RiterRogers

Robert C. Riter, Jr.
Darla Pollman Rogers
Jerry L. Wattier
Margo D. Northrup

Associate:
Lindsey Riter-Rapp

Of Counsel:
Robert D. Hofer

December 4, 2008

Ms. Patricia Van Gerpen
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Re: In the Matter of the Petition of Cheyenne River Sioux Tribe Telephone Authority for Arbitration Pursuant to the Telecommunications Act of 1996 to Resolve Issues Relating to an Interconnection Agreement with Alltel Communications, Inc.

Dear Patty:

Attached for filing in the above matter, please find the Stipulation to Joint Proposed Procedural Schedule, with attached Exhibit A.

If you have any questions, please contact me.

Very truly,

RITER, ROGERS, WATTIER
& NORTHRUP, LLP

BY: Darla Pollman Rogers
Darla Pollman Rogers

DPR/lma

Enclosures

Law Office
Riter, Rogers, Wattier, & Northrup, LLP
Phone: 605-224-5825 • Fax: 605-224-7102 • www.riterlaw.com
319 South Coteau Street • P.O. Box 280 • Pierre, South Dakota 57501-0280

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

In the Matter of the Petition of Cheyenne River Sioux Tribe Telephone Authority for Arbitration Pursuant to the Telecommunications Act of 1996 to Resolve Issues Relating to an Interconnection Agreement with Alltel Communications, Inc.	))))))	**Docket No. TC08-122** **STIPULATION TO JOINT PROPOSED PROCEDURAL SCHEDULE**

Come now, Cheyenne River Sioux Tribe Telephone ("CRST"), by and through its undersigned counsel and Alltel Communications, Inc. ("Alltel"), by and through its undersigned counsel, and hereby stipulate to a procedural schedule in the above entitled matter. The parties have met and have agreed to the Joint Proposed Procedural Schedule attached as Exhibit A.

Dated this 4th day of December, 2008.

ATTORNEYS FOR CHEYENNE RIVER SIOUX TRIBE TELEPHONE

Darla Pollman Rogers

Darla Pollman Rogers
Margo Northrup
Riter Rogers Law Office, LLP
319 South Coteau Street
Pierre, SD 57501-0280
Phone: 605-224-7889
Fax: 605-224-7102
Email: dprogers@riterlaw.com

ATTORNEYS FOR ALLTEL COMMUNICATIONS, INC.

Talbot Wieczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
440 Mt Rushmore Road
PO Box 8045
Rapid City, South Dakota 57709
Phone: (605) 342-1078
Fax: (605) 342-0480
Email: tjw@gpgnlaw.com

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

In the Matter of the Petition of Cheyenne River Sioux Tribe Telephone Authority for Arbitration Pursuant to the Telecommunications Act of 1996 to Resolve Issues Relating to an Interconnection Agreement with Alltel Communications, Inc.	)))))	**Docket No. TC08-122 JOINT PROPOSED PROCEDURAL SCHEDULE**

PROCEDURAL SCHEDULE

1. On or before December 4, 2008, Petitioner shall provide copies of the FLEC study referenced in Paragraph 32 of CRST's Petition for Arbitration dated October 21, 2008; the traffic factor study referenced in Paragraph 33 of CRST's Petition; and the traffic study or "methodology" that was used to develop the InterMTA use factor referenced in Paragraph 34 of CRST's Petition. Electronic portions of the study shall be provided in native format that will allow the study to be searched and adjusted for testing purposes. If the electronic information is subject to a password protection, the password shall also be provided.

2. On or before December 16, 2008, the first round of discovery requests shall be served by all parties and responses shall be due on or before January 15, 2009.

3. On or before January 29, 2009, the second round of discovery requests shall be served by all parties and responses shall be due on or before February 13, 2009.

Discovery requests and responses shall not be filed with the Commission unless necessary in connection with a motion to compel or if introduced as a hearing exhibit. A copy of discovery requests and responses shall be provided to South Dakota Public Utilities Staff Counsel.

4. On or before February 27, 2009, all parties shall serve and file direct testimony, including exhibits.

EXHIBIT A

5. On or before March 13, 2009, all parties shall serve and file rebuttal testimony, including exhibits.

6. No witness shall be allowed to testify at the hearing unless that witness has prefiled testimony pursuant to this procedural schedule with the exception of witnesses offering live testimony regarding issues first raised in rebuttal testimony. Such testimony shall not be duplicative of prefiled testimony. In the event that a party determines that is will present testimony in response to rebuttal testimony from one or more witnesses that have not prefiled testimony, the names and personal resumes of such witnesses, and a general description of the facts and testimony to be offered by such witnesses shall be provide to the other party and the Commission not later than March 23, 2009.

7. Exhibits offered through a Party's witness that are not summary in nature shall be attached to prefiled testimony. Any exhibit not previously produced that may be used on cross-examination shall be disclosed to the other party on or before March 30, 2009, with a copy provided upon request. Should an exhibit not previously attached to prefiled testimony or produced through discovery be deemed necessary to cross-examine a witness who has not filed prefiled testimony, that exhibit shall be disclosed to the other party on or before April 2, 2009.

Documents served or filed are served on the date they are received. All documents shall be served by e-mail, in .pdf format unless the document is a spreadsheet then it will be produced unprotected in its native format. Service by e-mail is effective when received pursuant to South Dakota Administrative Rules.

8. The hearing shall be held after April 6, 2009 or as soon thereafter as the Commission shall be able to hear this matter, in the State Capitol Building, Pierre, South Dakota.

The hearing will begin at _____ a.m. CDT on _____. Parties shall arrive prior to the commencement of the hearing to mark exhibits.

9. The parties shall simultaneously serve and file post hearing briefs 20 days following receipt of the hearing transcript, along with proposed language for the disputed issues in the interconnection agreement. The parties shall simultaneously serve and file reply briefs 14 days following the receipt of the initial post hearing briefs.

10. The Commission shall issue its decision resolving the issues in the arbitration on or before July 1, 2009. The decision shall establish a procedure and schedule for filing a confirmed arbitrated agreement for consideration by the Commission. The Commission's resolution of the issues presented in the arbitration shall not be according to "final offer" or "baseball" arbitration in which the Commission must accept the final offer of one or the other party, but rather shall be according to "traditional" arbitration in which the Commission may resolve issues presented as it determines to be proper consistent with the facts presented and applicable legal requirements.

Dated this 4th day of December, 2008.