

TC97-175

30/75

TC97-175

DOCKET NO.

In the Matter of

IN THE MATTER OF THE FILING BY U  
S WEST COMMUNICATIONS, INC. FOR  
APPROVAL OF REVISIONS TO ITS  
EXCHANGE AND NETWORK  
SERVICES TARIFF

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
10/31 97	Filed and docketed;
11/6 97	TC Feb filing;
1/13 98	Order approving revisions to tariff;
1/13 98	Market Class

TC97-175

USWEST  
COMMUNICATIONS

125 South Dakota Avenue, 8th Floor  
Sioux Falls, South Dakota 57194

October 30, 1997

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

RECEIVED  
OCT 31 1997  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Dear Mr. Bullard:

U S WEST Communications has attached for filing with the Commission the following page from our Exchange and Network Services Tariff:

Section  
2

Page  
19. 1

Release  
2

This filing revises the language for Termination Liability Charges in the General Regulations. USWC proposes an effective date of December 1, 1997.

We would appreciate acknowledgment of receipt of this filing. A duplicate copy of this letter is attached for your convenience.

Sincerely,



Colleen E. Sevold  
Manager-Regulatory Affairs

Attachment

TELECOMMUNICATIONS NEW SERVICES CLASSIFICATION FILING

- 1) Requested Classification:    Non-Competitive  
   Emerging Competitive  
   Fully Competitive
  
- 2) This service will be offered:    Intrastate, IntraLATA  
   Intrastate, InterLATA  
   Interstate
  
- 3) Detailed Description of Service: This is not a service. This filing revises the language for the Termination Liability Charges.
  
- 4) Reason for Change: To put the charge in the contracts for the specific services.
  
- 5) Basis for Rates: N/A
  
- 6) Quantification of Customer Impact: Affects customers who are signing contracts.
  
- 7) Proposed Effective Date: December 1, 1997

U S WEST COMMUNICATIONS, INC.  
Exchange and Network  
Services Tariff

SECTION 2  
Page 19.1  
Release 2  
Effective: 1

State of South Dakota  
Issued: 10-30-97

2. GENERAL REGULATIONS - CONDITIONS OF OFFERING

2.2 ESTABLISHING AND FURNISHING SERVICE  
2.2.14 TERMINATION OF SERVICE (Cont'd)

B. Termination Liability/Waiver Policy

Services provided via service agreements may be subject to the Termination Liability/Waiver Policy. This policy applies only to services that specifically reference this Termination Liability/Waiver Policy in their respective section of this Tariff.

1. Definitions

Minimum Billing Level

When services are provided under a service agreement, a Minimum Billing Level will be established for use in calculating discontinuance charges. The Minimum Billing Level is 100% percent of the total monthly rates for the service provided under the customer's service agreement, unless otherwise specified.

Minimum Service Period

When services are provided under a service agreement, a Minimum Service Period may be established. This would be the period of time that the 100% factor of the Termination Liability Charge would apply.

2. Complete Disconnect

If the customer chooses to completely discontinue service, at any time during the term of the agreement, a termination charge will apply, unless the customer satisfies the conditions specified in the Waiver Policy. The termination charge is 100% of the rates for the Minimum Service Period, if applicable, plus the Minimum Billing Level multiplied by the termination liability percentage specified in the service agreement, for the remaining term of the agreement.

- For example, if the customer discontinues service after 17 months of a 3-year (36 month) agreement, the termination charge will be the Minimum Billing Level for the service, multiplied by the termination liability percentage, multiplied by 19 months. (C)
- If the customer discontinues service after 6 months of a 3-year (36 month) agreement, with a 1-year (12 months) Minimum Service Period, the Termination Charge will be 100% of the Minimum Billing Level for the remaining 6 months of the Minimum Service Period, plus the Minimum Billing Level multiplied by the termination liability percentage, multiplied by 24 months. (C)

TC97-179	Nebcom, Inc. pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange area that constitutes its service area. Nebcom, Inc. is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange: (605) 587 North Bristow. Nebcom, Inc., to its knowledge, is the only carrier today providing local exchange telecommunications service in the above exchange area. (Staff: HB/KC)	11/05/97	11/21/97
TC97-180	Red River Telecom, Inc. pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange area that constitutes its service area in South Dakota. Red River Telecom, Inc. is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange in South Dakota: (605) 553 South Lidgenwood. Red River Telecom, Inc., to its knowledge, is the only carrier today providing local exchange telecommunications service in the above exchange area. (Staff: HB/CH)	11/05/97	11/21/97
<b>FORMAL COMPLAINT FILED</b>			
TC97-178	Ben Hofer vs U S WEST Communications, Inc. "We live in southern Spink County on the northern end of the Huron area phone line served by U S WEST. We experience frequent phone service outages. These most often happen when there is a weather change. The servicemen tell us that wind drives in snow and dirt in the boxes, or a drop of moisture which shorts out circuits. Mice also have caused outages by being in the boxes. Also, the serviceman tell us the relay equipment is of the oldest style, seldom found in use any more. Our internet connections are slow. The majority (33 of 50 connections) are in the 12,00 to 16,800 bps range. The low capacity of the phone lines may also relate to line noise and weak phone signals we experience. There are no more phone lines available for our use to our farm. Today's agri-business operation is relying increasingly on rapid communication to do business. On one phone line we have: phone, fax and internet, a family residence, a farm/ranch that produces a half million dollars of ag. products annually, and a farm/ranch Bed & Breakfast/farm vacation business (possibility farm)." I ask that the PUC grant the following relief: "PUC should mandate that U S WEST update the lines in our area so that we can operate our ag business, tourism business and personal business in an expedient manner. We need two more lines, which are presently unavailable, to our farm." (Staff: SW/CH)	10/29/97	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: [terry@puc.state.sd.us](mailto:terry@puc.state.sd.us). Failing the address to the Commission at: 605-773-3809

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
<b>TELECOMMUNICATIONS SERVICE FILINGS</b> These are the telecommunications service filings that the Commission has received for the period of: <b>10/31/97 through 11/06/97</b> If you need a complete copy of a filing listed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.			
<b>REQUEST FOR CERTIFICATE OF AUTHORITY</b>			
TC97-173	Application by Vista Communications, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) "Applicant seeks authority to offer a full range of 1+ interexchange telecommunications services on a resale basis. Specifically, Applicant seeks authority to provide MTS, in-WATS, in-WATS and Calling Card services. Applicant does not intend to provide operator services, 900 or 700 services."	10/31/97	11/21/97
TC97-174	Application by NTI Telecom, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "Applicant proposes to offer resold intrastate long distance services to the public... The services to be provided are Message Toll Service, Incoming 800, Travel Card services and Operator Services."	10/31/97	11/21/97
<b>NONCOMPETITIVE TELECOMMUNICATIONS FILING</b>			
TC97-175	U S WEST Communications filed to revise the language for Termination Liability Charges in the General Regulations section of its Exchange and Network Services Tariff. (Staff: TS/CH) The reason for the change is "to put the charge in the contracts for the specific services. USWC proposes an effective date of December 1, 1997."	10/31/97	11/21/97
<b>REQUEST FOR ELIGIBLE TELECOMMUNICATIONS COMPANY STATUS</b>			
TC97-176	Dickey Rural Telephone Cooperative pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange area that constitutes its service area in South Dakota. Dickey Rural Telephone Cooperative is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges in South Dakota: (605) 358 South Forbes, (605) 379 South Nelvik, (605) 383 South Guelph, and (605) 887 South Ventura. Dickey Rural Telephone Cooperative, to its knowledge, is the only carrier today providing local exchange telecommunications service in the above exchange area. (Staff: HB/KC)	11/03/97	11/21/97
TC97-177	Dickey Rural Communications, Inc. pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange area that constitutes its service area in South Dakota. Dickey Rural Communications, Inc. is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges in South Dakota: (605) 289 South Ashley, (605) 346 South Ellendale, and (605) 735 South Forman. Dickey Rural Communications, Inc., to its knowledge, is the only carrier today providing local exchange telecommunications service in the above exchange area. (Staff: HB/KC)	11/03/97	11/21/97

01-951-4418

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY U S WEST ) ORDER APPROVING  
COMMUNICATIONS, INC. FOR REVISIONS TO ) REVISIONS TO TARIFF  
ITS EXCHANGE AND NETWORK SERVICES )  
TARIFF ) TC97-175

On October 31, 1997, the South Dakota Public Utilities Commission (Commission) received a filing by U S WEST Communications, Inc. (U S WEST) regarding revisions to its exchange and network services tariff. The purpose of this filing is to revise language for termination liability charges in the General Regulations.

The following tariff sheets were filed with regard to the Exchange and Network Services Tariff:

Section	Page	Release
2	19 1	2

At its duly noticed meeting on January 8, 1998, the Commission considered this matter.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and ARSD Article 20:10. The Commission unanimously voted to approve the above revisions to U S WEST's Exchange and Network Services Tariff. It is therefore

ORDERED, that the Commission approves U S WEST's revisions to its Exchange and Network Services Tariff as described above.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of January, 1998.

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>Aldine Kaelbo</u>
Date	<u>1/13/98</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