

Telecommunications Orders - Issued 1996

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

IN THE MATTER OF THE INTERCONNECTION CONTRACT) NEGOTIATIONS BETWEEN AT&T COMMUNICATIONS OF) THE MIDWEST, INC. AND U S WEST COMMUNICATIONS,) INC. PURSUANT TO 47 U.S.C. SECTION 252)	PROCEDURAL SCHEDULE; ORDER FOR AND NOTICE OF HEARING TC96-184
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On November 20, 1996, the Public Utilities Commission (Commission) received a filing from AT&T Communications of the Midwest, Inc. (AT&T) pursuant to 47 U.S.C. Section 252(b)(1) to arbitrate open issues related to its interconnection negotiations with U S WEST Communications, Inc. (U S WEST). U S WEST filed its response on December 16, 1996. A notice of appearance on behalf of U S WEST has been filed by its legal counsel.

The following procedural schedule shall be followed in this docket:

All prefiled testimony shall be filed with the Commission by January 17, 1997;

Arbitration hearing before the Commission: commencing at 9:00 A.M. at the Conference Room of the State Motel, 640 N. Euclid Avenue, Pierre, South Dakota, on February 3, 1997, and continuing through February 7, 1997;

Post hearing briefs and proposed Findings of Fact and Conclusions of Law simultaneously due from parties: February 21, 1997;

Post hearing re al briefs simultaneously due from parties: February 28, 1997; and

The Commission will issue its decision on any unresolved issues on or before March 17, 1997.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and the Telecommunications Act of 1996. The Commission may rely upon any or all of these or other laws of this state in making its determination.

The issues before the Commission will be to resolve all open issues related to the appropriate charges, terms and conditions for interconnection, services and network elements which are to be in an agreement between AT&T and U S WEST for the purpose of providing local telephone service.

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 will 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 its final decision. As a result of the hearing, the Commission will resolve any open issues related to the appropriate charges, terms and conditions for interconnection, services and network elements which are to be in an agreement between AT&T and U S WEST for the purpose of providing local telephone service. The final decision made by the Commission may be appealed by the parties. It is therefore

ORDERED, that all parties shall follow the procedural schedule as set forth above; and it is

FURTHER ORDERED, that the hearing shall be held February 3, 1997, through February 7, 1997, in the Conference Room of the State Motel, 640 N. Euclid Avenue, Pierre, South Dakota, commencing at 9:00 A.M.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the 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 30th day of December, 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,
Schoenfelder

WILLIAM BULLARD, JR.

Executive Director

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