Rule Making Orders - Issued 1999

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF TELECOMMUNICATIONS RULEMAKING	**)**	**ORDER DENYING AT&T'S APPLICATION AND AMENDED APPLICATION FOR RECONSIDERATION, CLARIFICATION OR REHEARING**
	)	
	)	**RM98-001**

On December 23, 1998, the Public Utilities Commission (Commission) received an Application for Reconsideration, Clarification or Rehearing from AT&T Communications of the Midwest, Inc. (AT&T) regarding the telecommunications rules adopted by the Commission on November 25, 1998. On January 5, 1999, the Commission received an Amended Application for Reconsideration, Clarification or Rehearing. The Amended Application withdrew AT&T's request for clarification as to whether the rules regarding switching of subscriber's telephone service apply to inbound calls. In its Application, AT&T requested that the Commission reconsider the Commission's rule that requires an electronic recording be made of the entire telephone call that confirms a subscriber's change of its telecommunications provider. AT&T also asked for reconsideration of ARSD §§ 20:10:34:02(4), 20:10:34:03(9), and 20:10:34:07. These rules became effective on December 27, 1998.

At its January 6, 1999, meeting, the Commission considered AT&T's application. The Commission unanimously voted to deny the application since there is no statutory authority for reconsideration or rehearing for rules that are in effect. It is therefore

ORDERED, that AT&T's application is denied.

Dated at Pierre, South Dakota, this 20th day of January, 1999.

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner

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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:_____

Date:_____

(OFFICIAL SEAL)

LASKA SCHOENFELDER,
Commissioner

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