

8. JUN. 1997

TC97-058

KC/CE

TC97-058

DOCKET NO.

In the Matter of PETITION TO ADOPT DISCOUNT RATES IMPLEMENTED BY THE FEDERAL COMMUNICATIONS COMMISSION FOR INTERSTATE TELECOMMUNICATIONS SERVICES FOR SCHOOLS AND LIBRARIES FILED BY THE STAFF OF THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
5/20/97	Received;
5/28/97	Reopened;
5/29/97	TC Fax Filing;
6/4/97	Order Opening Pocket;
6/5/97	Petition to Intervene by AT&T;
6/5/97	Petition to Intervene by SDITC;
6/7/97	Petition for Late Filed Intervention by OCT;
6/9/97	Petition to Intervene by MEI;
6/13/97	Petition for Late Filed Leave to Intervene by U.S. West;
6/20/97	Order Granting Intervention and Adapting Proposed Answer for Schools;
6/20/97	Pocket Closed.

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TAMARA A WILKA
ATTORNEY AT LAW
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PO BOX 5015
SIOUX FALLS SD 57117-5015

TC97-058

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF ESTABLISHING)
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES)
PROVIDED TO SCHOOLS AND)
LIBRARIES)

RECEIVED
MAY 20 1997
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

**PETITION TO ADOPT DISCOUNT RATES IMPLEMENTED BY THE
FEDERAL COMMUNICATIONS COMMISSION FOR INTERSTATE
TELECOMMUNICATIONS SERVICES
FOR SCHOOLS AND LIBRARIES**

The Staff of the South Dakota Public Utilities Commission, hereby petition the Public Utilities Commission of the State South Dakota to adopt the discount rates implemented by the Federal Communications Commission for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries

The Federal Communications Commission Order implementing the Telecommunications Act of 1996 states that in order for a state to receive Federal Universal Service Funds for discounts to schools and libraries it must have discount rates in place at least equal to the interstate discount rates. Therefore, Staff request that the following discount matrix be adopted by this Commission as the schools and libraries discounts.

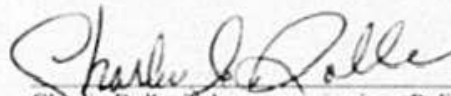
Discounts Matrix

The FCC concludes that school lunch eligibility will be used to calculate the poverty level of both schools and libraries. Using the same measure of poverty for both schools and libraries will lower the administrative costs associated with the discount program.

SCHOOLS AND LIBRARIES DISCOUNT MATRIX		DISCOUNT LEVEL	
HOW DISADVANTAGED?		urban discount (%)	rural discount (%)
% of students eligible for national school lunch program ¹	(estimated % of US schools in category)		
< 1	3	20	25
1-19	31	40	50
20-34	19	50	60
35-49	15	60	70
50-74	16	80	80
75-100	16	90	90

Staff respectfully submit that the public interest would be served by adopting this request. Further, due to the seriousness and immediacy of this petition Staff respectfully request expedited handling of this proceeding.

Respectfully submitted,



Charlie Bolle, Telecommunications Policy Analyst
South Dakota Public Utilities Commission

¹ Based on 1993 National Data Research Center data

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:

05/16/97 through 05/29/97

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
NONCOMPETITIVE TELECOMMUNICATIONS FILINGS			
TC97-054	The Local Exchange Carriers Association (LECA) filed switched access rate changes in compliance with the Federal Communications Commission orders on pay phone reclassification. The proposed effective date is April 15, 1997. (Staff: HB/KC)	05/16/97	06/13/97
TC97-056	Kadoka Telephone Co. filed switched access rate changes which reflect the recent Federal Communications Commission pay phone reclassification and deregulation. The requested effective date is April 15, 1997. (Staff: HB/KC)	05/19/97	06/13/97
REQUEST FOR CERTIFICATE OF AUTHORITY			
TC97-055	Application by International Charity Network, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers."	05/19/97	06/13/97
TC97-057	Application by Inmark, Inc. d/b/a Preferred Billing for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) Applicant requests authority to provide intrastate inbound and outbound long distance telecommunications service.	05/27/97	06/13/97
SCHOOLS AND LIBRARIES DISCOUNT DOCKET OPENED			
TC97-058	Based on a petition by Staff, the Public Utilities Commission approved the opening of a docket "to adopt the discount rates implemented by the Federal Communications Commission for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries...Further, due to the seriousness and immediacy of this petition Staff respectfully request expedited handling of this proceeding." (Staff: CB/KC)	05/20/97	06/05/97

FILING OF INFORMATIONAL INTRASTATE PAYPHONE TARIFFS

NA	Sanborn Telephone Cooperative on May 16, 1997; SANCOM, Inc. on May 16, 1997; Jefferson Telephone Company on May 16, 1997; Sioux Valley Telephone Company on May 19, 1997; Midstate Telephone Company on May 19, 1997; West River Cooperative Telephone Company on May 19, 1997; Stateine Telecommunications, Inc. on May 19, 1997; Brookings Telephone on May 19, 1997; Jefferson Telephone Company on May 19, 1997; Cheyenne River Sioux Tribe Telephone Authority on May 19, 1997; Kadoka Telephone Co. on May 20, 1997; Sully Buttes Telephone Cooperative, Inc. on May 21, 1997; Venture Communications, Inc. on May 21, 1997.	NA	NA
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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@pub.state.sd.us. Faxing the address to the Commission at 605-773-3809.

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

**IN THE MATTER OF ESTABLISHING) ORDER OPENING DOCKET
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES) TC97-058
PROVIDED TO SCHOOLS AND LIBRARIES)**

On May 20, 1997, the Public Utilities Commission (Commission) received a Petition to Adopt Discount Rates Implemented by the Federal Communications Commission for Interstate Telecommunications Services for Schools and Libraries from Commission Staff. The petition requests the Commission to adopt the discount rates implemented by the Federal Communications Commission (FCC) for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries. The FCC Order implementing the Telecommunications Act of 1996 states that in order for a state to receive Federal Universal Service Funds for discounts to schools and libraries it must have intrastate discount rates in place at least equal to the interstate discount rates.

Staff requests that the following discount matrix, which the FCC adopted using the school lunch eligibility program to calculate the poverty level of both schools and libraries, be adopted as the schools and libraries discount to be used by South Dakota.

SCHOOLS AND LIBRARIES DISCOUNT MATRIX		DISCOUNT LEVEL	
HOW DISADVANTAGED?		urban discount (%)	rural discount (%)
% of students eligible for national school lunch program ¹	(estimated % of US schools in category)		
< 1	3	20	25
1-19	31	40	50
20-34	19	50	60
35-49	15	60	70
50-74	16	80	80
75-100	16	90	90

6. 4. 1. 4. 1. 8

On May 28, 1997, at a duly noticed ad hoc meeting, the Commission considered the filed petition. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31. The Commission unanimously voted to open a docket in this matter. It is therefore

ORDERED that a docket be opened to consider the adoption of the discount rates implemented by the FCC for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries in South Dakota.

Dated at Pierre, South Dakota, this 3rd day of June, 1997.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By <u><i>Debra Kabe</i></u></p> <p>Date <u>6/4/97</u></p> <p>(OFFICIAL SEAL)</p>
--

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

RECEIVED

LAW OFFICES
OLINGER, LOVALD, ROBBENOLT & MCCAHHREN, P.C. JUN 05 1997

117 EAST CAPITOL
P.O. BOX 66
PIERRE, SOUTH DAKOTA 57501-0066

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RONALD D. OLINGER
JOHN S. LOVALD
JAMES ROBBENOLT
LEE C. "KIT" MCCAHHREN
WADE A. REIMERS

Telephone (605)224-8851
Facsimile (605)224-8269

June 5, 1997

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

Re: Docket TC97-058

Dear Mr. Bullard:

I enclose herewith an original and 10 copies of AT&T Communications of the Midwest, Inc.'s Petition to Intervene.

I am not including a certificate of service as there is no service list.

Yours very truly,



JOHN S. LOVALD
Attorney at Law

JSL/le

Enclosure

RECEIVED

JUN 05 1997

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF ESTABLISHING) DOCKET TC97-058
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES)
PROVIDED TO SCHOOLS AND)
LIBRARIES)

**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 Staff of the South Dakota Public Utilities Commission ("Staff") has filed with the Commission its request for implementation of the discount rates implemented by the Federal Communications Commission for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries.

2. AT&T is a telecommunications company certified by this Commission to do business in the State of South Dakota and has been certified by the Commission to provide long distance service, and local exchange service.

3. AT&T has a significant interest in participating in this docket in order to participate in the discussion of the issue of the development of the discount rates. Any Commission rulings and decisions on this matter could affect the manner in which AT&T provides service within the State of South Dakota.

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.

DATED June 2, 1997

Respectfully submitted,

AT&T Communications of the Midwest, Inc.

By: 

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

Marie-Arias Chapleau
Richard H. Wolters
AT&T Law Department, Room 1575
1875 Lawrence St.
Denver, Colorado 80202
(303)298-6741

Glenn E. Solomon
Sidley & Austin
555 W. 5th Street, 40th Floor
Los Angeles, CA 90013-2007
(213) 896-6611

SDITC

South Dakota Independent
Telephone Coalition, Inc.

