

RECEIVED

AUG 13 2008

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

=====

IN THE MATTER OF THE APPLICATION
OF SPRINT COMMUNICATIONS COMPANY L.P. TC06-178
FOR AUTHORITY TO PROVIDE LOCAL EXCHANGE
SERVICES IN CERTAIN RURAL AREAS SERVED BY
BROOKINGS MUNICIPAL UTILITIES D/B/A
SWIFTEL COMMUNICATIONS

IN THE MATTER OF THE APPLICATION OF MCC TC06-188
TELEPHONY OF THE MIDWEST, INC. D/B/A
MEDIACOM FOR A CERTIFICATE OF AUTHORITY TO
PROVIDE INTEREXCHANGE AND LOCAL EXCHANGE
SERVICES IN THE BROOKINGS EXCHANGE

=====

Transcript of Proceedings
July 29, 2008

ORIGINAL

=====

BEFORE THE PUBLIC UTILITIES COMMISSION,
GARY HANSON, CHAIRMAN
STEVE KOLBECK, VICE CHAIRMAN
DUSTY JOHNSON, COMMISSIONER

COMMISSION STAFF
Rolayne Ailts Wiest
Kara Semmler
Greg Rislov
Harlan Best
Terri LaBrie Baker
Dave Jacobson
Bob Knadle
Brian Rounds
Deb Gregg

APPEARANCES
Talbot Wieczorek
Mary Sisak (by telephone)
Brett Koenecke

PRECISION REPORTING

Cheri Wittler, RPR, CRR



1 TRANSCRIPT OF PROCEEDINGS, held in the above-entitled
2 matter, at the Joe Foss Building, 523 East Capitol Avenue,
3 Pierre, South Dakota, on the 29th day of July 2008, commencing
4 at 9:40 a.m.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 CHAIRMAN HANSON: We will now turn or attention to
2 TC06-178, In the Matter of the Application of Sprint
3 Communications Company, LP For Authority to Provide Local
4 Exchange Services in Certain Rural Areas Served by Brookings
5 Municipal Utilities Doing Business as Swiftel Communications.

6 Questions that are before the Commission today is
7 shall the Commission grant the Motion to Compel and shall the
8 Commission grant the Motion to Consolidate the Hearings?

9 MS. AILTS WIEST: Can I ask one thing?

10 CHAIRMAN HANSON: Yes. You certainly may.

11 MS. AILTS WIEST: Everything was filed as
12 confidential. Are the parties going to talk about
13 nonconfidential matters at least to start with, or do we need to
14 take everything off the internet and make everybody leave?

15 MS. SISAK: I think the Motion to Consolidate is
16 nonconfidential.

17 MS. AILTS WIEST: Yeah. That one is so we'll start
18 with that.

19 MS. SISAK: Swiftel does not object to the Motion to
20 Consolidate.

21 MS. AILTS WIEST: In either docket?

22 MS. SISAK: In either docket.

23 MS. AILTS WIEST: So I think the Commission could make
24 a motion in Dockets TC96 -- I'm sorry. TC06-178 and TC06-188 to
25 grant the Motions to Consolidate the Hearings.

1 CHAIRMAN HANSON: Thank you, Ms. Wiest. Is there a
2 motion?

3 I'll make the motion that the Commission grant the
4 Motion to Consolidate the Hearings.

5 Discussion?

6 Commissioner Johnson.

7 COMMISSIONER JOHNSON: Aye.

8 CHAIRMAN HANSON: Commissioner Kolbeck.

9 COMMISSIONER KOLBECK: Aye.

10 CHAIRMAN HANSON: Commissioner Hanson votes aye. The
11 Motion to Consolidate passes.

12 We will then turn our attention to the Commission to
13 grant the Motion to Compel. And is there a necessity for us to
14 turn off the web at this juncture?

15 MS. SISAK: The entire agreement was filed by Sprint
16 and Mediacom as confidential so I'll leave it to them to address
17 it, but it seems to me that it's all confidential.

18 MR. KOENECKE: I agree with that.

19 CHAIRMAN HANSON: They are in agreement. So I will
20 move that we go to executive hearing and turn off the web and
21 those parties who are not -- who are in the room or on the
22 telephone line who are not a part of this -- these dockets
23 should hang up the phones and vacate the room.

24 (Discussion off the record)

25 CHAIRMAN HANSON: Gentlemen, we do not have the

1 ability to check the phones lines to see if anybody else is
2 listening in. Do you have a problem with that?

3 Both parties have indicated that they do not have a
4 problem with our inability to check the phone lines to see who
5 may be listening in.

6 MR. WEICZOREK: If they're still on, they deserve to
7 hear.

8 CHAIRMAN HANSON: Okay.

9 COMMISSIONER KOLBECK: We're just saying that to see
10 who's honest and who's not because we really know who's on.

11 (Discussion off the record)

12 (The following portion of the transcript is confidential)

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF SOUTH DAKOTA)

2 :SS

CERTIFICATE

3 COUNTY OF HUGHES)

4

5 I, CHERI MCCOMSEY WITTLER, a Registered
6 Professional Reporter, Certified Realtime Reporter and Notary
7 Public in and for the State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed
9 shorthand reporter, I took in shorthand the proceedings had in
10 the above-entitled matter on the 29th day of July, 2008, and
11 that the attached is a true and correct transcription of the
12 proceedings so taken.

13 Dated at Pierre, South Dakota this 13th day of
14 August, 2008.

15

16

17

18



Cheri McComsey Wittler,
Notary Public and
Registered Professional Reporter
Certified Realtime Reporter

19

20

21

22

23

24

25