

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

IN THE MATTER OF THE FILING BY U S) ORDER DENYING STAFF
WEST COMMUNICATIONS, INC. REGARDING) MOTION
THE SALE OF EXCHANGES IN NEBRASKA)
AND MINNESOTA) TC00-068

On April 10, 2000, the Public Utilities Commission (Commission), received a letter from Citizens Communications, Plano, Texas (Citizens) and U S WEST Communications, Inc. (U S WEST) indicating, among other things, that a sale of the Valentine, Nebraska exchange was occurring and further requesting that the Commission not object to the Federal Communications Commission's granting of a study area waiver or to any configuration of study area boundaries involving the South Dakota portion of the Valentine, Nebraska exchange.

On April 27, 2000, the Staff of the Commission filed a Motion for Hearing and Notice of Motion. Staff moved the Commission for a hearing under SDCL 49-31-59 on the grounds that the Valentine, Nebraska exchange, as it is situated in South Dakota, has presented a history of service quality problems for patrons of that exchange and that the Commission should consider this sale pursuant to these statutory standards. Staff further questioned the ability of the intended purchaser to provide acceptable service.

On May 17, 2000, at its regularly scheduled meeting, the Commission considered the Motion. Citizens was represented by Darla Pollman Rogers and Alex Duarte represented U S WEST. The Commission voted to deny Staff's Motion, Commissioner Nelson dissenting.

The Commission, having heard the arguments of the respective parties and having considered their arguments and authorities which have been submitted by them and being fully advised in the premises, hereby

ORDERS, that the Motion of Staff for a hearing in this docket is hereby denied.

Dated at Pierre, South Dakota, this 23rd day of May, 2000.

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 Kolbo</i></u>
Date: <u><i>5/25/00</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

PAM NELSON, Commissioner, dissenting

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner