IN THE MATTER OF THE FILING BY Z-TEL )</b>	<b>ORDER GRANTING</b>
<b>COMMUNICATIONS, INC. FOR APPROVAL OF )</b>	<b>PETITION FOR WAIVER AND</b>
<b>REVISIONS TO ITS INTRASTATE SWITCHED )</b>	<b>APPROVING TARIFF</b>
<b>ACCESS TARIFF )</b>	<b>TC03-099</b>

On June 20, 2003, the Public Utilities Commission (Commission) received a petition from Z-Tel Communications, Inc. (Z-Tel) for approval of revisions to its intrastate switched access tariff. Additionally, Z-Tel requested a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. Z-Tel also requested a waiver of ARSD 20:10:27:07.

On June 26, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of July 11, 2003, to interested individuals and entities. No comments or petitions to intervene were filed.

On August 4, 2003, the Commission considered Z-Tel's request for approval of revisions to its intrastate switched access tariff no. 3 and a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19 and ARSD 20:10:27:12. The Commission voted to grant a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates, grant a waiver of ARSD 20:10:27:07, and approve the revisions to Z-Tel's intrastate switched access tariff no. 3. The Commission further ordered that Z-Tel, within three years of the date of the Order issued in TC01-053, dated July 27, 2001, file a petition to continue the exemption granted in this proceeding or file cost-based rates. The Commission voted to grant the petition for waiver and approve the tariff. It is therefore

ORDERED, that Z-Tel's request for a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates is granted, its revised intrastate switched access tariff no. 3 is approved, and the waiver of ARSD 20:10:27:07 is granted; and it is further

ORDERED, that Z-Tel shall, within three years of the date of the order issued in TC01-053, dated July 27, 2001, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of August, 2003.

<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>William Kalbo</i></u>
Date: <u>8/8/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Robert K. Sahr*  
ROBERT K. SAHR, Chairman

*Gary Hanson*  
GARY HANSON, Commissioner