BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER	OF THE PETIT	ION OF)	ORDER APPROVING	
ALLIANCE	COMMUNIC	ATIONS)	STIPULATION FOR	
COOPERATIVE, IN	C. FOR ARBIT	RATION)	AMENDED SCHEDULING	
PURSUANT TO THE	TELECOMMUNIC	CATIONS)	ORDER AND DECISION	
ACT OF 1996 T	O RESOLVE	ISSUES)	DATE	
RELATING TO A	N INTERCONN	ECTION)		
AGREEMENT	WITH	ALLTEL)	TC07-111	
COMMUNICATIONS, INC.				

On October 19, 2007, Alliance Communications Cooperative, Inc. (Alliance) filed a petition for arbitration of certain unresolved terms and conditions of a proposed Interconnection Agreement between Alliance and Alltel Communications, Inc. (Alltel), pursuant to Section 252 of the Telecommunications Act of 1996, SDCL 49-31-81, and ARSD 20:10:32:29. Alliance filed a list of unresolved issues consisting of:

- (1) Is the reciprocal compensation rate for IntraMTA Traffic proposed by Alliance appropriate pursuant to 47 U.S.C. Section 252(d)(2)?
- (2) What is the appropriate Percent InterMTA Use factor to be applied to non-IntraMTA traffic exchanged between the parties?
- (3) What is the appropriate manner by which the minutes of use of IntraMTA Traffic terminated by the parties, one to the other, should be calculated and billed?
- (4) What is the obligation of the parties with respect to dial parity?
- (5) What is the appropriate effective date and term of the Agreement?

Alliance requests the following relief:

- A. Issuance of an Order requiring arbitration of any and all unresolved Issues between Alliance and WWC:
- B. Issuance of an Order directing Alliance and Alltel to submit to this Commission for approval an interconnection agreement reflecting:
 - (i) the agreed-upon language in Exhibit A, and
 - the resolution of any unresolved issues in accordance with the positions and recommendations made by Alliance as set forth herein at the arbitration hearing to be scheduled by this Commission;
- C. Issuance of an Order directing the parties to pay interim compensation for transport and termination of telecommunications traffic from January 1, 2007 (the Effective Date set forth in Exhibit A) to the date on which the Commission approves the parties' executed interconnection agreement in accordance with Section 252(e) of the Act;
- D. Issuance of an Order asserting this Commission jurisdiction over this arbitration until the parties have submitted an executed interconnection agreement for approval by this Commission in accordance with Section 252(e) of the Act; and
- E. Any other, further and different relief as the nature of this matter may require or as may be just, equitable and proper to this Commission.

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 November 13, 2007, the Commission received a Response of Alltel Communications, Inc. to Petition for Arbitration of Alliance Communications Cooperative, Inc. Alltel included two additional issues for resolution:

- (6) What is the appropriate definition of intraMTA and interMTA traffic?
- (7) Which party can initiate a direct interconnection request?

On November 26, 2007, the Commission received a Proposed Scheduling Order from Alliance. On November 28, 2007, the Commission received a Proposed Scheduling Order Response from Alltel. On December 17, 2007, the Commission received a Stipulation for Scheduling Order and Stipulation and Confidentiality Agreement signed by the parties.

At its January 29, 2008, meeting, the Commission considered the assessment of filing fees and the Stipulation for Scheduling Order. The Commission voted to require the parties to make a deposit not to exceed \$75,000, pursuant to SDCL 49-31-44, and approved the Stipulation and Scheduling Order.

On March 17, 2008, the Commission received Alltel's Motion to Compel Responses to Discovery Requests. On March 24, 2008, the Commission received a Response to Motion to Compel and Postpone Deadlines and a Motion to Extend Deadline for Filing of Direct Testimony from Alliance.

At its March 25, 2008, meeting, the Commission considered the Motion to Compel Responses to Discovery Requests. After listening to the arguments of the parties, the Commission voted to grant the motion (Chairman Hanson, dissenting). The Commission found that the discovery requested appeared reasonably calculated to lead to the discovery of admissible evidence. The Commission directed Staff to work with the parties regarding possible revisions to the procedural schedule. On May 20, 2008, the Commission received an Extension Agreement signed by the parties extending the Commission's decision date. On June 10, 2008, the Commission received a Stipulation for Amended Scheduling Order and Decision Date signed by the parties.

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.

At its July 8, 2008, meeting, the Commission considered the Stipulation for Amended Scheduling Order and Decision Date. Commission Staff recommended approval. The Commission unanimously voted to approve the Stipulation for Amended Scheduling Order and Decision Date.

It is therefore

ORDERED, that the Stipulation for Amended Scheduling Order and Decision Date is hereby approved.

Dated at Pierre, South Dakota, this ______ day of July, 2008.

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CERTIFICATE OF SERVICE	BY ORDER OF THE COMMISSION:
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	Say Canson
Malina V. Ma	GARY HANSON, Chairman
By: NULLANIE TOCOT	
Date: 7/16/08	Stive Colkeck
	STEVE KOLBECK, Commissioner
(OFFICIAL SEAL)	Austryou
	DUSTIN M. JOHNSON, Commissioner