

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

IN THE MATTER OF THE FILING BY U S WEST)	ORDER DENYING
COMMUNICATIONS, INC. FOR APPROVAL OF)	INTERVENTION
TARIFF PAGES FOR ITS ACCESS SERVICE)	
TARIFF IMPLEMENTING ITS INTRALATA)	TC99-053
TOLL DIALING PARITY PLAN)	

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. At its regularly scheduled June 8, 1999, meeting, the Commission granted SDITC's and AT&T's request for intervention. The hearing in this matter is scheduled for September 30, 1999. On September 3, 1999, Sprint Corporation filed its petition for intervention.

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 found that the petition to intervene was not timely filed (Commissioner Schoenfelder dissenting). It is therefore

ORDERED that Sprint's request for intervention is hereby denied.

Dated at Pierre, South Dakota, this 14th day of September, 1999.

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: <u><i>Delaine Kachro</i></u>
Date: <u>9/15/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner
dissenting