Richard D. Coit
Executive Director

May 5, 1997

Bette Dozier
Administrative Assistant

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JUN 05 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

RE: TC97-058

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

RC/bd

Enc.



BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

RECEIVED

IN THE MATTER OF ESTABLISHING)
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES)
PROVIDED TO SCHOOLS AND LIBRARIES)
)

JUN 05 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION
DOCKET TC97-058

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 20, 1997, initiated this docket in order to take action on a Staff petition asking the Commission to adopt discounts for intrastate telecommunications services provided to eligible schools and libraries that are equal to those discounts established by the FCC for interstate telecommunications services provided to such entities.

4. The SDITC member companies, as facilities-based local exchange carriers currently providing telecommunications services to schools and libraries located within their exchange areas, have a pecuniary interest in the issue presented and deem it necessary to seek intervention in this proceeding. It should be noted, however, that SDITC seeks intervention merely to monitor the proceeding and to offer input should the need arise. SDITC supports the Staff

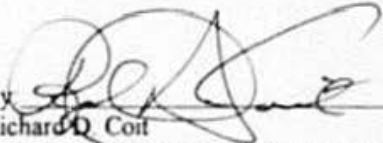
petition and the action requested. As indicated in the Staff petition, the FCC's new universal service rules require that intrastate discounts be established at least equal to the interstate discounts as set by the FCC. Absent such action, states will be ineligible to receive any of the federal discount funding which is to be directed toward discounting both interstate and intrastate telecommunications services for schools and libraries.

5. Based on the forgoing, SDITC as an authorized representative of its member companies is also an interested party and, accordingly, seeks permission to intervene in this proceeding.

Dated this 5th day of June, 1997.

Respectfully submitted:

THE SOUTH DAKOTA INDEPENDENT
TELEPHONE COALITION

By 
Richard D. Coit
Executive Director and General Counsel



DAKOTA COOPERATIVE TELECOMMUNICATIONS, INC.

P.O. Box 66 • IRENE, SOUTH DAKOTA 57037

TELEPHONE (605) 263-3301

FAX (605) 263-3995

June 7, 1997

BY FAX & FIRST CLASS MAIL

William Bullard, Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, South Dakota 57501

RE: TC97-058 Petition for Late Filed Intervention

Dear Mr. Bullard:

On behalf of Dakota Cooperative Telecommunications, Inc., ("Dakota"), I have enclosed the original and three copies of the PETITION FOR LATE FILED INTERVENTION.

Sincerely,

A handwritten signature in cursive script, reading "Kristie Lyngstad".

Kristie Lyngstad
Administrative Assistant

Enclosures

RECEIVED

JUN 10 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

FAX Received JUN 07 1997

RECEIVED

JUN 10 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

FAX Received JUN 07 1997

IN THE MATTER OF ESTABLISHING)	DOCKET TC97-058
DISCOUNT RATES FOR INTRASTATE)	PETITION FOR LATE
TELECOMMUNICATIONS SERVICES)	FILED INTERVENTION
FOR SCHOOLS AND LIBRARIES)	

COMES NOW DAKOTA COOPERATIVE TELECOMMUNICATIONS, INC., by and through its undersigned counsel and Petitions the Public Utilities Commission (the "Commission") of South Dakota as follows:

1. On May 20, 1997, the Commission received a Petition from Commission staff pertaining to the May 8, 1997 Federal Communications Commission Order regarding implementation of the provisions of the Telecommunications Act of 1996 relating to Universal Service. At an ad hoc meeting on May 28, 1997, the Commission voted to open a docket in this matter. An intervention deadline of June 5, 1997 was set at that time.
2. Dakota Cooperative Telecommunications, Inc. ("Dakota") is a certified telecommunications company under the jurisdiction of the Commission. Dakota is interested in this matter as a provider of services which will be affected by any rule or ruling adopted by the Commission in this docket.
3. Dakota did not file a timely Petition for Leave to Intervene.
4. An ad hoc meeting has been set for Tuesday, June 10, 1997 to consider whether to grant interventions and whether to adopt the proposed discounts for schools and libraries as requested by staff of the Commission.
5. No interventions have been granted to date. A denial of this Petition will be detrimental to the public interest. Granting of this Petition will result in no harm to the parties which have already petitioned to intervene. The addition of another Intervenor will not prejudice any party's rights.

WHEREFORE, Dakota Cooperative Telecommunications, Inc. respectfully petitions the Commission to allow its intervention and participation in this proceeding.

Dated this 7th day of June, 1997.

Dakota Cooperative Telecommunications, Inc.

By: 

Robert G. Marmet
Attorney for Dakota Cooperative
Telecommunications, Inc.
PO Box 66
Irene, SD 57037
(605) 263-3301 phone
(605) 263-3995 fax

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP
503 SOUTH PIERRE STREET
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PIERRE, SOUTH DAKOTA 57501-0160

GLENN W. MARTENS 1881-1963
KARL GOLDSMITH 1885-1968
WARREN W. MAY
THOMAS C. ADAM
DAVID A. GERDES
CHARLES W. THOMPSON
ROBERT B. ANDERSON
BRENT A. WILBUR
TIMOTHY W. ENGEL
MICHAEL F. SHAW
ROBERT K. SAHR

June 6, 1997

TELEPHONE
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TELECOPIER
605 224-4289
F-MAIL
dag@mgt.com

RECEIVED

JUN 09 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

HAND DELIVERED

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

RE: IN THE MATTER OF ESTABLISHING DISCOUNT RATES FOR INTRASTATE
TELECOMMUNICATIONS SERVICES PROVIDED TO SCHOOLS AND
LIBRARIES
Docket TC97-058
Our file: 0175.33

Dear Bill:

Enclosed are original and ten copies of a Petition to Intervene in the above-entitled 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 enclosure to the service list.

Yours truly,

MAY, ADAM, GERDES & THOMPSON

BY: 

DAG:mw

Enclosures

cc/enc: John Lovald
Michel Murray

RECEIVED

JUN 09 1997

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

IN THE MATTER OF ESTABLISHING) TC97-058
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES)
PROVIDED TO SCHOOLS AND LIBRARIES)

PETITION TO INTERVENE

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.

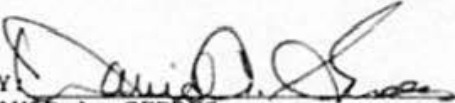
2. The Commission opened the above-captioned docket to consider the adoption of the discount rates implemented by the FCC for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries. The proposed mandated discounts will affect MCI's ability to do business in South Dakota.

3. MCI has a direct interest in the outcome of this proceeding. As a long distance carrier of telecommunications services, and as a company with a local service application pending before the Commission, the proposed action by the Commission will have a direct financial impact on MCI and its ability to do business in South Dakota.

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.

Dated this 6th day of June, 1997.

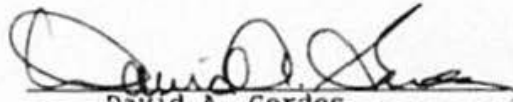
MAY, ADAM, GERDES & THOMPSON LLP

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 6th day of June, 1997, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing Petition to Intervene in the above-captioned action to the following at his last known address, to-wit:

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



David A. Gerdes

BOYCE, MURPHY, McDOWELL & GREENFIELD, L.L.P.
ATTORNEYS AT LAW

Jeremiah D. Murphy
Russell B. Greenfield
David J. Vickers
Gary J. Puckett
Vanessa R. Goldammer
Thomas J. Wilka
Terry N. Prindiggar
James E. McMillon
Douglas J. Hark
Michael S. McCough
Gregg S. Greenfield
Tamara A. Wilka
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Lisa Hansen Marx

Norwest Center, Suite 600
101 North Phillips Avenue
Sioux Falls, South Dakota 57104
P.O. Box 5015
Sioux Falls, South Dakota 57117-5015

Telephone 605 336-2424
Facsimile 605 334-0618

Of Counsel
John W. McDowell

J.W. Boyce (1884-1915)
John S. Murphy (1924-1966)

June 9, 1997

William Bullard, Executive Director
S.D. Public Utilities Commission
500 E. Capitol
Pierre, SD 57501

RECEIVED
JUN 11 1997
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

FAX Received JUN 09 1997

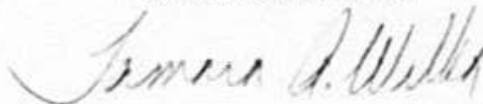
Re: In the Matter of Establishing Discount Rates for Intrastate Telecommunications Services
Provided to Schools and Libraries (TC97-058)
Our File No. 2104-97-058

Dear Mr. Bullard:

Enclosed please find for filing by fax the Petition for Late Filed Leave to Intervene and Certificate of Service. The original and ten (10) copies will be mailed to you today.

Sincerely yours,

BOYCE, MURPHY, McDOWELL &
GREENFIELD, L.L.P.



Tamara A. Wilka

TAW/vjj
Enclosure

cc: Charlie Bolle
William Heaston
Kathryn Sheffield
Jon Lehner

FAX Received JUN 09 1997

RECEIVED

JUN 11 1997

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF ESTABLISHING
DISCOUNT RATES FOR INTRASTATE
TELECOMMUNICATIONS SERVICES
PROVIDED TO SCHOOLS AND LIBRARIES

Docket No. TC97-058

PETITION FOR LATE
FILED LEAVE TO
INTERVENE

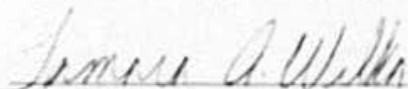
Pursuant to SDCL § 1-26-17.1 and ARSD 20:10:01:15.02, U S WEST Communications, Inc. ("U S WEST"), by its undersigned counsel, petitions the Public Utilities Commission of South Dakota ("Commission") to allow this late filed intervention in this docket for the following reasons:

1. U S WEST currently provides intrastate telecommunications services for some schools and libraries and therefore has a pecuniary interest in the establishing of discount rates for intrastate telecommunications services provided to schools and libraries.

2. A denial of this late filed intervention would be detrimental to the public interest or be likely to result in a miscarriage of justice. The parties would not be prejudiced by the granting of late filed intervention, and U S WEST would be able to participate fully in the development of the docket.

WHEREFORE, U S WEST prays the Commission permit its late filed intervention and participation in this proceeding.

Dated this 9th day of June, 1997.



Thomas J. Welk
Tamara A. Wilka
BOYCE, MURPHY, MCDOWELL &
GREENFIELD, L.L.P.
P.O. Box 5015
Sioux Falls, SD 57117-5015
(605)336-2424

William P. Heaston
Kathryn Sheffield
U S WEST Communications, Inc.
1801 California Street, Suite 5100
Denver, CO 80202
(303) 672-2810

Attorneys for U S West Communications, Inc.

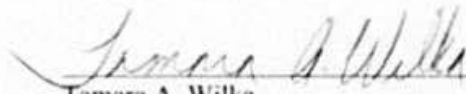
0143.13.22

CERTIFICATE OF SERVICE

I, Tamara A. Wilka, do hereby certify that I am a member of the law firm of Boyce, Murphy, McDowell & Greenfield, and on the 9th day of June, 1997, I sent a true and correct copy of Petition for Late Filed Leave to Intervene at approximately 1:30 p.m. via facsimile to the following numbers and via mail to the following by U.S. mail, postage prepaid thereon.

Charlie Bolle
Telecommunications Policy Analyst
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

(605) 773-3809



Tamara A. Wilka

UN. 6410

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

IN THE MATTER OF ESTABLISHING)
DISCOUNT RATES FOR INTRASTATE)
TELECOMMUNICATIONS SERVICES)
PROVIDED TO SCHOOLS AND LIBRARIES)
)
)
)
)
**ORDER GRANTING
INTERVENTION AND
ADOPTING PROPOSED
DISCOUNTS FOR SCHOOLS
AND LIBRARIES
TC97-058**

On May 20, 1997, the South Dakota Public Utilities Commission (Commission) received a petition from Commission Staff pertaining to the May 8, 1997, Federal Communications Commission's (FCC) Order on universal service. The petition requested the Commission to adopt the discount rates implemented by the FCC for interstate telecommunications services for schools and libraries as the discount rates for intrastate telecommunications services provided for schools and libraries. The petition further requested the expeditious processing of the docket. At an ad hoc meeting on May 28, 1997, the Commission opened a docket in this matter. Notice of a June 5, 1997, intervention deadline was transmitted electronically to interested parties on May 29, 1997.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31.

The Commission received timely petitions to intervene from AT&T Communications of the Midwest, Inc. (AT&T) and the South Dakota Independent Telephone Coalition (SDITC). Petitions for late intervention were received from Dakota Cooperative Telecommunications, Inc. (DCT), MCI Telecommunications Corporation (MCI), and U S WEST Communications, Inc. (U S WEST).

At an ad hoc meeting on June 10, 1997, the Commission unanimously found that the Petitions to Intervene demonstrated good cause to grant intervention. All the parties represented at the meeting supported the adoption of the proposed discounts. The Commission unanimously decided to adopt the proposed discounts for schools and libraries as requested by Staff. It is therefore

ORDERED that the Petitions to Intervene of AT&T, SDITC, DCT, MCI, and U S WEST are granted, it is further

ORDERED that the proposed discounts for schools and libraries be adopted. It is further

ORDERED that Docket TC97-058 is hereby closed.

Dated at Pierre, South Dakota, this 20th day of June, 1997.

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>Helene Kalbe</u>
Date	<u>6/20/97</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