

## Telecommunications Orders - Issued 1999

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

<b>IN THE MATTER OF THE FILING BY U S WEST COMMUNICATIONS, INC. FOR APPROVAL OF TARIFF PAGES FOR ITS ACCESS SERVICE TARIFF IMPLEMENTING ITS INTRALATA TOLL DIALING PARITY PLAN</b>	) ) ) ) )	<b>ORDER GRANTING MOTIONS; AMENDED ORDER FOR AND NOTICE OF HEARING</b>  <b>TC99-053</b>
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On May 3, 1999, the South Dakota Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST) for approval of its Access Service Tariff pages implementing its IntraLATA Toll Dialing Parity Plan. On June 1, 1999, U S WEST filed a Petition for Cost Recovery Charge requesting recovery of its costs associated with the implementation and conversion of intraLATA equal access in South Dakota in 1999. U S WEST requests approval of an equal access recovery charge of \$.001136 per minute of use in accordance with its equal access cost study. U S WEST further requests that this charge be recovered over a three year period of time with true-ups annually.

On May 6, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of May 21, 1999, to interested individuals and entities. On May 20, 1999, the South Dakota Independent Telephone Coalition (SDITC) filed a Petition to Intervene and on May 21, 1999, AT&T Communications of the Midwest, Inc. filed its Petition to Intervene. A regularly scheduled June 8, 1999, meeting, the Commission considered SDITC's and AT&T's request for intervention. The Commission granted intervention by Order dated June 22, 1999. On September 3, 1999, the Commission received a late-filed Petition to Intervene from Sprint Corporation. A September 8, 1999, meeting, the Commission denied Sprint's Petition to Intervene. On September 10, 1999, U S WEST filed a Motion for a 30-Day Continuance of Hearing Date and Expedited Consideration. On September 17, 1999, AT&T filed a Motion for Extension of Time to File Testimony.

A September 21, 1999, meeting, the Commission considered both motions. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and 47 U.S.C. " 251 and 252. The Commission granted both motions and the amended procedural schedule is as follows:

**DATE PROCEDURAL SCHEDULE**

September 3, 1999 U S WEST Prefiled Testimony Due

September 30, 1999 Staff and Intervenor Testimony Due

October 8, 1999 Reply Testimony Due

A hearing shall be held at 9:00 a.m., on November 2, 1999, and continuing on November 3, 1999, if necessary, in Room 412, State Capitol Building, 500 East Capitol, Pierre, South Dakota. The hearing is open to the public. All persons testifying shall be subject to cross-examination.

The issue at the hearing is whether the Commission shall grant U S WEST's Petition for a Cost Recovery Charge.

The hearing 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 shall determine whether it shall grant U S WEST's Petition for Cost Recovery Charge. The Commission's Final Decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED, that the Motion for Extension of Time and Motion for Continuance are granted and the amended procedural schedule set forth above shall be followed by all parties to these proceedings. It is further

ORDERED, that the hearing shall commence at 9:00 a.m., on November 2, 1999, in Room 412, State Capitol Building, 500 East Capitol, Pierre, South Dakota, and if necessary, shall continue through November 3, 1999.

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 1st day of October, 1999.

<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:	_____
Date:	_____
(OFFICIAL SEAL)	
BY ORDER OF THE COMMISSION:	
	_____
	JAMES A. BURG, Chairman
	_____
	LASKA SCHOENFELDER, Commissioner

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