

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

IN THE MATTER OF THE FILING BY U S WEST)	ORDER CLOSING DOCKET
COMMUNICATIONS, INC. OF A NOTICE OF)	
INTENT TO FILE A SECTION 271)	TC00-011
APPLICATION)	

On February 8, 2000, U S WEST Communications, Inc. (U S WEST) filed with the Public Utilities Commission (Commission) its Notice of Intent to File a Section 271 Application and Motion for Alternative Procedure to Manage the Section 271 Process.

On February 10, 2000, the Commission gave notice of the filing and on March 7, 2000, entered an Order setting an intervention deadline of March 17, 2000, and a procedural schedule for filing of comments.

By order dated March 31, 2000, the Commission granted petitions to intervene filed by Telecommunications Resellers Association (TRA), McLeodUSA Telecommunications Services Incorporated (McLeod), Midco Communications, Inc. d/b/a Midcontinent Communications (Midcontinent), AT&T Communications of the Midwest, Inc. (AT&T), Black Hills FiberCom, L.L.C. (Black Hills), and Sprint Communications Company L.P (Sprint).

On April 10, 2000, the Commission received a motion from Midcontinent to late-file comments. On April 14, 2000, U S WEST filed a response to Midcontinent's motion. U S WEST did not object to Midcontinent's motion but filed a motion to file reply comments to Midcontinent's comments. On April 17, 2000, the Commission received a petition for late intervention from New Edge Network, Inc. d/b/a New Edge Networks (New Edge). At its April 27, 2000, meeting, the Commission granted Midcontinent's motion to late-file comments, U S WEST's motion to file reply comments, and New Edge's petition to intervene.

At its May 17, 2000, meeting, the Commission considered how to proceed. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31, specifically 49-31-81, and 47 U.S.C. Section 271. In its comments, U S WEST stated that if the Commission was not prepared to join in a multi-state collaborative, then the Commission should defer a decision concerning the type of procedure it will use to consider U S WEST's Section 271 compliance until the fourth quarter of 2000. Based on the comments of the parties, the Commission voted unanimously to close the docket. At this time, the Commission declines to join a multi-state process. The Commission is concerned that a multi-state process may deter South Dakota's competitive local exchange providers from participating in a proceeding involving U S WEST's section 271 compliance. It is therefore

ORDERED, that this docket is closed.

Dated at Pierre, South Dakota, this 6th day of June, 2000.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner