

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

<b>IN THE MATTER OF THE COMPLAINT</b>	)	<b>ORDER FOR AND NOTICE OF</b>
<b>FILED BY ROGER L. HALL, RAPID CITY,</b>	)	<b>HEARING</b>
<b>SOUTH DAKOTA, AGAINST QWEST</b>	)	
<b>CORPORATION REGARDING THE COST</b>	)	<b>CT08-002</b>
<b>OF TELEPHONE LINE EXTENSIONS</b>	)	

On April 14, 2008, the Public Utilities Commission (Commission) received a complaint filed by Roger L. Hall, Rapid City, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding the cost of telephone line extensions.

On April 17, 2008, the complaint was electronically transmitted to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 5, 2008. On May 5, 2008, the Commission received an Answer and Motion to Dismiss from Qwest. On June 24, 2008, the Commission received Roger L. Hall's Response to Qwest Corporation's Motion to Dismiss. On June 24, 2008, at a regularly scheduled meeting, the Commission determined that the complaint did not fail to state a claim upon which relief could be granted and unanimously voted to deny the Motion to Dismiss. On November 10, 2008, the Commission issued an Order Setting Procedural Schedule. On January 21, 2009, the Commission received a Motion to Adjust Procedural Schedule from Qwest. On January 27, 2009, at a regularly scheduled meeting, the Commission unanimously voted to grant the Motion to Adjust Procedural Schedule and rescheduled the date of hearing pre-hearing motions to February 24, 2009. On February 3, 2009, the Commission received a Motion for Summary Disposition of Complaint from Qwest. On February 23, 2009, the Commission received Roger L. Hall's Motion to Compel and Hall's Response to Qwest's Motion for Disposition. On February 24, 2009, at a regularly scheduled meeting, the Commission unanimously voted to deny the Motion for Summary Disposition of Complaint.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

A hearing will be held on this matter beginning at 1:00 P.M. on May 5, 2009, in Room 413, State Capitol, 500 East Capitol, Pierre, South Dakota.

The issue at the hearing is who is responsible for the cost of providing telecommunications services to Complainant's mobile home park.

The hearing will be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All persons testifying will be subject to cross-examination by the parties. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights may be forfeited if not exercised at the hearing. If a party or its representative fails to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing, the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of the hearing, the Commission will resolve the issue stated above. The Commission's Final Decision may be appealed by the parties to the circuit court as provided by law.

It is therefore

ORDERED, that a hearing shall be held at the time and place specified above on the issues as stated above.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of March, 2009.

<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, electronically.	
By:	<u>Aldine Kolbe</u>
Date:	<u>3/10/09</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Dustin M. Johnson  
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck  
STEVE KOLBECK, Commissioner

Gary Hanson  
GARY HANSON, Commissioner