

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

IN THE MATTER OF THE PETITION FOR )	ORDER DENYING
ARBITRATION ON BEHALF OF WESTERN )	INTERVENTION
WIRELESS CORPORATION WITH U S WEST )	
COMMUNICATIONS, INC. )	TC96-160

On September 6, 1996, the Public Utilities Commission (Commission) received a Petition for Arbitration from Western Wireless Corporation, d/b/a Cellular One (Western Wireless). Western Wireless petitioned the Commission, pursuant to Section 252(b)(1) of the Telecommunications Act of 1996, to arbitrate open issues related to its interconnection negotiations with U S WEST.

The South Dakota Independent Telephone Coalition (SDITC) filed a Petition to Intervene on September 20, 1996. At its regularly scheduled October 8, 1996, meeting, the Commission considered SDITC's Petition to Intervene. The Commission voted to deny the Petition to Intervene due to SDITC's inability to show that its pecuniary interests would be directly and immediately affected by the Commission's Order in the above referenced matter.

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. It is therefore

ORDERED, that SDITC's Petition to Intervene is hereby denied.

Dated at Pierre, South Dakota, this 30<sup>th</sup> day of October, 1996.

<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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Alaine Kelbo</i></u>
Date: <u>10/30/96</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Kenneth Stofferahn*  
KENNETH STOFFERAHN, Chairman

*James A. Burg*  
JAMES A. BURG, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner