BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF SPRINT COMMUNICATIONS COMPANY L.P. FOR ARBITRATION PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996 TO RESOLVE ISSUES RELATING TO AN INTERCONNECTION AGREEMENT WITH INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC.	)	**SECOND ORDER FOR AND NOTICE OF HEARING; AMENDED PROCEDURAL SCHEDULE** **TC06-175**

On October 16, 2006, Sprint Communications Company L.P. (Sprint) filed a petition to arbitrate, pursuant to SDCL 49-31-81 and ARSD 20:10:32:29-32, and Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996), certain terms and conditions of a proposed Interconnection Agreement between Sprint and Interstate Telecommunications Cooperative, Inc. (ITC). Sprint filed a list of unresolved issues consisting of: (1) Should the definition of End User in this Agreement include end users of a service provider for which Sprint provides interconnection, telecommunications services or other telephone exchange services? (2) Should the Interconnection Agreement permit the parties to combine wireless and wireline traffic on interconnection trunks? (3) Should the Interconnection Agreement permit the parties to combine all traffic subject to reciprocal compensation charges and traffic subject to access charges onto interconnection trunks? (4) Should the Interconnection Agreement contain provisions for indirect interconnection consistent with Section 251(a) of the Act? (5) In an indirect interconnection scenario, is the ILEC responsible for any facility or transit charges related to delivering its originating traffic to Sprint outside of its exchange boundaries? (6) What direct interconnection terms should be contained in the Interconnection Agreement? (7) What are the appropriate rates for direct interconnection facilities? (8) When a two-way interconnection facility is used, should Sprint and Interstate share the cost of the interconnection facility between their networks based on their respective percentages of originated traffic? (9) What is the appropriate reciprocal compensation rate for the termination of telecommunications traffic, as defined by Sprint in the Agreement? (10) Should Sprint's proposed language regarding Local Number Portability be adopted and incorporated into the Interconnection Agreement? (11) Should the Interstate-proposed Directory Listing provisions, as modified by Sprint, be adopted and incorporated into the Interconnection Agreement? Sprint respectfully requests the Commission to arbitrate each of the remaining disputes between Sprint and Interstate, to find in Sprint's favor and to adopt Sprint's proposed contract language. In accordance with ARSD 20:10:32:30, a non-petitioning party may respond to the petition for arbitration and provide additional information within 25 days after the Commission receives the petition.

On October 19, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of November 10, 2006, to interested individuals and entities. On October 30, 2006, the Commission received a Joint Motion of Interstate Telecommunications Cooperative, Inc. and Brookings Municipal Utilities d/b/a Swiftel Communications for Deferral of Hearing on Sprint Communications Company's Request for Consolidation. On November 3, 2006, the Commission received a Petition to Intervene from South Dakota Telecommunications Association (SDTA). On November 13, 2006, the Commission received Sprint's Opposition to SDTA's Petition to Intervene and Response of Interstate Telecommunications Cooperative, Inc. to the Petition for Arbitration and Request for Consolidation of Sprint Communications Company L.P. At its November 14, 2006, meeting, the Commission deferred SDTA's request for intervention and the request to consolidate Dockets TC06-175 and TC06-176.

At its November 28, 2006, meeting, the Commission considered the setting of a procedural schedule. An Order Setting Procedural Schedule was issued December 1, 2006, which included these hearing dates.

At its December 6, 2006, meeting, the Commission denied intervention to SDTA (Commissioner Kolbeck dissented).

On January 9, 2007, ITC filed a Motion to Compel Discovery from Sprint Communications Company L.P. On January 12, 2007, Sprint filed a Response to ITC's Motion to Compel. At its January 16, 2007, meeting, the Commission considered the Motion to Compel. On January 18, 2007, the Commission issued its decision on the Motion to Compel. On January 26, 2007, the Commission received a Petition for Reconsideration from SDTA. On February 9, 2007, the Commission received a Response to SDTA's Petition for Reconsideration and Clarification from Sprint.

On February 12, 2007, the Commission issued an Order for and Notice of Hearing setting this matter for hearing on February 27 and 28, 2007. On February 21, 2007, the Commission issued an order clarifying SDTA's participation in this docket. On February 22, 2007, the Commission received a Joint Motion of Interstate Telecommunications Cooperative, Inc., Brookings Municipal Utilities d/b/a Swiftel Communications and Sprint Communications L.P. for Delay of Hearings on Sprint Communications Company's Petitions for Arbitration. The parties agreed that the hearing should be postponed. The hearing was continued.

The parties subsequently agreed to a new procedural schedule and hearing dates. Thus, the procedural schedule and hearing dates are amended as follows:

Event	Date
Designation of Additional Witnesses to Rebuttal	April 17, 2007
Exchange of Additional Exhibits for Use by Rebuttal Witnesses	April 17, 2007
Hearing Dates	April 26 to 27, 2007
Simultaneous Post Hearing Briefs	May 23, 2007
Simultaneous Reply Briefs	June 11, 2007
Commission Decision	July 31, 2007

A hearing will be held on this matter beginning at 9:00 A.M. on April 26, 2007, and continuing at 8:30 A.M. on April 27, 2007, in Room 464 of the State Capitol Building, 500 East Capitol, Pierre, South Dakota.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, including 49-31-3 and 49-31-81, and 47 U.S.C. sections 251 and 252. The Commission may rely upon any or all of these or other laws of this state in making its determination. The issues to be determined by the Commission are the issues set forth by Sprint in its Petition for Arbitration and the

issues as set forth by ITC in its Response to the Petition for Arbitration. These issues are hereby incorporated by reference.

The hearing will be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All persons testifying will be subject to cross-examination by the parties. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights may be forfeited if not exercised at the hearing. If a party or its representative fails 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 the hearing, the Commission will resolve issues listed in Sprint's Petition for Arbitration and ITC's Response to the Petition for Arbitration and order any appropriate relief. The Commission's Final Decision may be appealed by the parties as provided by law. It is therefore

ORDERED, that a hearing shall be held at the time and place specified above on the issues set forth above.

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 30th day of March, 2007.

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, electronically

By: Delaine Kolbo

Date: 3/30/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner