

TC97-050

5/11/97

TC97-050

DOCKET NO.

In the Matter of IN THE MATTER OF THE  
INVESTIGATION OF THE PRACTICE  
OF LONG DISTANCE RESELLERS TO  
OPERATE WITHIN THE STATE OF  
SOUTH DAKOTA WITHOUT AN  
IDENTIFYING PIC NUMBER

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
5/2 97	Order Opening Docket,
5/8 97	TC Fax Filing,
5/13 97	Petition to Intervene by Telecommunications Resellers Assn.,
5/22 97	Petition to Intervene by SDITC,
5/22 97	Petition to Intervene by AT&T,
6/2 97	Late Filed Petition to Intervene by MCI,
6/10 97	Order Granting Interventions,
12/12 97	Order Closing Docket,
12/13 97	Docket Closed

0143.5.i  
ANDREW O ISAR  
DIRECTOR-INDUSTRY RELATIONS  
TELECOMMUNICATIONS RESELLERS ASSN.  
4312 92ND AVENUE NW  
GIG HARBOR WA 98335

JONATHAN NGUYEN-DUY  
SHER & BLACKWELL  
2000 L STREET NW SUITE 612  
WASHINGTON DC 20036

DAVID A GERDES  
ATTORNEY AT LAW  
MAY, ADAM, GERDES & THOMPSON LLP  
PO BOX 160  
PIERRE SD 57501-0160

RICHARD D COIT  
EXECUTIVE DIRECTOR  
SDITC  
PO BOX 57  
PIERRE SD 57501

JOHN S LOVALD  
ATTORNEY AT LAW  
OLINGER LOVALD ROBBENOLT MCCAHERN  
PO BOX 66  
PIERRE SD 57501-0066

TC99-050

4/24/97

RECEIVED

APR 25 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Bill:

Attached is a copy of a past due notice a local exchange customer of ours received from MCI. What happens is MCI SELLS their services to our customer base and do their own billing & collection, customer inquiry services, etc. This is typical since the telephone industry has not been able to negotiate a full billing & collection agreement with MCI. However, the industry, including ITC Telecom + ITC, do have a billing and collection agreement with MCI + many other carriers for "casual calling". These agreements typically are negotiated on our behalf with Independent NCA Services or Illuminet (formerly U.S. Intels).

Attached is one example of how MCI uses the "casual" agreement. Notice they aren't telling the customer to pay up or you go, but rather, if you don't pay up we will switch you to "casual" and you will pay a lot more - including a healthy surcharge (first time & thereafter see the surcharge language.)

Two situations can happen & have in the past. One, the customer either isn't informed of the switch or they don't read the info regarding it, and two, regardless of whether the customer understands the process or not, at some point in time we stand a high probability of being accused by the customer of charging them to a higher rate plan and do so for no advantage.

(over)

The question is - do we have a solution. Yes, we do but it is rather drastic. We could, in fact, terminate our contractual arrangements for "casual billing" thus eliminating the MCI's of the world from Switching. And, based on past experience we should consider this avenue since if the customer does not pay the MCI amt. due I will let MCI will transfer the outstanding balance to "casual" also. That way if the account goes bad we will attempt to collect it & they won't have to.

We have not cancelled our "casual" contracts because they work fine, it is a good billing service for our LEC customers, and we make additional money doing it. Thus, the whole process & the purpose of this note to you is to keep you advised of the "gony" things that happen and the "questionable" business practice I believe this represents.

Alan E. Anderson

3418  
3418  
3418



MCI Telecommunications Inc.  
CONSUMER MARKETS  
9666 OLIVE BLVD., SUITE 500  
OLIVETTE, MO 63132

A customer of ours  
received this letter  
from MCI.

### CANCELLATION WARNING

|||||

April 08, 1997

Amount due:           \$21.60

Dear MCI Customer:

Your previous invoice(s) is past due and your account is scheduled for cancellation. Our records are current through 04/07/97, and no payment has posted. Call us immediately to prevent interruption of your MCI service.

