

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE ESTABLISHMENT OF) ORDER FOR AND NOTICE OF
SWITCHED ACCESS RATES FOR U S WEST) PROCEDURAL SCHEDULE AND
COMMUNICATIONS, INC.) HEARING
)
) TC96-107

On June 24, 1996, U S WEST Communications, Inc. (U S WEST) filed for approval by the Public Utilities Commission (Commission) its 1995 switched access cost study. According to the application, the study develops an overall average calculated rate of \$.066 cents per minute required to recover the costs.

On June 27, 1996, the Commission electronically transmitted notice of the filing and the intervention deadline of July 12, 1996, to interested individuals and entities. The following companies were granted intervention on July 30, 1996: Sprint Communications Company L.P. (Sprint); MCI Telecommunications Corporation (MCI); Express Communications, Inc. (Express); AT&T Communications of the Midwest, Inc. (AT&T); Telecommunications Action Group (TAG)(1); and Dakota Cooperative Telecommunications, Inc. (DCT). The Commission also found that pursuant to SDCL 49-31-12.4, the rate increase should be suspended for 120 days. The Commission directed the Executive Director to set a procedural schedule.

The procedural schedule for testimony and a hearing on this matter shall be as follows:

DATE | PROCEDURAL SCHEDULE

September 20, 1996 | U S WEST prefiled testimony due
October 4, 1996 | Staff and Intervenor prefiled testimony due
October 9, 1996 | Hearing commencing at 9:00 a.m. in LCR-1, State Capitol Building, Pierre, South Dakota

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and 49-31 and ARSD 20:10:27 to 20:10:29, inclusive. The Commission may rely upon any or all of these or other laws of this state in making its determination.

The issue at the hearing is whether U S WEST's application to increase its Carrier Common Line Access Charge, Interconnect and Local Switching rates shall be granted.

The public is invited to participate by testifying at the hearing. All persons so testifying will be subject to cross-examination by the parties. The order of the proceeding will be in the following sequence: (1) Applicant; (2) Staff; and (3) Intervenors.

The hearing is an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to attend and represent themselves or be represented by an attorney. However, such rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20.

The Commission, after examining the evidence and hearing testimony presented by the parties, shall make Findings of Fact, Conclusions of Law, and a Final Decision. As a result of the hearing the Commission may either approve or reject the proposed increase to the Carrier Common Line access charge, Interconnect and Local Switching rates or otherwise set these rates. The Final Decision may be appealed by the parties to the Circuit Court and the South Dakota Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held on the application for an increase in the Carrier Common Line Access Charge, Interconnect and Local Switching rates at the time and place specified 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 28th day of August, 1996.

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)

BY ORDER OF THE
COMMISSION:

Commissioners Stofferahn, Burg and
Schoenfelder

WILLIAM BULLARD, JR.

Executive Director

(1)TAG members include Midco Communications, TCIC Communications, TeleTech, FirsTel, and Tel Serv.

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