

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF SIOUX FALLS CABLE TELEVISION FOR A CERTIFICATE OF AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICES IN SOUTH DAKOTA)	ORDER FOR AND NOTICE OF HEARING
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On August 27, 1998, the South Dakota Public Utilities Commission (Commission) received an application for a Certificate of Authority by Sioux Falls Cable Television (SFCT) for approval to provide intrastate intraexchange telecommunications services in the state of South Dakota. SFCT proposes to initially offer voice messaging and data transmission services and thereafter an increasing variety of telecommunications services on an intraexchange basis only. Initially, services will be provided in Sioux Falls, Crooks, Renner and Mitchell.

On September 3, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of September 18, 1998, to interested individuals and entities. On September 14, 1998, Baltic Telecom Cooperative (Baltic) filed a Petition to Intervene. On September 16, 1998, the South Dakota Independent Telephone Coalition (SDITC) filed a Petition to Intervene. A Motion for Leave to Intervene was filed by Dakota Telecommunications Group, Inc. (DTG) and its subsidiary Dakota Telecom, Inc. (DTI) on September 16, 1998. At its regularly scheduled September 23, 1998, meeting, the Commission granted intervention to Baltic, SDITC, DTG, and DTI.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31, including 1-26-18, 1-26-19, 49-31-3, 49-31-69, 49-31-70, 49-31-71, 49-31-72, 49-31-73, 49-31-74, and 49-31-75.

The issue at the hearing is whether SFCT shall receive a certificate of authority to provide intrastate telecommunications services in the state of South Dakota.

A hearing shall be held April 8-9, 1999, starting at 9:00 a.m. on April 8, 1999, in Room 412, State Capitol, Pierre, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These 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 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 this hearing, the Commission may either grant or deny the request of SFCT to receive a certificate of authority to provide intrastate telecommunications services in the state of South Dakota. The Commission's decision may be appealed to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held at the time and place specified above on the issue of whether SFCT shall receive a certificate of authority to provide intrastate telecommunications services in the state of South Dakota.

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 5th day of March, 1999.

CERTIFICATE OF SERVICE

BY ORDER OF THE COMMISSION:

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)

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER,
Commissioner