

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

IN THE MATTER OF THE FILING BY) AVENTURE COMMUNICATION TECHNOLOGY,) LLC DBA AVENTURE COMMUNICATIONS) FOR APPROVAL OF ITS SWITCHED ACCESS) SERVICES TARIFF NO. 3)))))))	<u>AMENDED PROCEDURAL</u> SCHEDULE TC11-010
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On March 18, 2011, the Public Utilities Commission (Commission) received from Aventure Communication Technology, LLC dba Aventure Communications (Aventure) a request for approval of its Switched Access Services Tariff No. 3. This tariff cancels and replaces in its entirety South Dakota Tariff No. 2. Aventure states it is filing this replacement tariff to provide for greater consistency in the terms and conditions associated with its provision of interstate and intrastate access service. Aventure states that the terms and conditions set forth in the tariff mirror in nearly all respects (with the exception of references specific to the interstate vs. intrastate jurisdictions) Aventure's Tariff FCC No. 3, which became effective on December 30, 2010.

On March 31, 2011, Qwest Communications Company (Qwest) filed a Motion to Intervene and a Request to Open an Investigation and Suspend Tariff during the Investigation. On April 4, 2011, Aventure filed in opposition to Qwest's Motion to Intervene and Request to Open an Investigation and Suspend the Tariff. On April 7, 2011, Midcontinent Communications (Midcontinent) filed a Petition to Intervene and Sprint Communications Company, L.P. (Sprint) filed a Petition for Intervention and a Request for Investigation. On April 8, 2011, AT&T Communications of the Midwest Inc. (AT&T) filed a Petition to Intervene and Request to Suspend the Tariff and Investigate. On April 8, 2011, MCI Communications Services, Inc. d/b/a Verizon Business Services and Cellco Partnership and its subsidiaries providing wireless services in the state of South Dakota, collectively d/b/a Verizon Wireless (Verizon) filed a Motion to Intervene and a Request to Open an Investigation and Suspend Service During the Investigation.

At its April 19, 2011, meeting, the Commission considered the arguments of Aventure and the petitioners. The Commission found the Petitions to Intervene of Verizon, Midcontinent, Qwest, AT&T, and Sprint demonstrated good cause to grant intervention and voted unanimously to grant them intervention and to suspend the tariff for 120 days pending an investigation.

The parties to the proceeding agree to the following procedural schedule:

July 1, 2011 July 15, 2011	Intervener discovery to Aventure Communications Aventure Communications discovery to Interveners
July 25, 2011 <u>August 15, 2011</u> August 10, 2011	Aventure Communications' responses to discovery Intervener responses to discovery
August 10, 2011 <u>September 7, 2011</u> August 24, 2011 <u>October 7, 2011</u>	Follow up discovery due Responses to follow up discovery
September 1, 2011 <u>October 26, 2011</u> September 9, 2011 <u>November 16, 2011</u> September 14, 15, 2011 <u>November 29, 30, 2011</u>	Aventure Direct Testimony Served Intervener and Staff Direct Testimony Served Hearing

PLEASE TAKE NOTICE that a hearing shall be held commencing at 9:00 a.m., with marking of exhibits to begin at 8:00 a.m., on ~~Wednesday Tuesday, September 14, 2011, November 29, 2011~~ and continuing at 9:00 a.m. on ~~September 15, 2011, November 30, 2011~~ in Room 413 of the State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota. The hearing is open to the public. All persons testifying shall be subject to cross-examination.

The issue at the hearing is whether the Commission shall approve Aventure's Switched Access Services Tariff No. 3 as filed in whole or in part.

The hearing shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail 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 this hearing, the Commission shall determine whether to approve Aventure's Switched Access Service Tariff No. 3 as filed in whole or in part. The Commission's Final Decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED, that the procedural schedule set forth above shall be followed by all parties to these proceedings.

It is further

ORDERED, that the hearing shall commence at 9:00 a.m., with marking of exhibits to begin at 8:00 a.m., on ~~Wednesday Tuesday, September 14, 2011, November 29, 2011~~, and continuing at 9:00 a.m., on ~~September 15, 2011, November 30, 2011~~, Room 413 of the State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota.

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

Dated at Pierre, South Dakota, this 9th day of August, 2011.

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:	<u>Tina Douglas</u>
Date:	<u>8-9-11</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Vice-Chairman