(800) 596-8705

Monday - Thursday	8:00 a.m. - 10:00 p.m. CST
Friday	8:00 a.m. - 6:00 p.m. CST
Saturday	8:00 a.m. - 4:00 p.m. CST

WE ACCEPT PAYMENT BY MASTERCARD, VISA, DISCOVER, AMERICAN EXPRESS AND JCB.

Your attention to this matter is appreciated.

For MCI Dial-1 Customers -  
If your MCI account is canceled for nonpayment, your local telephone company will bill you for all long distance usage at MCI's non-discounted rate. In addition, MCI's FCC Tariff PROVIDES FOR a \$1.30 per call surcharge for all domestic calls dialed directly from your IIN while your local telephone company is billing you and you do not have an active MCI account. However, you may call MCI to reestablish your MCI account once it is paid in full.

-----DETACH HERE-----  
PLEASE FOLD FIRST, DETACH AND REMIT THE LOWER PORTION  
MAKE YOUR CHECK PAYABLE TO MCI TELECOMMUNICATIONS

April 08, 1997

TOTAL AMOUNT DUE UPON RECEIPT           21.60

Amount paid \$ \_\_\_\_\_

REMIT TO:

|||||

MCI TELECOMMUNICATIONS INC  
P.O. Box 52252  
Phoenix, AZ 85072-2252

602043 06320301060500050 320003148 00002160 00002160

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

TC97-050

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

IN THE MATTER OF THE INVESTIGATION OF )  
THE PRACTICE OF LONG DISTANCE ) ORDER OPENING DOCKET  
RESELLERS TO OPERATE WITHIN THE )  
STATE OF SOUTH DAKOTA WITHOUT AN ) TC97-050  
IDENTIFYING PIC NUMBER )

All certified long distance resellers are not required to obtain a Primary Interstate Carrier (PIC) number with which to identify them as a customer's long distance carrier. The Public Utilities Commission (Commission) has fielded a number of concerns regarding the difficulties local exchange carriers and customers are experiencing when trying to identify a customer's long distance carrier. Commission Staff has also encountered difficulties when attempting to obtain such information.

On April 15, 1997, at a regularly scheduled meeting, Commission Staff recommended that the Commission open a docket in this matter.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-13 and 49-31. The Commission unanimously voted to open a docket on this matter. It is therefore

ORDERED that a docket be opened to investigate the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number.

Dated at Pierre, South Dakota, this 2nd day of May, 1997.

<b>CERTIFICATE OF SERVICE</b>	
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>William Kelso</i></u>
Date	<u>5/2/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION.

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner

South Dakota  
Public Utilities Commission  
State Capitol 500 E. Capitol  
Pierre, SD 57501-5070  
Phone: (800) 332-1782  
Fax: (605) 773-3809

## TELECOMMUNICATIONS SERVICE FILINGS

These are the telecommunications service filings that the Commission has received for the period of:

**05/02/97 through 05/08/97**

If you need a complete copy of a filing faxed overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
<b>ORDER OPENING INVESTIGATION DOCKET</b>			
TC97-050	All certified long distance resellers are not required to obtain a Primary Interstate Carrier (PIC) number with which to identify them as a customer's long distance carrier. The Public Utilities Commission (Commission) has fielded a number of concerns regarding the difficulties local exchange carriers and customers are experiencing when trying to identify a customer's long distance carrier. Commission Staff has also encountered difficulties when attempting to obtain such information. The Commission has opened this docket to investigate the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number. (Staff: LH/KC)	Opened 05/02/97	05/23/97
<b>REQUEST FOR CERTIFICATE OF AUTHORITY</b>			
TC97-051	Application by GLD, Group Long Distance, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, travel card, and prepaid calling card service through the resale of telephone services provided by facilities-based interexchange carriers."	05/06/97	05/23/97
<b>FILING OF INFORMATIONAL INTRASTATE PAYPHONE TARIFFS</b>			
NA	Golden West Telecommunications Cooperative, Inc. on May 8, 1997; Vivian Telephone Company d/b/a Golden West Communications, Inc. on May 8, 1997; Splitrock Properties, Inc. on May 8, 1997; RC Communications, Inc. on May 8, 1997; and Roberts County Telephone Cooperative Association on May 8, 1997	NA	NA

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing it to Terry Norum at [terryn@puc.state.sd.us](mailto:terryn@puc.state.sd.us) Faxing the address to the Commission at 605-773-3809





Andrew Isar, Director - Industry Relations

Telecommunications  
Resellers  
Association

4312 92nd Ave., N.W.  
Gig Harbor, WA 98335

Tel: 206-265-3910  
Fax: 206-265-3912

RECEIVED

MAY 13 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Via Overnight Delivery

12 March 1997

Mr. William Bullard, Jr.  
Executive Secretary  
Public Utilities Commission of South Dakota  
State Capitol, 500 East Capitol Street  
Pierre, South Dakota 57501-5070

RE: Docket No. TC97-050

Dear Mr. Bullard:

Enclosed are an original and ten (10) copies of the Telecommunications Resellers Association's Petition to Intervene in the above-referenced proceeding. Questions may be directed to me.

Sincerely,

Telecommunications Resellers Association

A handwritten signature in cursive script that reads "Andrew O. Isar".  
Andrew O. Isar

Enclosures

7-5-3418

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE )  
INVESTIGATION OF THE )  
PRACTICE OF LONG DISTANCE )  
RESELLERS TO OPERATE WITHIN )  
THE STATE OF SOUTH DAKOTA )  
WITHOUT AN IDENTIFYING )  
PIC NUMBER )

DOCKET NO. TC97-050

PETITION TO INTERVENE

The Telecommunications Resellers Association ("TRA"), on behalf of its members, hereby respectfully petitions the South Dakota Public Utilities Commission ("Commission"), pursuant to ARSD 20:10:01:15.02, for leave to intervene in the above-referenced proceeding. In support of this petition, TRA states as follows:

1. On May 2, 1997, the Commission issued an Order opening the above-captioned proceeding to investigate the practice of long distance resellers operating within the State of South Dakota without an identifying Primary Interstate Carrier ("PIC") number.
2. TRA is a national trade association representing more than 500 telecommunications service providers and their suppliers. Many of TRA's members are smaller, non-facilities-based companies authorized by this Commission to provide interexchange telecommunications services within the State of South Dakota.
3. As non-facilities-based providers of telecommunications services in South Dakota who typically do not have an identifying PIC number, TRA's members have a substantial and material interest in this matter and in the outcome of this proceeding. There are no other parties to this proceeding who can address adequately the concerns of TRA or provide its members' perspective.

# SDITC

South Dakota Independent  
Telephone Coalition, Inc.

Richard D. Coit  
*Executive Director*

Bette Dozier  
*Administrative Assistant*

May 21, 1997

Mr. Bill Bullard, Executive Director  
South Dakota Public Utilities Commission  
State Capitol Building  
Pierre, SD 57501

RECEIVED

MAY 22 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

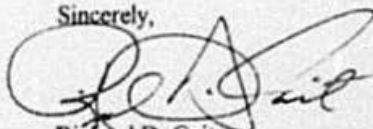
RE: TC97-050

Dear Bill:

Enclosed for filing you will find the original and ten copies of SDITC's Petition to Intervene in the above referenced docket.

Thank you for your assistance in this matter.

Sincerely,



Richard D. Coit  
Executive Director and General Counsel



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

**IN THE MATTER OF THE INVESTIGATION )  
OF THE COMMISSION INTO LONG )  
DISTANCE RESELLERS OBTAINING PIC ) DOCKET TC97-050  
NUMBERS )  
)**

**SDITC Petition to Intervene**

The South Dakota Independent Telephone Coalition ("SDITC") hereby petitions the Commission for intervention in the above captioned proceeding pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10.01:15.02, 20:10.01:15.03 and 20:10.01:15.05. In support hereof, SDITC states as follows:

1. SDITC is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. As expressly noted in the Bylaws of SDITC, duly adopted by the Coalition, "one of the primary purposes for the formation and existence of the South Dakota Independent Telephone Coalition is representation by the Coalition before the South Dakota Public Utilities Commission." The member companies of SDITC have delegated to the SDITC Board of Directors and its President the authority to intervene on their behalf in PUC proceedings which will or might potentially impact their common interests.

3. The Commission has by Order dated May 2, 1997, initiated this docket for the purpose of investigating problems caused for both consumers and local exchange carriers (LECs) as a result of the failure of some long distance resellers to obtain a Primary Interstate Carrier (PIC) number, and to determine what, if any, action(s) may be taken to address such problems.

4. The SDITC member companies, as LECs involved in the switching of telephone end user PIC selections and in many cases the provisioning of billing and collection services to long distance carriers have an interest in the subject matter of this docket and stand to be impacted by any Commission decisions herein.

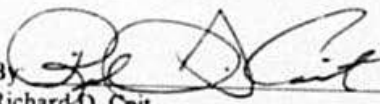
0143511

5. Based on the forgoing, SDITC in its representative capacity is also an interested party and, accordingly, seeks permission to intervene in this investigatory proceeding.

Dated this 21st day of May, 1997.

Respectfully submitted:

THE SOUTH DAKOTA INDEPENDENT  
TELEPHONE COALITION

By   
Richard D. Cost  
Executive Director and General Counsel

0143.5.22

LAW OFFICES  
OLINGER, LOVALD, ROBBENNOLT & McCAHREN, P.C.

117 EAST CAPITOL

P.O. BOX 66

PIERRE, SOUTH DAKOTA 57501-0066

RONALD D. OLINGER  
JOHN S. LOVALD  
JAMES ROBBENNOLT  
LEE C. "KIT" McCAHREN  
WADE A. REIMERS

May 22, 1997

TELEPHONE 224-8851  
AREA CODE 605  
FAX 605-224-8269

RECEIVED

MAY 22 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

William Bullard, Jr., Executive Director  
SD PUC, State Capitol  
500 E. Capitol  
Pierre, SD 57501

RE: Docket TC97-050

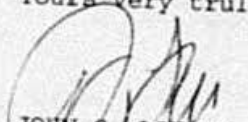
Dear Mr. Bullard:

Enclosed herewith please find original and 10 copies of AT&T COMMUNICATIONS OF THE MIDWEST, INC.'S PETITION TO INTERVENE with regard to the above-captioned docket.

Please furnish a file stamped copy to me.

Thank you.

Yours very truly,

  
JOHN S. LOVALD  
Attorney at Law

JSL/le

Enclosure  
cc/w/enc. Service Lit :

81435.13

RECEIVED

MAY 22 1997

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE INVESTIGATIVE ) DOCKET TC97-050
DOCKET REGARDING PRIMARY )
INTERSTATE CARRIER ("PIC") )
IDENTIFICATION PROCEDURES )

AT&T COMMUNICATIONS OF THE MIDWEST, INC.'S PETITION TO INTERVENE

AT&T Communications of the Midwest, Inc. ("AT&T"), by and through its attorneys, requests, pursuant to ARSD 20:10:01:15.02, that it be permitted to intervene and be granted status as a party in the above matter. In support of its petition to intervene, AT&T states as follows:

- 1. The Commission has opened a docket to investigate the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number.
2. AT&T is a telecommunications company certified by this Commission to do business in the State of South Dakota.
3. AT&T has an interest in participating in this docket in order to contribute to the dialogue concerning the issue before the Commission, Commission action on which may impact the sale of services which AT&T is legally obligated to provide.

WHEREFORE, AT&T respectfully requests that this Commission grant AT&T's petition to intervene and grant AT&T status as a party to this proceeding.

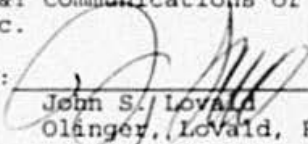
Pr. J. UAW 8

DATED May 22, 1997

Respectfully submitted,

AT&T Communications of the Midwest,  
Inc.

By:

  
\_\_\_\_\_  
John S. Lovald  
Olinger, Lovald, Robbennolt &  
McCahren, P.C.  
117 E. Capitol, PO Box 66  
Pierre, SD 57501  
(605) 224-8851

Maria Arias-Chapleau, Esq.  
Richard S. Wolters, Esq.  
AT&T Law Department  
1875 Lawrence St.  
Denver, Colorado 80202  
(303) 298-6508

Glenn E. Solomon  
Sidley & Austin  
555 W. 5th Street, 4th Floor  
Los Angeles, CA 9001-2007  
(213) 896-6611

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a true and correct copy of  
AT&T COMMUNICATIONS OF THE MIDWEST, INC.'S PETITION TO INTERVENE  
upon the following:

See Attached Service List

by first class mail, postage prepaid, on this 22<sup>nd</sup> day of May, 1997.

  
\_\_\_\_\_  
John S. Lovald



ANDREW O ISAR  
DIRECTOR-INDUSTRY RELATIONS  
TELECOMMUNICATIONS RESELLERS ASSN.  
4312 92ND AVENUE NW  
GIG HARBOR WA 98335

RICHARD D COIT  
EXECUTIVE DIRECTOR  
SDITC  
PO BOX 57  
PIERRE SD 57501

JONATHAN NGUYEN-DUY  
SHER & BLACKWELL  
2000 L STREET NW SUITE 612  
WASHINGTON DC 20036

TC 97-050- Service List

JUN 5 11 48 AM '97

0143.5.26

LAW OFFICES  
MAY, ADAM, GERDES & THOMPSON LLP  
503 SOUTH PIERRE STREET  
P.O. BOX 160  
PIERRE, SOUTH DAKOTA 57501-0160

GLENN W. MARTENS 1981-1983  
KARY GOLDSMITH 1985-1988  
WARREN W. MAY  
THOMAS C. ADAM  
DAVID A. GERDES  
CHARLES W. THOMPSON  
ROBERT B. ANDERSON  
BRENT A. WILBUR  
TIMOTHY M. ENGEL  
MICHAEL F. SHAW  
ROBERT K. SAHN

June 2, 1997

TELEPHONE  
605 224-8803  
TELECOPIER  
605 224-8788  
E-MAIL  
dag@magt.com

HAND DELIVERED

RECEIVED

Mr. William Bullard, Jr.  
Executive Director  
Public Utilities Commission  
State Capitol  
500 East Capitol  
Pierre, South Dakota 57501

JUN 02 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: IN THE MATTER OF THE INVESTIGATION OF THE PRACTICE OF LONG  
DISTANCE RESELLERS TO OPERATE WITHIN THE STATE OF SOUTH  
DAKOTA WITHOUT AN IDENTIFYING PIC NUMBER

Docket TC97-050  
Our file: 0175.31

Dear Bill:

Enclosed are original and ten copies of a Petition to Intervene  
in this matter. Also enclosed is an extra face page of the  
Petition, which please date stamp and return to me in the  
enclosed self-addressed stamped envelope. Please file the  
enclosures.

With a copy of this letter, I am sending copies of the petition  
to the service list.

Yours truly,

MAY, ADAM, GERDES & THOMPSON

BY: 

DAG:mw

Enclosures

cc/enc: Service List  
Michel Murray

RECEIVED

JUN 02 1997

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION	)	TC97-050
OF THE PRACTICE OF LONG DISTANCE	)	
RESELLERS TO OPERATE WITHIN THE	)	<b>LATE FILED PETITION</b>
STATE OF SOUTH DAKOTA WITHOUT AN	)	<b>TO INTERVENE</b>
IDENTIFYING PIC NUMBER	)	

Pursuant to ARSD 20:10:01:15.02, MCI Telecommunications Corporation ("MCI") by its undersigned counsel petitions the Commission as follows:

1. MCI is a certificated communications company under the jurisdiction of the Commission.

2. The Commission opened the above-captioned docket to investigate the practice of long distance resellers to operate within the state of South Dakota without an identifying PIC number by order dated May 2, 1997. Generally speaking, MCI agrees with the proposition that all such carriers should operate with an identifying PIC number.

3. MCI has a direct interest in the outcome of this proceeding. As a long distance carrier of telecommunications services, the Commission's investigation is likely to have a direct financial impact on MCI and its ability to do business in South Dakota.

4. MCI understands that this filing is made after the intervention deadline of May 23, 1997. The undersigned overlooked the deadline and erroneously assumed that the order opening the docket would necessarily include all carriers for comment. No prejudice will result to any party by reason of the granting of this petition, inasmuch as no proceedings have been conducted by the Commission in this docket to date. Given the fact that MCI is an active carrier in South Dakota and has actively pursued numerous issues before the Commission for the public interest and competition in the marketplace, a denial of this petition would be detrimental to the public interest or likely to result in a miscarriage of justice.

WHEREFORE MCI prays that the Commission permit its intervention and participation in this proceeding to examine and cross-examination witnesses and offer evidence on its own behalf.

01435.17

01. 5. 1478

Dated this 2nd day of June, 1997.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for MCI Telecommunications Corp.  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Fax: (605)224-6289

CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 2nd day of June, 1997, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing Late Filed Petition to Intervene in the above-captioned action to the following at their last known addresses, to-wit:

Andrew O. Isar  
Director-Industry Relations  
Telecommunications Resellers  
Assn.  
4312 92nd Avenue NW  
Gig Harbor, WA 98335

Jonathan Nguyen-Duy  
Sher & Blackwell  
2000 L Street NW Suite 612  
Washington, DC 20036

Richard D. Coit  
Executive Director  
SDITC  
P.O. Box 57  
Pierre, SD 57501

John S. Lovald  
Attorney at Law  
P.O. Box 66  
Pierre, SD 57501-0066

  
David A. Gerdes

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE INVESTIGATION OF ) ORDER GRANTING  
THE PRACTICE OF LONG DISTANCE ) INTERVENTION  
RESELLERS TO OPERATE WITHIN THE )  
STATE OF SOUTH DAKOTA WITHOUT AN ) TC97-050  
IDENTIFYING PIC NUMBER )

On April 15, 1997, at a regularly scheduled meeting, the Public Utilities Commission (Commission) opened a docket in order to study the problems associated with the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number.

On May 8, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 23, 1997, to interested individuals and entities. Telecommunications Resellers Association (TRA), the South Dakota Independent Telephone Coalition, Inc. (SDITC) and AT&T Communications of the Midwest, Inc. (AT&T) each filed timely petitions to intervene. MCI Telecommunications Corporation (MCI) filed a Late Filed Petition to Intervene on June 2, 1997.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26, 49-13 and 49-31.

At a regularly scheduled meeting of June 3, 1997, the Commission found that the Petitions to Intervene of TRA, SDITC, and AT&T were timely filed and demonstrated good cause to grant intervention. MCI was also granted intervention. It is therefore

ORDERED, that TRA, SDITC, AT&T, and MCI's requests for intervention are hereby granted. It is further

ORDERED, that the Executive Director shall set a procedural schedule in this matter.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of June, 1997.

<b>CERTIFICATE OF SERVICE</b>	
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>Helene Kochs</u>
Date	<u>6/13/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner

DN. 5. 4418

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

IN THE MATTER OF THE INVESTIGATION OF ) ORDER CLOSING DOCKET  
THE PRACTICE OF LONG DISTANCE )  
RESELLERS TO OPERATE WITHIN THE ) TC97-050  
STATE OF SOUTH DAKOTA WITHOUT AN )  
IDENTIFYING PIC NUMBER )

On April 15, 1997, at a regularly scheduled meeting, the Public Utilities Commission (Commission) opened a docket in order to study the problems associated with the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number. On May 8, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 23, 1997, to interested individuals and entities. Telecommunications Resellers Association, the South Dakota Independent Telephone Coalition, Inc., AT&T Communications of the Midwest, Inc., and MCI Telecommunications Corporation were granted intervention on June 3, 1997.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

At a regularly scheduled meeting of December 2, 1997, Commission Staff updated the Commission as to its findings. Basically it was discovered that the practice of long distance resellers operating within the state of South Dakota without an identifying PIC number was a problem that can only be resolved at the federal level. Based on this, Commission Staff recommended that the docket be closed. The Commission voted to close the docket. It is therefore

ORDERED that docket TC97-050 is hereby closed.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of December, 1997.

<b>CERTIFICATE OF SERVICE</b>	
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>Aldene Kales</u>
Date	<u>12/13/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner