

**In the Matter of ... IN THE MATTER OF THE FILING BY  
DICKY RURAL TELEPHONE  
COOPERATIVE AND ITS WHOLLY  
OWNED SUBSIDIARY, DICKY RURAL  
COMMUNICATIONS, INC. FOR  
APPROVAL OF PETITION FOR  
SUSPENSION AND MODIFICATION OF  
DIALING PARTY**

## Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
4/19 99	Filed and Docketed;
4/23 99	Weekly Filing;
5/7 99	Staff Comments on Intra-ATA Toll Dialing Parity Plans;
6/23 99	Order Granting Petition for Suspension and Modification in Part;
8/14 99	Letter Requesting Suspension and Modification until 11/1/2000;
8/26 99	Order Granting Petition for Suspension and Modification in Part;
9/29 99	Intra-ATA Dialing Parity Plans;
10/25 99	Revised Intra-ATA Dialing Parity Plans;
10/29 99	Order Requiring Changes to Customer Notification Letter;
11/3 99	Revised Page to Plans;
12/8 99	Order Approving Dialing Parity Implementation Plans;
12/8 99	Docket Closed.

RECEIVED

APR 19 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

## PUBLIC UTILITIES COMMISSION

## STATE OF SOUTH DAKOTA

**Dickey Rural Telephone Cooperative  
and its wholly owned subsidiary,  
Dickey Rural Communications, Inc.  
Dialing Parity Plan and  
Application for Suspension and Modification**

Case No. \_\_\_\_\_

**DIALING PARITY IMPLEMENTATION PLAN  
and  
PETITION FOR SUSPENSION AND MODIFICATION**

**INTRODUCTION and SUMMARY**

This plan and application is filed by the following local exchange carriers providing local exchange access in South Dakota:

**Dickey Rural Telephone Cooperative, and its wholly owned  
subsidiary, Dickey Rural Communications, Inc.**

These companies are collectively referred to as Dickey. Dickey provides telecommunications services in certificated local exchange areas in South Dakota. Each company is a local exchange carrier (sometimes abbreviated LEC) and a rural telephone company as defined in the Communications Act of 1934 as amended by the Telecommunications Act of 1996 (the Act). Each has fewer than 2% of the Nation's subscriber lines installed in the aggregate nationwide. The services of the Dickey carriers include exchange access, as defined by the Act.

Dickey files this plan for implementation of intraLATA dialing parity in its service areas in South Dakota. Pursuant to 47 U.S.C. 251(f)(2), Dickey petitions the PUC for a suspension and modification of the requirement for implementation of intraLATA dialing parity in its service areas, until June 30,



2000. Suspension of enforcement of the requirement for implementation of intraLATA dialing parity is requested pending action on the petition.

## BACKGROUND

The Telecommunications Act of 1996 (amending the Communications Act of 1934) imposed on local exchange carriers the obligation to provide dialing parity to competing interexchange carriers. 47 U.S.C. 251(b)(3). In proceedings to implement the Act, in August 1996, the FCC issued its Order and promulgated Regulations (47 C.F.R. 51.209-215) requiring local exchange carriers to implement dialing parity no later than February 9, 1999. (CC Docket No. 96-98, Second Report and Order, 11 FCC Rod 19392, herein called the 1996 Order.) On appeal, those regulations were vacated by the Court of Appeals and ultimately reinstated by the United States Supreme Court in January, 1999. (AT&T v. Iowa Utilities Board, 119 S. Ct. 721). Most recently, in March 1999, the FCC issued its Order establishing a new schedule for intraLATA dialing parity, replacing the February 8, 1999, date which has come and gone. (CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999, FCC 99-54, herein called the 1999 Order.) Under the FCC's self-described "compressed schedule" for LECs to implement intraLATA dialing parity, the 1999 Order requires:

No later than April 22, 1999, all LECs must file intraLATA toll dialing parity plans with their state regulatory commissions.

If a state commission has not acted on a filed plan by June 22, 1999, the LEC must file its plan with the FCC for action in lieu of state action. A LEC's dialing parity plan must be implemented within 30 days after approval by the state commission, i.e., not later than July 22, 1999.

The FCC has directly ordered LECs to act within a certain time and indirectly encouraged the states' commissions to act within a certain time, to accomplish the FCC's compressed schedule aiming at July 22 as a target for the implementation of intraLATA dialing parity in all states. (See 1999 Order, footnote 22.)

Read in isolation, the 1999 Order seems to oblige BOCs and non-BOCs alike. Read for what it is, an updated modification of the 1996 Order and understanding both Orders as implementing the 1996 Act, it is clear the "Exemptions, Suspensions, and Modifications" provisions of the Act apply. Specifically, section 251 (f)(2) of the Act provides any LEC that is smaller than 2% of the Nation's subscriber lines may petition its State Commission for a suspension of modification of the dialing parity requirement of section 252 (b)(3). See also paragraph 7 of the FCC's 1996 Order (and its footnote reference to section 251(f)(2): "We note that smaller LECs, for which this implementation schedule may be unduly burdensome, may petition their state commission for a suspension or modification of this requirement."

**DICKEY RURAL TELEPHONE COOPERATIVE AND  
DICKEY RURAL COMMUNICATIONS, INC.  
DIALING PARITY IMPLEMENTATION PLAN**

The Dickey companies propose that intraLATA toll dialing parity be implemented in their respective exchange areas in South Dakota before July 1, 2000.

A. In preparation for the implementation of intraLATA toll dialing parity, Dickey would develop procedures for timely notification of their respective subscribers and methods to enable subscribers to affirmatively select an intraLATA toll provider, and for interexchange carrier notification. (Complex and costly "balloting" processes comparable to processes for the implementation of interLATA dialing parity are not anticipated.)

B. In preparation for the implementation of intraLATA toll dialing parity, Dickey would develop and file with the PUC, before February 1, 2000, fully compensatory local exchange access rates to be effective when intraLATA toll dialing parity is implemented by the LEC.

## PETITION FOR SUSPENSION AND MODIFICATION

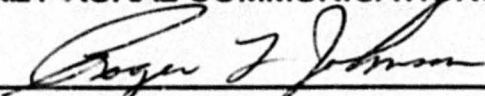
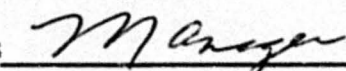
Pursuant to 47 U.S.C. 251(f)(2), Dickey petitions the PUC for a suspension and modification of the requirement for implementation of intraLATA dialing parity in these local exchange carriers' respective service areas, until June 30, 2000.

The grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by the FCC's 1999 Order is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intraLATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement.

THEREFORE, Dickey Rural Telephone Cooperative and its wholly owned subsidiary, Dickey Rural Communications, Inc. apply for the approval of the intraLATA toll dialing parity plan described in this application and petition for a suspension and modification of the requirement for implementation of intraLATA dialing parity in their respective service areas, until June 30, 2000. Pending action on the petition, Dickey requests suspension of enforcement of the requirement for implementation of intraLATA dialing parity.

Dated the 21<sup>st</sup> day of April, 1999.

DICKEY RURAL TELEPHONE COOPERATIVE  
AND ITS WHOLLY OWNED SUBSIDIARY,  
DICKEY RURAL COMMUNICATIONS, INC.

By   
Its 

For the Period of April 15, 1999 through April 22, 1999



**For the Period of April 15, 1999 through April 22, 1999**

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

Phone: 605-773-3705 Fax: 605-773-3809

**ELECTRIC**

**EL99-004 In the Matter of the Filing by MidAmerican Energy Company for Approval of a New Street Lighting Service.**

MidAmerican Energy Company is filing to revise the South Dakota Electric Tariff No. 1 to include a price code for a 100-watt High Pressure Sodium Victorian style fiberglass pole street light.

Staff Analyst: Keith Senger

Staff Attorney: Karen Cremer

Date Filed: 04/21/99

Intervention Deadline: 05/07/99

**TELECOMMUNICATIONS**

**TC99-030 In the Matter of the FCC Order Establishing New Deadlines for Implementation of IntraLATA Dialing Parity by Local Exchange Carriers.**

The following local exchange carriers have filed IntraLATA Dialing Parity Implementation Plans: Heartland Telecommunications Company of Iowa on April 20, 1999; Accent Communications, Inc. on April 20, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Splitrock Properties, Inc. on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Jefferson Telephone Company on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by May 10, 1999; Venture Communications, Inc. on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Hanson County Telephone Company on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Hanson Communications, Inc. d/b/a McCook Telecom on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Vivian Telephone Company d/b/a Golden West Communications, Inc. on April 21, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Stockholm Strandburg Telephone Co. on April 22, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; AT&T Communications of the Midwest, Inc. on April 22, 1999; Midco Communications on April 22, 1999; Heartland Communications, Inc. on April 22, 1999; Mobridge Telecommunications on April 22, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; West River Telecommunications Cooperative on April 22, 1999, is requesting Commission approval to

send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; Dakota Telecommunications Group, Inc., DTG Community Telephone, Inc. and Dakota Telecom, Inc. on April 22, 1999; Stateline Telecommunications, Inc. on April 22, 1999, is requesting Commission approval to send out carrier notification letters in advance of final Commission action on the proposed plan, carrier notifications completed by June 1, 1999; and U S WEST Communications, Inc. on April 22, 1999, "U S WEST will file a waiver with the FCC requesting an extension of time to implement toll dialing parity in the following three exchanges: McIntosh (605-273), Timber Lake (605-365), and Morristown (605-524). These exchanges were the subject of sale of exchanges with the Cheyenne River Tribe, and will be converted at a later date. Customers in these exchanges will be notified separately to inform them of the extension of time and the implementation date."

Staff Analyst: Harlan Best  
Staff Attorney: Karen Cremer  
Comments Due: 05/07/99  
Reply Comments Due: 05/17/99

The following local exchange carriers have completed conversion to intraLATA dialing parity: Fort Randall Telephone Company on April 21, 1999; Mt. Rushmore Telephone Company on April 21, 1999; and CommChoice, LLC on April 22, 1999.

**TC99-037      In the Matter of the Application of Long Distance America, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Application by Long Distance America, Inc. for a certificate to provide 1+ and 101XXXX direct outbound dialing, 800/888 toll free inbound dialing and travel card interexchange service on a resold basis.

Staff Analyst: Dave Jacobson  
Staff Attorney: Camron Hoseck  
Date Filed: 04/15/99  
Intervention Deadline: 05/07/99

**TC99-038      In the Matter of the Application of FON Digital Network, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

On April 15, 1999, the Commission received an application by FON Digital Network, Inc. for a Certificate of Authority to provide telecommunications services in South Dakota. FON Digital Network, Inc. is a reseller which intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card and prepaid calling card service.

Staff Analyst: Bob Knadle  
Staff Attorney: Karen Cremer  
Date Filed: 04/15/99  
Intervention Deadline: 05/07/99

**TC99-039      In the Matter of the Application of Concert Communications Sales LLC for a Certificate of Authority to Provide Local Exchange Services in South Dakota.**

Concert Communications Sales LLC has filed a request for a Certificate of Authority to provide local telecommunications services on a resale basis throughout South Dakota. They plan to provide local telephone service, access service, private line, internet access service and data transmission services.

Staff Analyst: Michele Farris  
Staff Attorney: Camron Hoseck



Date Filed: 04/19/99  
Intervention deadline: 05/07/99

TC 99-040 In the Matter of the Application of Cable & Wireless Global Markets, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Cable & Wireless Global Markets, Inc. is a reseller who intends to offer interexchange interLATA and intralATA telecommunications services on a statewide basis.

Staff Analyst: Keith Senger  
Staff Attorney: Karen Cremer  
Date Filed: 04/19/99  
Intervention Date: 05/07/99

In the Matter of the Filing by Dickey Rural Telephone Cooperative and its Wholly Owned Subsidiary, Dickey Rural Communications, Inc. for Approval of Petition for Suspension and Modification of Dialing Party.

Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. each have fewer than 2% of the Nation's subscriber lines installed in the aggregate. Pursuant to 47 U.S.C. 251(f)(2), Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. petitions the Commission for a suspension and modification of the requirement for implementation of intralATA dialing parity in its service areas until June 30, 2000. The grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by CC Docket No. 96-98, Order adopted March 13 and released March 23, 1999, FCC 99-54 is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intralATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement.

Staff Analyst: Harlan Best  
Staff Attorney: Karen Cremer  
Date Filed: 04/19/99  
Comments Due: 05/07/99  
Reply Comments Due 05/17/99

TC 99-042 In the Matter of the Filing by Consolidated Telephone Cooperative and its Wholly Owned Subsidiary, Consolidated Telecom, Inc. formerly known as CTC Communications, Inc. for Approval of Petition for Suspension and Modification of Dialing Party.

Consolidated Telephone Cooperative and Consolidated Telecom, Inc. formerly known as CTC Communications, Inc. each have fewer than 2% of the Nation's subscriber lines installed in the aggregate. Pursuant to 47 U.S.C. 251(f)(2), Consolidated Telephone Cooperative and Consolidated Telecom, Inc. formerly known as CTC Communications, Inc. petitions the Commission for a suspension and modification of the requirement for implementation of intralATA dialing parity in its service areas until June 30, 2000. The grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999, FCC 99-54 is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intralATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement.



Staff Analyst: Harlan Best  
Staff Attorney: Karen Cremer  
Date Filed: 04/20/99  
Comments Due: 05/07/99  
Reply Comments Due: 05/17/99

**TC99-043 In the Matter of the Filing by Kennebec Telephone Company for Approval of Dialing Parity Implementation Plan and Petition for Suspension and Modification of Dialing Parity.**

Kennebec Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 19, 1999. Kennebec Telephone Company has fewer than 2% of the Nation's subscriber lines installed in the aggregate. Kennebec Telephone Company's implementation of intraLATA dialing parity in Kennebec and Presho are part and parcel of its implementation of interLATA equal access for the Kennebec and Presho exchanges at the South Dakota Network switch in Sioux Falls. The implementation of Kennebec Telephone Company's dialing parity plan began before the FCC released its order in CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999, FCC 99-54.

Staff Analyst: Harlan Best  
Staff Attorney: Karen Cremer  
Date Filed: 04/21/99  
Comments Due: 05/07/99  
Reply Comments Due: 05/17/99

**TC99-044 In the Matter of the Application of RDST, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Application by RDST, Inc. for a Certificate of Authority to provide Intrastate Telecommunications Services in South Dakota. RDST, Inc. proposes to offer intrastate, interexchange 1+ and 101XXXX outbound, 800/238 inbound, travel card and prepaid card service in South Dakota.

Staff Analyst: Dave Jacobson  
Staff Attorney: Camron Hoseck  
Date Filed: 04/21/99  
Intervention Deadline: 05/07/99

**TC99-045 In the Matter of the Application of DSLnet Communications, LLC for a Certificate of Authority to Provide Telecommunications Services, Including Local Exchange Services, in South Dakota.**

On April 21, 1999, the Commission received an application by DSLnet Communications, LLC for a Certificate of Authority to provide resold and facilities-based local exchange and interexchange services to subscribers throughout the state of South Dakota. Initially, DSLnet intends to provide data transmission services only.

Staff Analyst: Bob Knadle  
Staff Attorney: Karen Cremer  
Date Filed: 04/21/99  
Intervention Deadline: 05/07/99

**TC99-046 In the Matter of the Filing by Western Telephone Company for Approval of Dialing Parity Implementation Plan and Petition for Suspension and Modification of Dialing Parity.**

Western Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999. Western Telephone Company has fewer than 2% of the Nation's subscriber lines installed in the aggregate. "Western Telephone Company seeks the suspension and modification because at this time negotiations are ongoing and no decision has yet been reached regarding whether or not intraLATA equal access will be provided by South Dakota Network as centralized equal access, or, if Western Telephone Company will make the requisite changes to provide intraLATA dialing parity from its end offices. It is technically infeasible and, hence, inconsistent with the public interest, to reach this decision and implement either alternative by July 22, 1999, the deadline according to [the FCC order in CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999.] FCC 99-54." Western Telephone Company submitted a centralized intraLATA equal access plan.

Staff Analyst: Harlan Best

Staff Attorney: Karen Cremer

Date Filed: 04/21/99

Comments Due: 05/07/99

Reply Comments Due: 05/17/99

**TC99-047      In the Matter of the Filing by Beresford Municipal Telephone Company for Approval of Dialing Parity Implementation Plan and Petition for Suspension and Modification of Dialing Parity.**

Beresford Municipal Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999. Beresford Municipal Telephone Company has fewer than 2% of the Nation's subscriber lines installed in the aggregate. "Beresford Municipal Telephone Company seeks the suspension and modification because at this time negotiations are ongoing and no decision has yet been reached regarding whether or not intraLATA equal access will be provided by South Dakota Network as centralized equal access, or, if Beresford Municipal Telephone Company will make the requisite changes to provide intraLATA dialing parity from its end offices. It is technically infeasible and, hence, inconsistent with the public interest, to reach this decision and implement either alternative by July 22, 1999, the deadline according to [the FCC order in CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999.] FCC 99-54." Beresford Municipal Telephone Company submitted a centralized intraLATA equal access plan.

Staff Analyst: Harlan Best

Staff Attorney: Karen Cremer

Date Filed: 04/21/99

Comments Due: 05/07/99

Reply Comments Due: 05/17/99

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# South Dakota Public Utilities Commission

State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070



May 7, 1999

Mr. Bill Bullard  
SD Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

RE: Comments on Dockets TC99-030, ~~TC99-031~~, TC99-042, TC99-043, TC99-046, and TC99-047

Dear Mr. Bullard:

Enclosed are an original and 10 copies of Staff's Comments on IntraLATA Toll Dialing Parity Plans regarding the above-referenced dockets. Please file these in the appropriate dockets.

Sincerely,

*Karen E. Cremer*

Karen E. Cremer  
Staff Attorney

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♦



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

IN THE MATTER OF THE FCC ORDER	)	STAFF COMMENTS ON
ESTABLISHING NEW DEADLINES FOR	)	INTRALATA TOLL DIALING
IMPLEMENTATION OF INTRALATA DIALING	)	PARITY PLANS
PARITY BY LOCAL EXCHANGE CARRIERS	)	TC99-030; TC99-041; TC99-
	)	042; TC99-043; TC99-046;
	)	TC99-047

On March 23, 1999, the Federal Communications Commission (FCC) issued an order establishing new deadlines for implementation of intraLATA dialing parity by local exchange carriers (LECs). In the Matters of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996: Petition of Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell for Expedited Declaratory Ruling on Interstate IntraLATA Toll Dialing Parity or, in the Alternative, Various Other Relief, CC Docket No. 96-98, FCC 99-54 (released March 23, 1999). The order states that "[n]o later than April 22, 1999, all LECs must file intraLATA toll dialing parity plans with the state regulatory commission for each state in which the LEC provides telephone exchange service if a plan has not yet been filed with such state commission. Once a state commission has approved a plan, the LEC must implement its plan no later than 30 days after the date on which the plan is approved." *Id.* at ¶ 7. If the state commission has not acted on the plan by June 22, 1999, the LEC must file the plan with the Common Carrier Bureau of the FCC. *Id.*

At its March 30, 1999, meeting, the Public Utilities Commission (Commission) opened a docket in order to review intraLATA toll dialing plans and established a procedural schedule that would allow other parties to file written comment on the LECs' intraLATA toll dialing plans. No parties objected to this proposal. At its April 1, 1999, meeting, the Commission issued guidelines for LECs to follow when developing their intraLATA toll dialing plans. On the issue of cost recovery, the Commission decided that if a LEC believes that it needs cost recovery, the LEC should file for cost recovery in a separate proceeding before the Commission in accordance with FCC rules.

On April 23, 1999, the Commission faxed notice that the following companies had filed intraLATA toll dialing parity plans: Heartland Telecommunications Company of Iowa on April 20, 1999; Accent Communications, Inc. on April 20, 1999; Splitrock Properties, Inc. on April 21, 1999; Jefferson Telephone Company on April 21, 1999; Venture Communications, Inc. on April 21, 1999; Hanson County Telephone Company on April 21, 1999; Hanson Communications, Inc. d/b/a McCook Telecom on April 21, 1999; Vivian Telephone Company d/b/a Golden West Communications, Inc. on April 21, 1999; Stockholm Strandburg Telephone Co. on April 22, 1999; AT&T Communications of the Midwest, Inc. on April 22, 1999; Midco Communications on April 22, 1999; Heartland Communications, Inc. on April 22, 1999; Mobridge Telecommunications on April 22, 1999; West River Telecommunications Cooperative on April 22, 1999; Dakota Telecommunications Group, Inc., DTG Community Telephone, Inc. and Dakota Telecom, Inc. on April 22, 1999; Stateline Telecommunications, Inc. on April 22, 1999; and U S WEST Communications, Inc. on April 22, 1999.

The following local exchange carriers notified the Commission that they have completed conversion to intraLATA dialing parity: Fort Randall Telephone Company on April 21, 1999; Mt. Rushmore Telephone Company on April 21, 1999; CommChoice, LLC on April 22, 1999; and Kadoka on April 26, 1999.

Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc. Consolidated Telephone Cooperative and Consolidated Telcom, Inc. formerly known as CTC Communications, Inc. petitioned the Commission for a suspension and modification of the requirement for implementation of intraLATA dialing parity in its service areas until June 30, 2000.

Kennebec Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petitioned for suspension and modification of the requirement for implementing intraLATA dialing parity until September 19, 1999.

Western Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999.

Beresford Municipal Telephone Company filed its intraLATA toll dialing parity implementation plan and, pursuant to ARSD 20:10:32:39 and 47 U.S.C. 251(f)(2), a petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999.

### **COMMISSION STAFF'S RECOMMENDATION**

Commission Staff has reviewed the toll dialing parity plans filed by the aforementioned companies utilizing the guidelines as established by the Commission in its April 1, 1999, order. Staff then categorized the companies and will make its recommendations using these categories.

#### **SDN COMPANIES**

Heartland Communications Inc., Accent Communications, Inc., Splitrock Properties, Inc., Venture Communications, Inc., Hanson County Telephone Company, Hanson Communications, Inc. d/b/a McCook Telecom, Stockholm Strandburg Telephone Co., Mobridge Telecommunications, Stateline Telecommunications, Inc., Vivian Telephone Company d/b/a Golden West Communications, Inc. all requested Commission approval to send out its carrier notification letters in advance of final Commission action on the proposed plan with the carrier notifications completed by June 1, 1999. Staff would recommend that the Commission grant the companies approval to send out its carrier notification letter (Appendix A and B) in advance of final Commission action on the proposed plan. Staff would further recommend that the language in the customer notification letter (Appendix C) be amended to state that the customer, if they choose to change their intraLATA long distance carrier, directly contact the

**long distance company that they have chosen in order to initiate that change with the LEC. This will not only allow the customer to pick a plan that best suits their needs but it will ensure that a LOA is processed or that third-party verification will occur.**

**Staff would also recommend that Accent Communications, Inc.'s letter to its customers (Appendix C) include a statement that after the 60 day grace period has expired, that there will be a charge to change carriers and the letter should state the amount of the charge.**

**Heartland Communications, Inc. did not file a customer letter (Appendix C) that was company specific. Staff would recommend that the company file such a letter before final approval of the plan.**

**Jefferson Telephone Company has filed an amendment to its plan asking that its carrier notification letter be approved no later than May 14, 1999. Staff would recommend approval of this amendment.**

**Staff would note that none of the aforementioned companies addressed the issue of pay phones in their plans and Staff would recommend that they amend their filing to address this issue.**

#### **END OFFICE**

**Dakota Telecommunications Group, Inc., DTG Community Telephone, Inc. and Dakota Telecom, Inc. and West River Telecommunications Cooperative requested Commission approval to send out its carrier notification letters in advance of final Commission action on the proposed plan. Staff would recommend that the Commission grant the companies approval to send out its carrier notification letter (Appendix A for both companies and also Appendix B for West River) in advance of final Commission action on the proposed plan. Staff would further recommend that the language in the customer notification letter be amended to state that the customer, if they choose to change their intraLATA long distance carrier, directly contact the long distance company that they have chosen in order to initiate that charge with the LEC. This will not only allow the customer to pick a plan that best suits their needs but it will ensure that a LOA is processed or that third-party verification will occur.**

**Staff would note that neither of the aforementioned companies addressed the issue of pay phones in their plans and Staff would recommend that they amend their filing to address this issue.**

#### **U S WEST**

**U S WEST Communications, Inc. requested Commission approval to send out its carrier notification letters in advance of final Commission action on the proposed plan. Staff would recommend that the Commission grant the company approval to send out its carrier notification letter in advance of final Commission action on the proposed plan.**



U S WEST has stated in its filing that it will file a waiver with the FCC requesting an extension of time to implement toll dialing parity in the McIntosh, Timber Lake and Morristown exchanges. According to the Commission's order setting forth the guidelines to be followed, U S WEST is to describe how it will offer dialing parity *for each exchange* and its proposed time schedule. U S WEST has not listed its exchanges nor has it asked this Commission for a waiver to extend the time to implement toll dialing parity in the McIntosh, Timber Lake, and Morristown exchanges. **Staff recommends that U S WEST list the exchanges individually with the NXX provided so that carriers know which exchanges are included and that U S WEST's toll dialing parity plan be applied to all its exchanges within the state.**

In U S WEST's customer notification letter (Exhibit A), U S WEST requires the customer to contact U S WEST to remove the "pic freeze" prior to selecting an intraLATA carrier if it is a carrier other than U S WEST. Since this is the first time a customer can select an intraLATA carrier there should be no "freeze" associated with intraLATA long distance. **Staff would recommend that U S WEST be required to remove this paragraph from the customer letter.**

When taking orders from new or existing customers U S WEST proposes to respond to a customer's request for further information as to U S WEST's toll products and services at that time. **Staff would recommend that should a customer request further information as to U S WEST's toll products and services that the customer be transferred to U S WEST's marketing/sales representatives.**

U S WEST's plan allows customers to change their intraLATA carrier one time free of charge during the first 30 days following implementation. **Staff would recommend that the grace period be a minimum of 60 days.** This would allow the customer to receive at least one bill from the intraLATA carrier.

U S WEST is requesting that MTS be classified as fully competitive effective July 22, 1999. **Staff would recommend denial of this request.** Such a request should be considered in a separate docket.

#### AT&T

**Staff would recommend that AT&T make a full disclosure to new and existing customers that if they do not indicate a preference for an alternate carrier, that the customer's traffic will by default go to AT&T. Staff would also recommend that AT&T remove from the customer letter (Exhibit 1) the requirement that the customer who wishes to change carriers, that they contact AT&T's business office first.**

**Staff would recommend that the language in the customer notification letter (Exhibit 1) be amended to state that the customer, if they choose to change their intraLATA long distance carrier, directly contact the long distance company that they have chosen in order to initiate that change with the LEC. The letter should include a list of long distance providers to choose from and their toll free numbers**

so that the customer can contact the long distance companies. This will not only allow the customer to pick a plan that best suits their needs but it will ensure that a LOA is processed or that third-party verification will occur.

Staff would note that AT&T did not address the issue of pay phones in its plan and Staff would recommend that it amend its filing to address this issue.

### MIDCO

Staff would recommend that the customer notification letter (Exhibit A) be re-written to be "more customer friendly" and less technical. The letter should have the customer directly contact the long distance company and should include a list of long distance providers to choose from and their toll free numbers so that the customer can contact the long distance companies and decide which rate plan best suits their needs. This will ensure that a LOA is processed or that third-party verification will occur. Also Midco should be definitive as to whether or not there will be a PIC charge.

Staff would note that Midco did not address the issue of pay phones in its plan and Staff would recommend that it amend its filing to address this issue.

### FOREIGN

Heartland Telecommunications Company of Iowa filed its plan without including its exchanges and NXX numbers, carrier notification letter, and customer notification letter. Staff would recommend that these documents be filed before final approval of the plan.

Staff would note that Heartland did not address the issue of pay phones in its plan and Staff would recommend that it amend its filing to address this issue.

### SUSPENSION AND MODIFICATION

Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Consolidated Telephone Cooperative and Consolidated Telcom, Inc. formerly known as CTC Communications, Inc., Kennebec Telephone Company, Western Telephone Company, and Beresford Municipal Telephone Company all filed their toll dialing parity plans requesting suspension and modification of its plan.

Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Consolidated Telephone Cooperative and Consolidated Telcom, Inc. formerly known as CTC Communications, Inc. state that suspension and modification are necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and that suspension and modification are consistent with the public interest, convenience and necessity. Staff would recommend denial of suspension and modification as Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Consolidated Telephone Cooperative and Consolidated Telcom, Inc. formerly known as CTC

**Communications, Inc. did not prove in its filing that providing intraLATA toll dialing parity requires suspension and modification and require the companies to file intraLATA toll dialing parity plans consistent with the Commission's prior orders.**

**Kennebec Telephone Company began implementing intraLATA dialing parity in conjunction with its implementation of interLATA dialing parity the day before the FCC issued its order ordering LEC's to implement intraLATA toll dialing parity. Kennebec states in its petition that to alter the plan already in process would be unduly economically burdensome, technically infeasible, and inconsistent with public interest. Staff would recommend that granting approval of Kennebec's petition for suspension and modification until September 19, 1999.**

**Western Telephone Company and Beresford Municipal Telephone Company filed their intraLATA toll dialing parity plans requesting suspension and modification due to ongoing negotiations and no decisions being reached regarding whether or not intraLATA dialing parity will be provided by SDN as centralized equal access or if it will be provided from its end offices. Staff would recommend granting approval of Western's petition for suspension and modification until September 15, 1999. Staff would further recommend that the language in the customer notification letter (Appendix C) be amended to state that the customer, if they choose to change their intraLATA long distance carrier, directly contact the long distance company that they have chosen in order to initiate that change with the LEC. This will not only allow the customer to pick a plan that best suits their needs but it will ensure that a LOA is processed or that third-party verification will occur.**

**Staff would note that none of the aforementioned companies, with the exception of Kennebec, addressed the issue of pay phones in their plans and Staff would recommend that they amend their filing to address this issue.**

### **MISCELLANEOUS**

**Valley Cable & Satellite Communications, Inc. sent a copy of a customer letter to the Commission on March 26, 1999. Sancorn, Inc. sent the Commission a copy of its carrier letter on April 1, 1999. Staff would recommend that the companies file a letter with the Commission confirming that they offer intraLATA toll dialing parity and the date of such offering.**

### **NON-RESPONDENTS**

**Staff would note that the following LECs did not file any plans with the Commission:**

- 1. Farmers Mutual Telephone Cooperative, Ellendale, ND**
- 2. GTE of Minnesota, Minneapolis, MN**
- 3. Great Plains Communications, Blair, NE**
- 4. RT Communications, Inc., Worland WY**
- 5. Red River Telecom, Inc., Abercrombie, ND**
- 6. Three River Teleco, Lynch, NE**

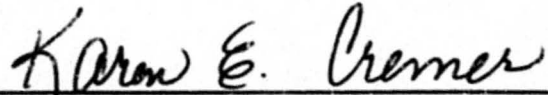


7. U S WEST Communications of Iowa
8. U S WEST Communications of Nebraska
9. U S WEST Communications of Minnesota
10. Valley Telephone Company, Browns Valley, MN
11. NebCom, Inc. Jackson, NE
12. Baltic Telecom Cooperative, Baltic, SD
13. Brookings Municipal Utilities, Brookings, SD
14. Interstate Telephone Cooperative, Clear Lake, SD
15. James Valley Cooperative Telephone, Groton, SD
16. McCook Cooperative Telephone Company, Salem, SD
17. Midstate Telephone Company, Kimball, SD
18. Sanborn Telephone Cooperative, Woonsocket, SD
19. Sioux Valley Telephone Company, Dell Rapids, SD
20. Splitrock Telecom Cooperative, Inc., Garretson, SD
21. Sully Butte Telephone Cooperative, Highmore, SD
22. Tri-County Mutual Telephone Company, Emery, SD
23. Valley Telecommunications Cooperative, Herreid, SD
24. Golden West Telecommunications Cooperative, Inc., Wall, SD
25. West River Cooperative Telephone Company, Bison, SD
26. Cheyenne River Sioux Tribe Telephone Authority, Eagle Butte, SD
27. Atlas Communications, Ltd., Denver, CO
28. Black Hills FiberCom, LLC, Rapid City, SD
29. Crystal Communications, Inc., Mankato, MN
30. Dakota Telecommunications, Inc., Irene, SD
31. Easton Telecom Services, Inc., Richfield, OH
32. Eclipse Communications Corporation, Issaquah, WA
33. Excel Telecommunications, Inc., Dallas, TX
34. F.D.S.D. Rapid City, Inc., Rapid City, SD
35. FiberComm, L.C., LeMars, IA
36. FirstTel, Inc., Sioux Falls, SD
37. GLD, Group Long Distance, Inc., Fort Lauderdale, FL
38. LCI International Telecom Corporation, McLean, VA
39. LDM Systems, Inc., New City, NY
40. MCImetro Access Transmission Services, Inc., Vienna, VA
41. McLeodUSA Telecommunications Services, Inc., Cedar Rapids, IA
42. Northern Valley Communications, L.L.C., Bath, SD
43. PAM Oil Inc. d/b/a PAM Communications, Sioux Falls, SD
44. Quintelco, Inc., Pearl River, NY
45. Sioux Falls Cable Television, Sioux Falls, SD
46. Sprint Communications Company L.P., Kansas City, MO
47. Sterling International Funding, Inc. d/b/a Reconex, Hubbard, OR
48. Telco Holdings, Inc. d/b/a Dial & Save, Chantilly, VA
49. Tel-Save, Inc. d/b/a The Phone Company, Inc., New Hope, PA
50. WorldCom Technologies, Jackson, MS
51. Bridgewater-Canistota Independent Telephone Company, Hartford, SD
52. RC Communications, Inc., New Effington, SD
53. East Plains Telecom, Inc., Baltic, SD

- 54. Roberts County Telephone Cooperative Association, New Effington, SD
- 55. Union Telephone Company, Hartford, SD
- 56. Armour Independent Telephone Company, Armour, SD
- 57. Faith Municipal Telephone, Faith, SD

Staff would recommend that these companies file a letter with the Commission stating the date that it began offering intraLATA toll dialing parity in South Dakota.

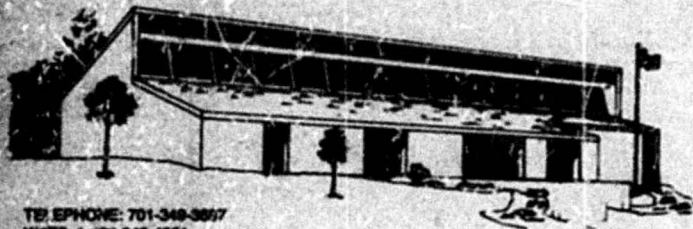
Dated this 7th day of May, 1999.



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Karen E. Cremer  
Staff Attorney  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501  
Telephone (605) 773-3201

TC99-0340



TELEPHONE: 701-342-3577  
FAX: 1-800-342-4551

*Dickey Rural Communications, Inc.*  
*Dickey Rural Enterprises, Inc.*

P.O. BOX 69  
9626 HWY. 281 • ELLENDALE, NORTH DAKOTA 58436-0069

June 1, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**RECEIVED**

JUN 03 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Communications, Inc. PO. Box 69, 9626 Highway 281 North Ellendale, North Dakota 58436 requests The SD. PUC consider mirroring of the outcome of The ND. PSC hearing scheduled for 9:00 am June 15, 1999 on dialing parity.

The majority of our customers and all of our dial equipment are located in North Dakota. The process of converting to IntraLata Dialing Parity would be to our customers and the companies benefit if the conversion would be at the same time.

The exchange of Ashley serves approximately 10ea, South Dakota customers and 697ea, North Dakota customers, The Ellendale exchange serves approximately 13ea, South Dakota customers and 1078ea, North Dakota customers, and The Forman exchange has approximately 15ea, South Dakota customers and 944ea, North Dakota customers.

Dickey Rural Communications, Inc. submits to The South Dakota PUC a copy of Dickey Rural Communications, Inc.'s Dialing Implementation Plan and Petition for Suspension and Modification Affidavit, that will be filed with The North Dakota PSC, for the June 15 1999 hearing.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Communications, Inc.

*Quality Service*



TC 99-0310

RECEIVED

JUN 03 1999

## PUBLIC SERVICE COMMISSION

## STATE OF NORTH DAKOTA

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSIONDickey Rural Telephone Cooperative  
DIALING PARITY IMPLEMENTATION

Case No. PU-421-99-211

## AFFIDAVIT

STATE OF NORTH DAKOTA )  
COUNTY OF Dickey ) ss.

Roger L. Johnson affirms the following statement of facts, in support of Dickey Rural Telephone Cooperative's Dialing Parity Implementation Plan and Petition for Suspension and Modification filed in conjunction with other local exchange carriers as the Rural Telephone Company Group (RTCG), under Section 251 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996 (the Act).

(Dickey Rural Telephone Cooperative is sometimes referred to in this affidavit as "this Rural Telephone Company" or as "this Company.")

1. This Rural Telephone Company has fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nationwide and qualifies for a suspension or modification of the requirements of Section 251(b)(3) of the Act.
2. Dickey Rural Telephone Cooperative provides telephone exchange service including exchange access in the following exchange areas in North Dakota:

Total Access Lines

2,548

Exchange Prefix/Name

753 Crete  
778 Dickey  
357 Forbes  
973 Fort Ransom  
698 Fredonia  
375 Fullerton  
783 Guelph  
685 Jud  
796 Kathryn  
762 Litchville  
669 Marion  
396 Merricourt

427 Milnor  
374 Nelvik  
432 Verona  
684 Ventura

(The number of access lines as listed is taken from the most reliable and recent compilation, the North Dakota Telephone Association 1998-99 Directory of North Dakota Telephone Companies.)

3. This Rural Telephone Company presently provides dialing parity to telecommunications carriers that are providers of interLATA telephone toll service.
4. This Company does not presently provide dialing parity to telecommunications carriers that are providers of intraLATA telephone toll service. No provider of intraLATA telephone toll service has requested dialing parity from this Company for intraLATA calling during the period from February 8, 1996 (the date of enactment of the Act) to the present.
5. This Company presently has installed central office equipment ("hardware" and "software") that is capable of providing intraLATA dialing parity in addition to interLATA dialing parity including "full 2-PIC" features so that subscribers would have the ability by 1+ dialing to route automatically their intraLATA and interLATA toll calls to different carriers.
6. This Company is capable of administering the implementation of intraLATA toll dialing parity. However, this Company's resources, including human resources, are limited so that it is unduly economically burdensome and technically infeasible for this Company to implement intraLATA toll dialing parity (including establishing and accomplishing procedures for notification of subscribers and methods to enable subscribers to affirmatively select an intraLATA toll provider, and for interexchange carrier notification) within the July 22, 1999, deadline established by the Federal Communications Commission.
7. As stated by the Commission in its December 15, 1992, Order in Case No. PU-2320-90-183, the current system of compensation for origination and termination of intraLATA toll calls (established by the Commission in its earlier Cases No. 10,444 and 10,694) is incompatible with a dialing parity/equal access environment. The implementation of intraLATA dialing parity requires that fully compensatory local exchange access rates be established to be effective when intraLATA toll dialing parity is implemented. It is infeasible to commence and complete before July 22, 1999, the financial analysis and related procedures (including filing with the Commission and establishing procedures for billing and collecting compensation for



427 Milnor  
374 Nelvik  
432 Verona  
684 Ventura

(The number of access lines as listed is taken from the most reliable and recent compilation, the North Dakota Telephone Association 1998-99 Directory of North Dakota Telephone Companies.)

3. This Rural Telephone Company presently provides dialing parity to telecommunications carriers that are providers of interLATA telephone toll service.
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access services), to establish a system of compensation that is compatible with a dialing parity/equal access environment.

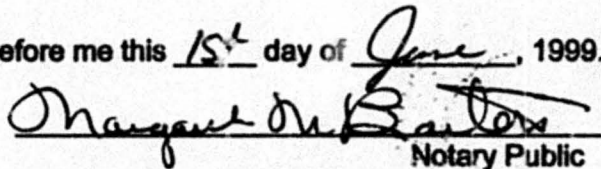
8. As stated above, this Company does not presently provide dialing parity to telecommunications carriers that are providers of intraLATA telephone toll service and no provider of intraLATA telephone toll service has requested dialing parity from this Company for intraLATA dialing parity. In addition, this Company has received from US West, the incumbent 1+ default carrier of last resort providing intraLATA toll service to subscribers in this Company's local exchange areas, a letter stating US West "... has decided to withdraw from the toll market in ILEC [independent local exchange carrier] serving areas effective with the implementation of intraLATA equal access or by July 22, 1999, whichever is earlier."
9. In these factual circumstances, it is consistent with the public convenience and necessity that the requirement for implementation of intraLATA dialing parity in this Company's local exchange areas be suspended and modified.

The affiant is the general manager of Dickey Rural Telephone Cooperative and affirms the truth of the foregoing statement of facts based on his first-hand knowledge.

Dated this 1st day of June, 1999.

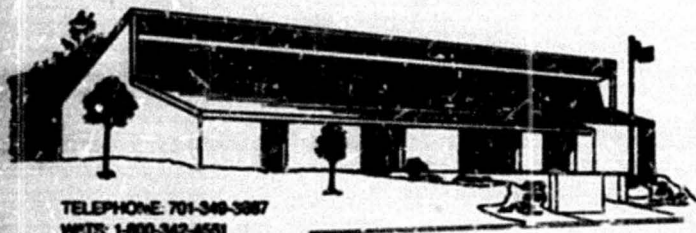
  
\_\_\_\_\_  
Roger L. Johnson

**SUBSCRIBED AND SWORN** to before me this 1st day of June, 1999.

  
\_\_\_\_\_  
Notary Public

For the State of North Dakota  
My commission expires:

MARGARET M. BARTON  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires MAY 28, 2005



TELEPHONE: 701-348-3887  
WITS: 1-800-342-4581

P.O. BOX 69  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58436-0069

TC 99-0340

## Dickey Rural Telephone Cooperative

June 1, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**RECEIVED**

JUN 03 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Telephone Cooperative, P.O. Box 69, 9628 Highway 281 North Ellendale, North Dakota 58436 requests The SD. PUC consider mirroring of the outcome of The ND. PSC hearing scheduled for 9:00 am June 15, 1999 on dialing parity.

The majority of our customers and all of our dial equipment are located in North Dakota. The process of converting to IntraLata Dialing Parity would be to our customers and the companies benefit if the conversion would be at the same time.

The exchange of Forbes serves approximately 33ea, South Dakota customers and 98ea, North Dakota customers, The Guelph exchange serves no, South Dakota customers and 170ea, North Dakota customers, The Nelvik exchange has approximately 4ea, South Dakota customers and 62ea, North Dakota customers and The Venturia exchange serves approximately 5ea, South Dakota customers and 62ea, North Dakota customers.

Dickey Rural Telephone Cooperative submits to The South Dakota PUC a copy of Dickey Rural Telephone Cooperative's Dialing Implementation Plan and Petition for Suspension and Modification Affidavit, that will be filed with The North Dakota PSC, for the June 15 1999 hearing.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*



TC 99-0310

RECEIVED

JUN 03 1999

## PUBLIC SERVICE COMMISSION

## STATE OF NORTH DAKOTA

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSIONDickey Rural Telephone Cooperative  
DIALING PARITY IMPLEMENTATION

Case No. PU-421-99-211

## AFFIDAVIT

STATE OF NORTH DAKOTA )  
COUNTY OF Dickey ) ss.

Roger L. Johnson affirms the following statement of facts, in support of Dickey Rural Telephone Cooperative's Dialing Parity Implementation Plan and Petition for Suspension and Modification filed in conjunction with other local exchange carriers as the Rural Telephone Company Group (RTCG), under Section 251 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996 (the Act).

(Dickey Rural Telephone Cooperative is sometimes referred to in this affidavit as "this Rural Telephone Company" or as "this Company.")

1. This Rural Telephone Company has fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nationwide and qualifies for a suspension or modification of the requirements of Section 251(b)(3) of the Act.
2. Dickey Rural Telephone Cooperative provides telephone exchange service including exchange access in the following exchange areas in North Dakota:

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973 Fort Ransom  
698 Fredonia  
375 Fullerton  
783 Guelph  
685 Jud  
796 Kathryn  
762 Litchville  
669 Marion  
396 Merricourt



427 Milnor  
374 Nelvik  
432 Verona  
684 Ventura

(The number of access lines as listed is taken from the most reliable and recent compilation, the North Dakota Telephone Association 1998-99 Directory of North Dakota Telephone Companies.)

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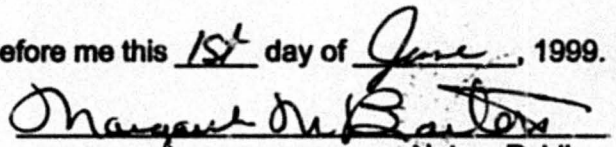
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The affiant is the general manager of Dickey Rural Telephone Cooperative and affirms the truth of the foregoing statement of facts based on his first-hand knowledge.

Dated this 1st day of June, 1999.

  
\_\_\_\_\_  
Roger L. Johnson

SUBSCRIBED AND SWORN to before me this 1st day of June, 1999.

  
\_\_\_\_\_  
Notary Public

For the State of North Dakota  
My commission expires:

MARGARET M. BARTON  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires MAY 28, 2005





TELEPHONE: 701-348-3987  
WPIS: 1-800-342-4551

## Dickey Rural Telephone Cooperative

P.O. BOX 69  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58436-0069

TC 99-0310

June 1, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**RECEIVED**

JUN 03 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Telephone Cooperative, P.O. Box 69, 9628 Highway 281 North Ellendale, North Dakota 58436 requests The SD. PUC consider mirroring of the out come of The ND. PSC hearing scheduled for 9:00 am June 15, 1999 on dialing parity.

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Dickey Rural Telephone Cooperative submits to The South Dakota PUC a copy of Dickey Rural Telephone Cooperative's Dialing Implementation Plan and Petition for Suspension and Modification Affidavit, that will be filed with The North Dakota PSC, for the June 15 1999 hearing.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*





TELEPHONE: 701-348-3987  
WPIS: 1-800-342-4551

## Dickey Rural Telephone Cooperative

P.O. BOX 69  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58436-0069

TC 99-0310

June 1, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

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JUN 03 1999

SOUTH DAKOTA PUBLIC  
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If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*



TELEPHONE 751-588-1887  
WTS 1-800-343-0308

## Dickey Rural Telephone Cooperative

PO BOX 68  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58438-0068

TC 99-0340

June 1, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

RECEIVED

JUN 03 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Telephone Cooperative, PO. Box 68, 9628 Highway 281 North Ellendale, North Dakota 58438 requests the SD. PUC consider mirroring of the outcome of The ND. PSC hearing scheduled for 9:00 am June 15, 1999 on dialing parity.

The majority of our customers and all of our dial equipment are located in North Dakota. The process of converting to IntraState Dialing Parity would be to our customers and the companies benefit if the conversion would be at the same time.

The exchange of Forbes serves approximately 33ea, South Dakota customers and 98ea, North Dakota customers. The Guelph exchange serves no, South Dakota customers and 170ea, North Dakota customers. The Helvik exchange has approximately 4ea, South Dakota customers and 62ea, North Dakota customers and The Venturia exchange serves approximately 5ea, South Dakota customers and 62ea, North Dakota customers.

Dickey Rural Telephone Cooperative submits to The South Dakota PUC a copy of Dickey Rural Telephone Cooperative's Dialing Implementation Plan and Petition for Suspension and Modification Affidavit, that will be filed with The North Dakota PSC, for the June 15 1999 hearing.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*

TC 99-030

RECEIVED

JUN 03 1999

## PUBLIC SERVICE COMMISSION

## STATE OF NORTH DAKOTA

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSIONDickey Rural Communications, Inc.  
DIALING PARITY IMPLEMENTATION

Case No. PU-1576-99-212

## AFFIDAVIT

STATE OF NORTH DAKOTA )  
COUNTY OF Dickey ) ss.

Roger L. Johnson affirms the following statement of facts, in support of Dickey Rural Communications, Inc.'s Dialing Parity Implementation Plan and Petition for Suspension and Modification filed in conjunction with other local exchange carriers as the Rural Telephone Company Group (RTCG), under Section 251 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996 (the Act).

(Dickey Rural Communications, Inc. is sometimes referred to in this affidavit as "this Rural Telephone Company" or as "this Company.")

1. This Rural Telephone Company has fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nationwide and qualifies for a suspension or modification of the requirements of Section 251(b)(3) of the Act.
2. Dickey Rural Communications, Inc. provides telephone exchange service including exchange access in the following exchange areas in North Dakota:

Total Access Lines

5,905

Exchange Prefix/Name228 Ashley  
493 Edgeley  
349 Ellendale  
724 Forman  
647 Kulm  
883 LaMoure  
742 Oakes

(The number of access lines as listed is taken from the most reliable and recent compilation, the North Dakota Telephone Association 1998-99 Directory of North Dakota Telephone Companies.)



3. This Rural Telephone Company presently provides dialing parity to telecommunications carriers that are providers of interLATA telephone toll service.
4. This Company does not presently provide dialing parity to telecommunications carriers that are providers of intraLATA telephone toll service. No provider of intraLATA telephone toll service has requested dialing parity from this Company for intraLATA calling during the period from February 8, 1996 (the date of enactment of the Act) to the present.
5. This Company presently has installed central office equipment ("hardware" and "software") that is capable of providing intraLATA dialing parity in addition to interLATA dialing parity including "full 2-PIC" features so that subscribers would have the ability by 1+ dialing to route automatically their intraLATA and interLATA toll calls to different carriers.
6. This Company is capable of administering the implementation of intraLATA toll dialing parity. However, this Company's resources, including human resources, are limited so that it is unduly economically burdensome and technically infeasible for this Company to implement intraLATA toll dialing parity (including establishing and accomplishing procedures for notification of subscribers and methods to enable subscribers to affirmatively select an intraLATA toll provider, and for interexchange carrier notification) within the July 22, 1999, deadline established by the Federal Communications Commission.
7. This Company's access rates were established by contract approved by the Commission, effective through June, 2001. (See Order in Case No. PU-314-94-688.) It is infeasible to commence and complete before July 22, 1999, the financial analysis and related procedures (including filing with the Commission and establishing procedures for billing and collecting compensation for access services), to establish a system of compensation that is compatible with a dialing parity/equal access environment.
8. As stated above, this Company does not presently provide dialing parity to telecommunications carriers that are providers of intraLATA telephone toll service and no provider of intraLATA telephone toll service has requested dialing parity from this Company for intraLATA dialing parity. In addition, this Company has received from US West, the incumbent 1+ default carrier of last resort providing intraLATA toll service to subscribers in this Company's local exchange areas, a letter stating US West "... has decided to withdraw from the toll market in ILEC [independent local exchange carrier] serving areas effective with the implementation of intraLATA equal access or by July 22, 1999, whichever is earlier."

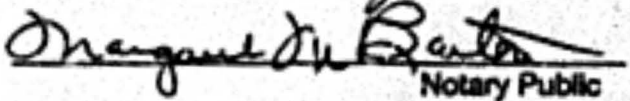
9. In these factual circumstances, it is consistent with the public convenience and necessity that the requirement for implementation of intraLATA dialing parity in this Company's local exchange areas be suspended and modified.

The affiant is the general manager of Dickey Rural Communications, Inc. and affirms the truth of the foregoing statement of facts based on his first-hand knowledge.

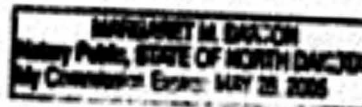
Dated this 1st day of June, 1999.

  
Roger L. Johnson

SUBSCRIBED AND SWORN to before me this 1st day of June, 1999.

  
Notary Public

For the State of North Dakota  
My commission expires:



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

<b>IN THE MATTER OF THE FILING BY DICKEY )</b>	<b>ORDER GRANTING</b>
<b>RURAL TELEPHONE COOPERATIVE AND ITS )</b>	<b>PETITION FOR</b>
<b>WHOLLY OWNED SUBSIDIARY, DICKEY )</b>	<b>SUSPENSION AND</b>
<b>RURAL COMMUNICATIONS, INC. FOR )</b>	<b>MODIFICATION IN PART</b>
<b>APPROVAL OF PETITION FOR SUSPENSION )</b>	
<b>AND MODIFICATION OF DIALING PARITY )</b>	<b>TC99-041</b>

On April 19, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed for approval of their petition for suspension and modification of dialing parity. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. each have fewer than 2% of the nation's subscriber lines installed in the aggregate. Pursuant to 47 U.S.C. § 251(f)(2), Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. petitioned the Commission for a suspension and modification of the requirement for implementation of intraLATA dialing parity in its service areas until June 30, 2000. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. stated that "[t]he grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by the FCC's 1999 Order [CC Docket No. 98-98, Order adopted March 19 and released March 23, 1999, FCC 99-54] is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intraLATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement."

The Commission requested comments on Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s petition for suspension and modification. Commission Staff recommended denying the petition.

On June 3, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed their petition for suspension and modification affidavit that they intended to file with the North Dakota Public Service Commission (NDPSC) for a June 15, 1999, hearing before the NDPSC. The companies requested that the Commission consider mirroring the outcome of the NDPSC hearing.

At its June 22, 1999, meeting, the Commission considered whether to grant the petition. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-80 and 49-31-81, ARSD 20:10:32:39, and the federal Telecommunications Act of 1996, specifically §§ 251 and 252. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. did not appear at the meeting. Commission Staff informed the Commission that the NDPSC had to delay its hearing until July so the NDPSC had not ruled on the issue yet. The Commission voted unanimously to grant Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. a suspension and



modification until September 15, 1999. The Commission finds, pursuant to SDCL 49-31-81 and section 251(f)(2), the suspension and modification is necessary to avoid imposing a requirement that is technically infeasible since Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. have not yet begun to implement dialing parity pending the ruling on their petition for suspension and modification. The Commission further finds that the suspension and modification is consistent with the public interest, convenience, and necessity. In making this determination, the Commission notes that the suspension and modification that it granted is for a shorter time period than requested by the companies. The Commission finds that the companies' request for a suspension and modification until June 30, 2000, was not adequately justified by the companies.

It is therefore

ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. are granted a suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999; and it is

FURTHER ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. shall file a dialing parity implementation plan consistent with the Commission orders issued in Docket TC99-030 and any applicable FCC orders

Dated at Pierre, South Dakota, this 22nd day of June, 1999.

<p align="center"><b>CERTIFICATE OF SERVICE</b></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>Melanie Kalbs</i></u></p> <p>Date <u>6/23/99</u></p> <p align="center">(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



*Dickey Rural Communications, Inc.*  
*Dickey Rural Enterprises, Inc.*

P.O. BOX 69  
9628 HWY. 281

• ELLENDALE, NORTH DAKOTA 58436-0069

TELEPHONE: 701-846-0887  
FAX: 1-800-342-4911

August 2, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**RECEIVED**

AUG - 4 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Communications, Inc. P.O. Box 69, 9628 Highway 281 North Ellendale, North Dakota 58436 requests The SD. PUC consider mirroring ND. PSC Case No. PU-405-99-204 issued on July 16, 1999 extending, until January 1, 2000, the suspension and modification of the requirements of dialing parity.

The majority of our customers and all of our dial equipment are located in North Dakota. The process of converting to IntraLata Dialing Parity would be to our customers and the companies benefit if the conversion would be at the same time.

The exchange of Ashley serves approximately 10ea, South Dakota customers and 697ea, North Dakota customers, The Ellendale exchange serves approximately 13ea, South Dakota customers and 1078ea, North Dakota customers, and The Forman exchange has approximately 15ea, South Dakota customers and 944ea, North Dakota customers.

Dickey Rural Communications, Inc. submits to The South Dakota PUC, a copy of Case No. PU-405-99-204, issued by The North Dakota PSC, on July 16, 1999, granting an extension until January 1, 2000 for suspension and modification of the requirements of dialing parity in The State of North Dakota.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Communications, Inc.

*Quality Service*

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Absaraka Co-operative Telephone Co., Inc.\*  
BEK Communications Cooperative\*  
BEK Communications I, Inc.\*  
Consolidated Communications Networks\*  
Consolidated Telecom, Inc.\*  
Consolidated Telephone Cooperative\*  
Dakota Central Telecommunications Coop.\*  
Dakota Central Telecom I, Inc.\*  
Dickey Rural Telephone Cooperative\*  
Dickey Rural Communications, Inc.\*  
Inter-Community Telephone Company\*  
Inter-Community Telephone Co. II\*  
North Dakota Telephone Company\*  
Northwest Communications Cooperative\*  
Polar Communications Mutual Aid Corp.\*  
Polar Telecommunications, Inc.\*  
Reservation Telephone Cooperative\*  
Turtle Mountain Communications, Inc.\*  
Udell Telephone Mutual Aid Corporation\*  
West River Telecommunications Coop.\*  
West River Communications, Inc.\*

Case No. PU-405-89-204  
Case No. PU-418-89-205  
Case No. PU-1680-89-206  
Case No. PU-1782-89-224  
Case No. PU-2013-89-208  
Case No. PU-419-89-207  
Case No. PU-1682-89-209  
Case No. PU-1683-89-210  
Case No. PU-421-89-211  
Case No. PU-1576-89-212  
Case No. PU-449-89-213  
Case No. PU-1685-89-214  
Case No. PU-1264-89-215  
Case No. PU-425-89-216  
Case No. PU-426-89-217  
Case No. PU-1727-89-218  
Case No. PU-427-89-219  
Case No. PU-1686-89-221  
Case No. PU-431-89-220  
Case No. PU-432-89-222  
Case No. PU-1540-89-223

**ORDER**

July 18, 1989

**Appearances**

Commissioners present: Bruce Hagen, Susan E. Weisold and Leo M. Reinbold.

Daniel S. Kuntz, Attorney at Law, Zuger Kimmis & Smith, P. O. Box 1695, Bismarck, North Dakota 58502-1695, and John L. Munn, Attorney at Law, 1801 California St., Suite 5100, Denver, Colorado 80202, appearing on behalf of U S WEST Communications, Inc.

Jan Sebby and Michael A. Bosh, Attorneys at Law, Pringle & Harigstad, P. O. Box 1000, Minot, North Dakota 58702-1000, appearing on behalf of Rural Telephone Company Group.



William W. Binak, Chief Counsel, North Dakota Public Service Commission, 600 East Blvd. Ave. Dept. 408, Bismarck, North Dakota 58505-0480, appearing on behalf of the Public Service Commission.

Michel L. Singer, Attorney at Law, appearing on behalf of AT&T Communications of the Midwest, Inc., 1875 Lawrence Street, Room 1575, Denver, CO 80202.

Al Wahl, Office of Administrative Hearings, 1707 North 9<sup>th</sup> Street, Lower Level, Bismarck, North Dakota 58501-1882, appearing as Administrative Law Judge.

### Preliminary Statement

On March 19, 1999, the Federal Communications Commission (FCC) adopted an order in CC Docket 98-98 FCC No. 98-54 (Order), setting forth rules for the implementation of toll dialing parity. The Order requires that, no later than April 22, 1999, all local exchange carriers (LECs) must file an IntraLATA toll dialing parity implementation plan (plan) with the state regulatory commission.

The captioned companies, members of the Rural Telephone Company Group (RTCG), filed plans with the North Dakota Public Service Commission, (Commission) and petitioned for suspension and modifications of the requirement for implementation of IntraLATA dialing parity until June 30, 2000. The RTCG also asked the Commission to suspend the enforcement of the requirement for implementation of IntraLATA dialing parity while the Commission considered final action on the petitions for suspension and modification of the toll dialing parity plans.

On May 26, 1999, the Commission granted intervenor status to AT&T Communications of the Midwest, Inc. (AT&T), MCI WorldCom, Inc., MCI Telecommunications Corporation, and U S WEST Communications, Inc. (U S WEST) in the respective cases specifically requested.

On June 15, 1999, the Commission held a formal hearing on this matter. On June 18, 1999, the Commission issued an order approving the IntraLATA toll dialing parity plans of AT&T Communications of the Midwest, Inc., Accent Communications, Inc., Griggs County Telephone Co., Midcontinent Communications, Mid-Rivers Telephone Cooperative, Inc., Midstate Telephone Co., Midstate Communications, Inc., Moore & Liberty Telephone Co., Noonan Farmers Telephone Company, U S WEST Communications, Inc., and Venture Communications, Inc. effective June 22, 1999, subject to conditions. The Commission also temporarily suspended the enforcement of the requirement for the implementation of IntraLATA dialing parity while the Commission considers its final action on the petitions for suspension and modification of the toll dialing parity plans. On June 18, 1999, the Commission ordered a further hearing concerning the petitions for suspension and modification.

The issues in these proceedings are:

1. Does the Commission have jurisdiction, or will the Commission have jurisdiction in the future, to approve any LEC plan?
2. Does each plan comply with the FCC requirements concerning:
  - (a) How each LEC will offer IntraLATA toll dialing parity for each exchange in which it operates;
  - (b) The time schedule for implementation of IntraLATA toll dialing parity;
  - (c) A proposal for timely subscriber notification and for subscribers to affirmatively select an IntraLATA toll service provider; and
  - (d) For a LEC that is not a BOC, identification of the LATA with which the LEC will associate for the purposes of providing IntraLATA and InterLATA toll dialing parity?
3. What is each LEC's specific proposal, including proposed written content, for notification of current and future customers and should the proposal be approved?
4. What is each LEC's specific proposal for carrier notification of and participation in the implementation process and schedule, and should the proposal be approved?
5. What is each LEC's specific proposal for handling requests to change carriers and should the proposal be approved?
6. What is each LEC's specific proposal for recovering the costs of implementation of IntraLATA dialing parity, including a description of the cost determination and cost recovery mechanism, and should the proposal be approved?
7. What is each LEC's specific proposal concerning the process for carrier selection by the customer after the prescription process has been completed, and should the proposal be approved?

**Additional issues for the companies requesting suspension or modification of the duty to provide toll dialing parity:**



8. Does the Commission have jurisdiction, or will the Commission have jurisdiction in the future, to grant a petition for suspension or modification of the duty to provide dialing parity?
9. Is suspension or modification of the duty to provide dialing parity necessary to avoid a significant adverse economic impact on users of telecommunications services generally?
10. Is suspension or modification of the duty to provide dialing parity necessary to allow a LEC time to rebalance access and other rates prior to the provision of intraLATA dialing parity?
11. Is suspension or modification of the duty to provide dialing parity necessary to avoid imposing a requirement that is unduly economically burdensome?
12. Is suspension or modification of the duty to provide dialing parity necessary to avoid imposing a requirement that is technically infeasible?
13. Is suspension or modification of the duty to provide dialing parity consistent with the public interest, convenience, and necessity?

On June 25, 1999, the RTCG filed an affidavit of mailing relating to affidavits of the RTCG member telephone company managers which were offered as exhibits at the June 15, 1999, hearing.

On June 25, 1999, U S WEST filed objections to the receipt of affidavits in these proceedings.

On June 28, 1999, U S WEST filed a motion and supporting brief for reconsideration of the following aspects of the Commission's June 18, 1999 order: 1) that operator assisted 0- calls requiring live operator assistance shall be provided with a competitively neutral (sp) script to inform customers that they can dial 00 to reach their pre-subscribed carrier's operator; 2) that the Commission has authority until August 1, 1999 under existing law to grant a suspension and modification under §251(f)(2) of the federal Telecommunications Act of 1996; and 3) that the record be reopened and hearing continued in the RTCG suspension proceedings.

On July 2, 1999, the RTCG filed an amended dialing parity implementation plan and petition for suspension and modification.

On July 2, 1999, the RTCG filed testimony of David Dunning, Duane Temac, and James Howard, Jr. and a pre-hearing brief.

On July 2, 1999, U S WEST filed testimony of Scott A. Macintosh and a pre-hearing brief.

On July 9, 1999, the Commission held a further hearing as scheduled. AT&T did not participate in the hearing. U S WEST and the RTCG requested a continuance to 9 a.m. on July 14, 1999 to pursue efforts at a negotiated agreement. The RTCG offered affidavits of member managers in support of its request for suspension and modification which were admitted subject to U S WEST's right to cross examine if the parties are unable to reach agreement.

On July 14, 1999, U S WEST and the RTCG members filed a Stipulation setting forth provisions concerning: 1) the future designated IntraLATA 1+ toll provider for toll traffic originating from exchanges served by the RTCG members, 2) the message toll service rates of U S WEST during the interim, and 3) the access charges during the interim. The Stipulation also provides for U S WEST's withdrawal of its intervention and opposition to the RTCG members' implementation plans for IntraLATA toll dialing parity and amended petition for suspension and modification of the Federal Communications Commission's dialing parity implementation requirements.

#### Findings of Fact

1. The RTCG plans for dialing parity as stated in RTCG's amended application are modified by the Stipulation. The RTCG plans for dialing parity are to be implemented no later than January 1, 2000.
2. The Telecommunications Act of 1996 includes provisions allowing State commissions to suspend or modify application of the requirements of dialing parity in the case of a local exchange carrier with fewer than 2 percent of the Nation's subscriber lines. Each of the RTCG companies is a local exchange carrier with fewer than 2 percent of the Nation's subscriber lines.
3. The RTCG alleges that access charges need to be revised and implemented before dialing parity/equal access is implemented (i) to avoid a significant adverse economic impact on users of telecommunications services generally, (ii) to avoid imposing a requirement that is unduly economically burdensome, and (iii) to be consistent with the public interest, convenience and necessity.
4. Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain

Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc. each filed an affidavit stating that the company resources, including human resources, are limited so that it is unduly economically burdensome and technically infeasible to implement IntraLATA toll dialing parity within the July 22, 1999, deadline established by the Federal Communications Commission.

From the foregoing Findings of Fact, the Commission makes the following:

#### Conclusions of Law

1. The Commission has jurisdiction over the parties to and the subject matter of these proceedings.

2. It is consistent with both state and federal statutes for the Commission to suspend and modify application of the requirements of dialing parity to these local exchange carriers, until January 1, 2000.

3. Each of the RTCG companies qualifies for suspension or modification of the requirements of dialing parity under this provision of federal law. 47 USC 251 (f).

4. The Stipulation filed by U S WEST and the RTCG members is acceptable.

5. RTCG Implementation of dialing parity no later than January 1, 2000, is consistent with the public interest, convenience and necessity.

6. The IntraLATA dialing parity plans of Absaroka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., should be approved, subject to conditions, and their applications for suspension and modification of the requirements of dialing parity until January 1, 2000, should be granted.

From the foregoing Findings of Fact and Conclusions of Law, the Commission makes the following:

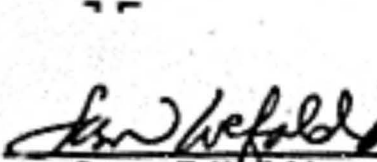
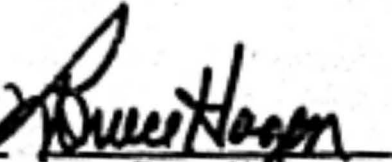
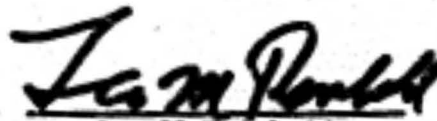


The Commission Orders:

1. The amended IntraLATA toll dialing parity implementation plans of Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telcom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telcom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., as modified by the Stipulation, are APPROVED.

2. The applications of Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telcom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telcom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., for suspension and modification of the requirements of dialing parity until January 1, 2000, subject to conditions stated in the Stipulation, are GRANTED.

PUBLIC SERVICE COMMISSION

		
Susan E. Weiland Commissioner	Bruce Hyden President	Leo M. Reinbold Commissioner

**CONCURRING OPINION**  
**Commissioner Susan E. Wefald**

July 16, 1999

Abearaka Co-operative Telephone Co. Inc.  
BEK Communications Cooperative  
BEK Communications I, Inc.  
Consolidated Communications Network  
Consolidated Telecom, Inc.  
Consolidated Telephone Cooperative  
Dakota Central Telecommunications Coop.  
Dakota Central Telecom I, Inc.  
Dickey Rural Telephone Cooperative  
Dickey Rural Communications, Inc.  
Inter-Community Telephone Company  
Inter-Community Telephone Co. II  
North Dakota Telephone Company  
Northwest Communications Cooperative  
Polar Communications Mutual Aid Corp.  
Polar Telecommunications, Inc.  
Reservation Telephone Cooperative  
Turtle Mountain Communications, Inc.  
United Telephone Mutual Aid Corporation  
West River Telecommunications Coop.  
West River Communications, Inc.

Case No. PU-405-99-204  
Case No. PU-418-99-205  
Case No. PU-1680-99-206  
Case No. PU-1762-99-224  
Case No. PU-2013-99-208  
Case No. PU-419-99-207  
Case No. PU-1682-99-209  
Case No. PU-1683-99-210  
Case No. PU-421-99-211  
Case No. PU-1576-99-212  
Case No. PU-449-99-213  
Case No. PU-1685-99-214  
Case No. PU-1264-99-215  
Case No. PU-425-99-216  
Case No. PU-426-99-217  
Case No. PU-1727-99-218  
Case No. PU-427-99-219  
Case No. PU-1686-99-221  
Case No. PU-431-99-220  
Case No. PU-432-99-222  
Case No. PU-1540-99-223

These cases, and the stipulation for dismissal that is referred to in these cases, have very important impacts for the customers of these telecommunications companies.

First, approximately 100,000 rural telephone customers will continue to have intralata long distance service as usual. However, in the next few months, these customers will first have a new designated carrier and before January 1, 2000, they will have a choice of intralata long distance carriers. The customers of the rural companies deserve to have a lot of information about these changes in their long distance telephone service.

The Commission laid out customer notice requirements, before customers have a choice of intralata long distance carriers, in its June 18<sup>th</sup> order on Dialing Parity. The dismissal stipulation says that the rural companies will comply with the ordering paragraphs 3-18 of that order, which includes these notification requirements.

The stipulation of dismissal, section 4 states that "U S WEST and each RTCG member will jointly notify, at the expense of the RTCG member, the local exchange

customers of the RTCG, in a written notice approved by both parties, of the change of designated carrier for the RTCG exchanges where U S WEST is currently the 1+ designated carrier." The stipulation does not say that this notice will notify the customers before the change takes place. It is so important that customers receive information about changes in carriers and price information before these changes take place. I hope that the companies involved make certain that customers receive information about price and carrier changes before customers see this information on their bill.

Second, these cases also should have important implications for U S WEST customers. U S WEST has decided not to carry originating calls for the customers of these rural companies after the next few months. This will save U S WEST quite a bit of money since US WEST will not have to pay the higher originating access rates that these companies have been charging.

The savings that U S WEST will experience over the next few months will either result in higher profits for U S WEST or in cheaper prices for U S WEST's remaining intralata long distance customers or both. These reductions that U S WEST could make in its long distance prices are separate from the reductions that it will be required to make as a result of allowed basic local service price increases in Senate Bill 2420.

Another important part of this dismissal stipulation is contained in section 6. The rural companies involved will be filing revised interim access charges with the Commission during the next few months. These will be subject to review and approval by the Commission. These access charge filings are very important to rural customers, because they will be a major factor in the price of their intralata long distance service.

Many rural people use more intralata long distance than urban customers because they need to reach businesses and government services which are located outside their local calling areas. Once rural customers have more choice in their intralata carrier, which will occur before January 1, 2000, they should be able to get better prices on their intralata long distance.

  
Susan E. Wefald, Commissioner





TELEPHONE 704-342-8887  
FAX 1-800-342-8881

## Dickey Rural Telephone Cooperative

P.O. BOX 69  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58436-0069

August 2, 1999

South Dakota Public Service Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

RECEIVED

AUG - 4 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Dialing Parity Implementation.

Dear Commissioners:

Dickey Rural Telephone Cooperative, P.O. Box 69, 9628 Highway 281 North Ellendale, North Dakota 58436 requests The SD. PUC consider mirroring ND. PSC Case No. PU-405-99-204 issued on July 16, 1999 extending, until January 1, 2000, the suspension and modification of the requirements of dialing parity.

The majority of our customers and all of our dial equipment are located in North Dakota. The process of converting to IntraLata Dialing Parity would be to our customers and the companies benefit if the conversion would be at the same time.

The exchange of Forbes serves approximately 33ea, South Dakota customers and 98ea, North Dakota customers, The Guelph exchange serves no, South Dakota customers and 170ea, North Dakota customers, The Melvik exchange has approximately 4ea, South Dakota customers and 62ea, North Dakota customers and The Venturia exchange serves approximately 5ea, South Dakota customers and 62ea, North Dakota customers.

Dickey Rural Telephone Cooperative submits to The South Dakota PUC a copy of Case No. PU-405-99-204, issued by The North Dakota PSC, on July 16, 1999, granting an extension until January 1, 2000 for suspension and modification of the requirements of dialing parity in The State of North Dakota.

If you have any questions or need more information please contact us.

Thank you for your consideration of this request.

Sincerely,

Roger L. Johnson  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Abcarrar Co-operative Telephone Co., Inc.\***  
**BEK Communications Cooperative\***  
**BEK Communications I, Inc.\***  
**Consolidated Communications Networks\***  
**Consolidated Telecom, Inc.\***  
**Consolidated Telephone Cooperative\***  
**Dakota Central Telecommunications Coop.\***  
**Dakota Central Telecom I, Inc.\***  
**Dickey Rural Telephone Cooperative\***  
**Dickey Rural Communications, Inc.\***  
**Inter-Community Telephone Company\***  
**Inter-Community Telephone Co. II\***  
**North Dakota Telephone Company\***  
**Northwest Communications Cooperative\***  
**Polar Communications Mutual Aid Corp.\***  
**Polar Telecommunications, Inc.\***  
**Reservation Telephone Cooperative\***  
**Turtle Mountain Communications, Inc.\***  
**United Telephone Mutual Aid Corporation\***  
**West River Telecommunications Coop.\***  
**West River Communications, Inc.\***

**Case No. PU-405-89-204**  
**Case No. PU-418-89-205**  
**Case No. PU-1680-89-206**  
**Case No. PU-1762-89-224**  
**Case No. PU-2013-00-208**  
**Case No. PU-419-89-207**  
**Case No. PU-1682-89-209**  
**Case No. PU-1683-89-210**  
**Case No. PU-421-89-211**  
**Case No. PU-1576-89-212**  
**Case No. PU-449-89-213**  
**Case No. PU-1685-89-214**  
**Case No. PU-1264-89-215**  
**Case No. PU-425-89-216**  
**Case No. PU-426-89-217**  
**Case No. PU-1727-89-218**  
**Case No. PU-427-89-219**  
**Case No. PU-1686-89-221**  
**Case No. PU-431-89-220**  
**Case No. PU-432-89-222**  
**Case No. PU-1640-89-223**

**ORDER**

**July 16, 1999**

**Appearances**

**Commissioners present: Bruce Hagen, Susan E. Wefald and Leo M. Reinbold.**

**Daniel S. Kuntz, Attorney at Law, Zuger Kirmis & Smith, P. O. Box 1695, Bismarck, North Dakota 58502-1695, and John L. Munn, Attorney at Law, 1801 California St., Suite 5100, Denver, Colorado 80202, appearing on behalf of U G WEST Communications, Inc.**

**Jani Sebby and Michael A. Bosh, Attorneys at Law, Pringle & Herigstad, P. O. Box 1000, Minot, North Dakota 58702-1000, appearing on behalf of Rural Telephone Company Group.**

William W. Binek, Chief Counsel, North Dakota Public Service Commission, 600 East Blvd. Ave. Dept. 408, Bismarck, North Dakota 58505-0480, appearing on behalf of the Public Service Commission.

Michel L. Singer, Attorney at Law, appearing on behalf of AT&T Communications of the Midwest, Inc., 1875 Lawrence Street, Room 1575, Denver, CO 80202.

Al Wahl, Office of Administrative Hearings, 1707 North 9<sup>th</sup> Street, Lower Level, Bismarck, North Dakota 58501-1882, appearing as Administrative Law Judge.

### Preliminary Statement

On March 19, 1999, the Federal Communications Commission (FCC) adopted an order in CC Docket 95-98, FCC No. 99-54 (Order), setting forth rules for the implementation of toll dialing parity. The Order requires that, no later than April 22, 1999, all local exchange carriers (LECs) must file an IntraLATA toll dialing parity implementation plan (plan) with the state regulatory commission.

The captioned companies, members of the Rural Telephone Company Group (RTCG), filed plans with the North Dakota Public Service Commission, (Commission) and petitioned for suspension and modifications of the requirement for implementation of IntraLATA dialing parity until June 30, 2000. The RTCG also asked the Commission to suspend the enforcement of the requirement for implementation of IntraLATA dialing parity while the Commission considered final action on the petitions for suspension and modification of the toll dialing parity plans.

On May 26, 1999, the Commission granted intervenor status to AT&T Communications of the Midwest, Inc. (AT&T), MCI WorldCom, Inc., MCI Telecommunications Corporation, and U S WEST Communications, Inc. (U S WEST) in the respective cases specifically requested.

On June 15, 1999, the Commission held a formal hearing on this matter. On June 18, 1999, the Commission issued an order approving the IntraLATA toll dialing parity plans of AT&T Communications of the Midwest, Inc., Accent Communications, Inc., Griggs County Telephone Co., Midcontinent Communications, Mid-Rivers Telephone Cooperative, Inc., Midstate Telephone Co., Midstate Communications, Inc., Moore & Liberty Telephone Co., Noonan Farmers Telephone Company, U S WEST Communications, Inc., and Venture Communications, Inc. effective June 22, 1999, subject to conditions. The Commission also temporarily suspended the enforcement of the requirement for the implementation of IntraLATA dialing parity while the Commission considers its final action on the petitions for suspension and modification of the toll dialing parity plans. On June 18, 1999, the Commission ordered a further hearing concerning the petitions for suspension and modification.

The issues in these proceedings are:



1. Does the Commission have jurisdiction, or will the Commission have jurisdiction in the future, to approve any LEC plan?
2. Does each plan comply with the FCC requirements concerning:
  - (a) How each LEC will offer IntraLATA toll dialing parity for each exchange in which it operates;
  - (b) The time schedule for implementation of IntraLATA toll dialing parity;
  - (c) A proposal for timely subscriber notification and for subscribers to affirmatively select an IntraLATA toll service provider; and
  - (d) For a LEC that is not a BOC, identification of the LATA with which the LEC will associate for the purposes of providing IntraLATA and InterLATA toll dialing parity?
3. What is each LEC's specific proposal, including proposed written content, for notification of current and future customers and should the proposal be approved?
4. What is each LEC's specific proposal for carrier notification of and participation in the implementation process and schedule, and should the proposal be approved?
5. What is each LEC's specific proposal for handling requests to change carriers and should the proposal be approved?
6. What is each LEC's specific proposal for recovering the costs of implementation of IntraLATA dialing parity, including a description of the cost determination and cost recovery mechanism, and should the proposal be approved?
7. What is each LEC's specific proposal concerning the process for carrier selection by the customer after the presubscription process has been completed, and should the proposal be approved?

Additional issues for the companies requesting suspension or modification of the duty to provide toll dialing parity:

8. Does the Commission have jurisdiction, or will the Commission have jurisdiction in the future, to grant a petition for suspension or modification of the duty to provide dialing parity?
9. Is suspension or modification of the duty to provide dialing parity necessary to avoid a significant adverse economic impact on users of telecommunications services generally?
10. Is suspension or modification of the duty to provide dialing parity necessary to allow a LEC time to rebalance access and other rates prior to the provision of intraLATA dialing parity?
11. Is suspension or modification of the duty to provide dialing parity necessary to avoid imposing a requirement that is unduly economically burdensome?
12. Is suspension or modification of the duty to provide dialing parity necessary to avoid imposing a requirement that is technically infeasible?
13. Is suspension or modification of the duty to provide dialing parity consistent with the public interest, convenience, and necessity?

On June 25, 1999, the RTCG filed an affidavit of mailing relating to affidavits of the RTCG member telephone company managers which were offered as exhibits at the June 15, 1999, hearing.

On June 25, 1999, U S WEST filed objections to the receipt of affidavits in these proceedings.

On June 28, 1999, U S WEST filed a motion and supporting brief for reconsideration of the following aspects of the Commission's June 18, 1999 order: 1) that operator assisted 0- calls requiring live operator assistance shall be provided with a competitively neutral (sp) script to inform customers that they can dial 00 to reach their presubscribed carrier's operator; 2) that the Commission has authority until August 1, 1999 under existing law to grant a suspension and modification under §251(f)(2) of the federal Telecommunications Act of 1996; and 3) that the record be reopened and hearing continued in the RTCG suspension proceedings.

On July 2, 1999, the RTCG filed an amended dialing parity implementation plan and petition for suspension and modification.

On July 2, 1999, the RTCG filed testimony of David Dunning, Duane Torres, and James Howard, Jr. and a pre-hearing brief.

On July 2, 1999, U S WEST filed testimony of Scott A. Macintosh and a pre-hearing brief.

On July 9, 1999, the Commission held a further hearing as scheduled. AT&T did not participate in the hearing. U S WEST and the RTCG requested a continuance to 9 a.m. on July 14, 1999 to pursue efforts at a negotiated agreement. The RTCG offered affidavits of member managers in support of its request for suspension and modification which were admitted subject to U S WEST's right to cross examine if the parties are unable to reach agreement.

On July 14, 1999, U S WEST and the RTCG members filed a Stipulation setting forth provisions concerning: 1) the future designated intraLATA 1+ toll provider for toll traffic originating from exchanges served by the RTCG members, 2) the message toll service rates of U S WEST during the interim, and 3) the access charges during the interim. The Stipulation also provides for U S WEST's withdrawal of its intervention and opposition to the RTCG members' implementation plans for intraLATA toll dialing parity and amended petition for suspension and modification of the Federal Communications Commission's dialing parity implementation requirements.

#### Findings of Fact

1. The RTCG plans for dialing parity as stated in RTCG's amended application are modified by the Stipulation. The RTCG plans for dialing parity are to be implemented no later than January 1, 2000.
2. The Telecommunications Act of 1996 includes provisions allowing State commissions to suspend or modify application of the requirements of dialing parity in the case of a local exchange carrier with fewer than 2 percent of the Nation's subscriber lines. Each of the RTCG companies is a local exchange carrier with fewer than 2 percent of the Nation's subscriber lines.
3. The RTCG alleges that access charges need to be revised and implemented before dialing parity/equal access is implemented (i) to avoid a significant adverse economic impact on users of telecommunications services generally, (ii) to avoid imposing a requirement that is unduly economically burdensome, and (iii) to be consistent with the public interest, convenience and necessity.
4. Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain



Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc. each filed an affidavit stating that the company resources, including human resources, are limited so that it is unduly economically burdensome and technically infeasible to implement intraLATA toll dialing parity within the July 22, 1999, deadline established by the Federal Communications Commission.

From the foregoing Findings of Fact, the Commission makes the following:

#### Conclusions of Law

1. The Commission has jurisdiction over the parties to and the subject matter of these proceedings.
2. It is consistent with both state and federal statutes for the Commission to suspend and modify application of the requirements of dialing parity to these local exchange carriers, until January 1, 2000.
3. Each of the RTCG companies qualifies for suspension or modification of the requirements of dialing parity under this provision of federal law. 47 USC 251 (f).
4. The Stipulation filed by U S WEST and the RTCG members is acceptable.
5. RTCG implementation of dialing parity no later than January 1, 2000, is consistent with the public interest, convenience and necessity.
6. The intraLATA dialing parity plans of Absaroka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., should be approved, subject to conditions, and their applications for suspension and modification of the requirements of dialing parity until January 1, 2000, should be granted.

From the foregoing Findings of Fact and Conclusions of Law, the Commission makes the following:

Order

The Commission Orders:

1. The amended IntraLATA toll dialing parity implementation plans of Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., as modified by the Stipulation, are APPROVED.

2. The applications of Absaraka Co-operative Co., Inc., BEK Communications Cooperative, BEK Communications I, Inc., Consolidated Communications Networks, Consolidated Telecom, Inc., Consolidated Telephone Cooperative, Dakota Central Telecommunications Coop., Dakota Central Telecom I, Inc., Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc., Inter-Community Telephone Company, Inter-Community Telephone Co. II, North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corp., Polar Telecommunications, Inc., Reservation Telephone Cooperative, Turtle Mountain Communications, Inc., United Telephone Mutual Aid Corporation, West River Telecommunications Coop., and West River Communications, Inc., for suspension and modification of the requirements of dialing parity until January 1, 2000, subject to conditions stated in the Stipulation, are GRANTED.

PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Bruce Hagen President	Leo M. Reinbold Commissioner

**CONCURRING OPINION**  
**Commissioner Susan E. Wefald**

July 16, 1999

Absaraka Co-operative Telephone Co. Inc.  
BEK Communications Cooperative  
BEK Communications I, Inc.  
Consolidated Communications Network  
Consolidated Telecom, Inc.  
Consolidated Telephone Cooperative  
Dakota Central Telecommunications Coop.  
Dakota Central Telecom I, Inc.  
Dickey Rural Telephone Cooperative  
Dickey Rural Communications, Inc.  
Inter-Community Telephone Company  
Inter-Community Telephone Co. II  
North Dakota Telephone Company  
Northwest Communications Cooperative  
Polar Communications Mutual Aid Corp.  
Polar Telecommunications, Inc.  
Reservation Telephone Cooperative  
Turtle Mountain Communications, Inc.  
United Telephone Mutual Aid Corporation  
West River Telecommunications Coop.  
West River Communications, Inc.

Case No. PU-405-99-204  
Case No. PU-418-99-205  
Case No. PU-1680-99-206  
Case No. PU-1762-99-224  
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Case No. PU-1683-99-210  
Case No. PU-421-99-211  
Case No. PU-1576-99-212  
Case No. PU-449-99-213  
Case No. PU-1685-99-214  
Case No. PU-1284-99-215  
Case No. PU-425-99-216  
Case No. PU-426-99-217  
Case No. PU-1727-99-218  
Case No. PU-427-99-219  
Case No. PU-1686-99-221  
Case No. PU-431-99-220  
Case No. PU-432-99-222  
Case No. PU-1540-99-223

These cases, and the stipulation for dismissal that is referred to in these cases, have very important impacts for the customers of these telecommunications companies.

First, approximately 100,000 rural telephone customers will continue to have intralata long distance service as usual. However, in the next few months, these customers will first have a new designated carrier and before January 1, 2000, they will have a choice of intralata long distance carriers. The customers of the rural companies deserve to have a lot of information about these changes in their long distance telephone service.

The Commission laid out customer notice requirements, before customers have a choice of intralata long distance carriers, in its June 18<sup>th</sup> order on Dialing Parity. The dismissal stipulation says that the rural companies will comply with the ordering paragraphs 3-18 of that order, which includes these notification requirements.

The stipulation of dismissal, section 4 states that "U S WEST and each RTCG member will jointly notify, at the expense of the RTCG member, the local exchange



customers of the RTCG, in a written notice approved by both parties, of the change of designated carrier for the RTCG exchanges where U S WEST is currently the 1+ designated carrier." The stipulation does not say that this notice will notify the customers before the change takes place. It is so important that customers receive information about changes in carriers and price information before these changes take place. I hope that the companies involved make certain that customers receive information about price and carrier changes before customers see this information on their bill.

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The savings that U S WEST will experience over the next few months will either result in higher profits for U S WEST or in cheaper prices for U S WEST's remaining intralata long distance customers or both. These reductions that U S WEST could make in its long distance prices are separate from the reductions that it will be required to make as a result of allowed basic local service price increases in Senate Bill 2420.

Another important part of this dismissal stipulation is contained in section 6. The rural companies involved will be filing revised interim access charges with the Commission during the next few months. These will be subject to review and approval by the Commission. These access charge filings are very important to rural customers, because they will be a major factor in the price of their intralata long distance service.

Many rural people use more intralata long distance than urban customers because they need to reach businesses and government services which are located outside their local calling areas. Once rural customers have more choice in their intralata carrier, which will occur before January 1, 2000, they should be able to get better prices on their intralata long distance.

  
Susan E. Wefald, Commissioner

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

IN THE MATTER OF THE FILING BY DICKEY )	ORDER GRANTING
RURAL TELEPHONE COOPERATIVE AND ITS )	PETITION FOR
WHOLLY OWNED SUBSIDIARY, DICKEY )	SUSPENSION AND
RURAL COMMUNICATIONS, INC. FOR )	MODIFICATION IN PART
APPROVAL OF PETITION FOR SUSPENSION )	
AND MODIFICATION OF DIALING PARITY )	TC99-041

On April 19, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed for approval of their petition for suspension and modification of dialing parity. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. each have fewer than 2% of the nation's subscriber lines installed in the aggregate. Pursuant to 47 U.S.C. § 251(f)(2), Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. petitioned the Commission for a suspension and modification of the requirement for implementation of intraLATA dialing parity in its service areas until June 30, 2000. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. stated that "[t]he grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by the FCC's 1999 Order [CC Docket No. 96-98, Order adopted March 19 and released March 23, 1999, FCC 99-54] is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intraLATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement."

The Commission requested comments on Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s petition for suspension and modification. Commission Staff recommended denying the petition.

On June 3, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed their petition for suspension and modification affidavit that they intended to file with the North Dakota Public Service Commission (NDPSC) for a June 15, 1999, hearing before the NDPSC. The companies requested that the Commission consider mirroring the outcome of the NDPSC hearing.

At its June 22, 1999, meeting, the Commission considered whether to grant the petition. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-80 and 49-31-81, ARSD 20:10:32-39, and the federal Telecommunications Act of 1996, specifically §§ 251 and 252. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. did not appear at the meeting. Commission Staff informed the Commission that the NDPSC had to delay its hearing until July so the NDPSC had not ruled on the issue yet. The Commission voted unanimously to grant Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. a suspension and

modification until September 15, 1999. The Commission found, pursuant to SDCL 49-31-81 and section 251(f)(2), the suspension and modification was necessary to avoid imposing a requirement that was technically infeasible since Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. had not yet begun to implement dialing parity pending the ruling on their petition for suspension and modification. The Commission further found that the suspension and modification was consistent with the public interest, convenience, and necessity. In making this determination, the Commission noted that the suspension and modification that it granted was for a shorter time period than requested by the companies. The Commission found that the companies' request for a suspension and modification until June 30, 2000, was not adequately justified by the companies.

On August 4, 1999, the Commission received a letter from Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc., requesting the Commission to consider mirroring the North Dakota Public Service Commission order issued July 16, 1999, extending, until January 1, 2000, the suspension and modification of the requirements of dialing parity. At its regularly scheduled meeting on August 17, 1999, the Commission considered this request. Commission Staff recommended that the Commission grant the request and require the companies to file a dialing parity plan by November 15, 1999. The Commission unanimously voted to grant the request to mirror the North Dakota Public Service Commission's order No. PU-405-99-204 extending until January 1, 2000, the suspension and modification of the requirements of dialing parity. The Commission also required the companies to file a dialing parity plan by November 15, 1999. It is therefore

ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. are granted a suspension and modification of the requirement for implementing intraLATA dialing parity until January 1, 2000; and it is

FURTHER ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. shall file by November 15, 1999, a dialing parity implementation plan consistent with the Commission orders issued in Docket TC99-030 and any applicable FCC orders.

Dated at Pierre, South Dakota, this 26th day of August, 1999.

<p align="center"><b>CERTIFICATE OF SERVICE</b></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>Served by <u>Sharon Kaebe</u></p> <p>Date <u>8/27/99</u></p> <p align="center">(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





TELEPHONE: 784-3415-3487  
TOLL: 1-800-343-4719

*Dickey Rural Telephone Cooperative*

PO BOX 69  
HIGHWAY 281 NORTH

ELLENDALE, NORTH DAKOTA 58435-0069

RECEIVED

SEP 25 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

September 24, 1999

South Dakota Public Utilities Commission  
State Capitol Building  
William Bullard Jr., Executive Director  
500 East Capitol Avenue  
Pierre, SD 57501-5070

RE: Intralata Toll Dialing Parity

Dear Mr. William Bullard Jr.:

Dickey Rural Telephone Cooperative, PO Box 69, 9628 Highway 281 North Ellendale, North Dakota 58436 respectfully requests the SD Public Utilities Commission consider mirroring the Intralata Dialing Parity Plans as filed with the ND Public Service Commission, ND PUC Case No. PU-421-99-211.

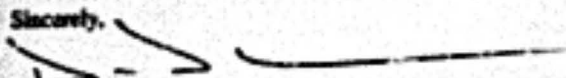
You will find enclosed one original and 10 copies of the plan filed for the South Dakota Public Utilities Commission and one copy of the plan as filed in North Dakota with the North Dakota PSC.

With only 44 of our 2,654 subscribers being located in South Dakota and all of our dialing equipment being located in North Dakota, we feel the mirroring of plans would be in the best interest of our subscribers.

Should you have any questions or need additional information please contact us.

Again, we respectfully request the SD PUC consider mirroring the plans. Thank you for your time and consideration of this matter.

Sincerely,

  
Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative

*Quality Service*

Dickey Rural Telephone Cooperative  
Intralata Dialing Parity Implementation Plan

Dickey Rural Telephone Cooperative submits this implementation plan for intralATA dialing parity (the Plan) pursuant to 47 C.F.R. 51.213 FCC Order 99-54, and South Dakota Public Utilities Commission Docket TC99-030. The purpose of the Plan is to provide information to the Commission on how and when Dickey Rural will convert to intralATA dialing parity. The provisioning of this capability will allow customers to select a long distance carrier to handle their intralATA 1 + calls.

1. Company name and address:

Dickey Rural Telephone Cooperative  
P.O. BOX 69  
Ellendale, ND 58436

2. Associated LATA:

Fargo/Brainerd LATA / LATA 636

3. Description of offering:

Dickey Rural Telephone Cooperative will offer intralATA dialing parity through the full 2-PIC method of presubscription that allows a customer to presubscribe to one long distance carrier for all 1 + intralATA toll calls and to presubscribe to the same or to another long distance carrier for all 1 + interLATA toll calls.

4. Included local exchange areas and conversion date:

intralATA toll dialing parity will be available in the following local exchange areas beginning November 25, 1999.

<u>Exchanges</u>	<u>NPA/NXX</u>
Orte	753
Dickey	778
Forbes	701-337 / 605-338
Fort Ransom	973
Frederick	698
Fullerton	375
Geary	701-783 / 605-383
Jed	685
Kathryn	796
Litchville	752
Marion	669
Merrick	396
Milner	427
Nelvik	701-374 / 605-379
Vestula	701-484 / 605-487
Vonnes	432

5. Interexchange carrier notification:

All carriers currently offering interLATA long distance services to Dickey Rural Telephone Cooperative customers will be notified by October 5, 1999, of the conversion to intraLATA toll dialing parity. These carriers will be asked to respond by November 1, 1999, if they want to participate in the intraLATA toll presubscription process. For those carriers choosing to participate in the presubscription process information regarding customer choices will be forwarded to the participating carriers through the "Customer Account Record Exchange" (CARE) process this is already in place.

6. Customer notifications:

A. Current Customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by November 12, 1999. Included in this letter will be a list of participating carriers. In this letter, customers will be advised that they may choose an intraLATA 1+ carrier from the list of participating carriers, or they may do nothing, in which case they will be assigned to North Dakota Long Distance, their previous designated carrier. Enclosed with the customer notification letter will be a customer response form. Customers will be advised to fill out and return the response form if they choose a carrier other than their designated carrier, North Dakota Long Distance. Based on the customer response forms and any letters of agency received directly from participating carriers, Dickey Rural will execute all necessary carrier selection change as of November 24, 1999. Customers will not be charged for making any change to their intraLATA 1+ carrier selection during the presubscription process. In addition, customers will be advised that they will be given a 60 day grace period after the implementation date to change their intraLATA 1+ carrier, on time, at no charge. After the 60 day grace period, a one-time \$5.00 charge will apply to such a change, just as it does today for making an interLATA 1+ carrier change.

B. New Customers:

New customers applying for local service from Dickey Rural Telephone Cooperative after November 12, 1999, will be asked to choose both an interLATA and intraLATA carrier. They will be advised that this may or may not be the same carrier and will choose from the respective lists of participating carriers. Lists used by customer service representatives will contain participating carriers' names in random order. Upon customers request, customer service representatives will provide contact telephone numbers for customers to use in contacting carriers. Customers applying for service will be encouraged to make carrier selections and will be advised that neither intraLATA 1+ nor interLATA 1+ calls can be made from their local line until selections are made. Until selections are made, customers will have to dial a carrier access code to make 1+ calls.



7. Request for approval of plan:

Dickey Rural Telephone Cooperative asks that the Commission grant its official approval of this plan.

Sincerely,

W

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative

November 12, 1999

Dear Customer:

Dickey Rural Telephone Cooperative will be making changes effective November 25, 1999 that will allow you to choose a different 1+ provider of long distance service within your LATA (Local Access and Transport Area). (See attached map). Calls that originate and terminate within the outlined portions of this map are referred to as intraLATA calls. Calls that cross these LATA boundaries are referred to as interLATA calls.

If you wish to choose a long distance carrier from the attached list for calls within the LATA, please fill out the enclosed response form and mail or bring it to our office by November 22, 1999. If you do nothing, North Dakota Long Distance will become your intraLATA long distance provider.

In the coming months, companies that plan to offer long distance service within your LATA may contact you through telemarketing, advertising, or direct mail. The information provided may help you make your choice since each company's rates, plans and policies differ.

There is a 60 day grace period during which time you may decide to change your intraLATA carrier at no charge. After January 24, 2000, you will incur a \$5.00 Primary Interexchange Carrier (PIC) change charge for changing carriers. If you wish to protect your account from future unauthorized changes to your intraLATA long distance carrier choice, commonly referred to as a "PIC freeze", you must contact your local telephone company at 701-349-3687 or 1-800-342-4551.

Please call our office at the above telephone numbers if you have any questions on this matter.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative

Enclosure

*This letter has been approved by the South Dakota Public Utilities Commission*

**List of Participating Long Distance Carriers**



Dickay Rural Telephone Cooperative  
Intralata Long Distance Service  
Customer Response Form

Please Print

Billing Name \_\_\_\_\_

Billing Address \_\_\_\_\_

Please change my long distance company for intraLATA 1+ calling.

Telephone Number(s)

Carrier Name

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature (Required) \_\_\_\_\_

Date (Required) \_\_\_\_\_

NOTE: YOU DO NOT HAVE TO RETURN THIS FORM IF YOU WANT NORTH DAKOTA  
LONG DISTANCE TO BECOME YOUR INTRALATA LONG DISTANCE CARRIER.

Date: October 5, 1999

To: Interexchange Carriers providing InterLata Long Distance Services to Dickey Rural

From: Dickey Rural Telephone Cooperative and Subsidiary  
P.O. Box 69  
Ellendale, ND 58436  
Fax: 701-783-4300

RE: IntraLATA Dialing Parity Implementation

Dickey Rural Telephone Cooperative and its subsidiary Dickey Rural Communications provide local exchange service to approximately 8,600 customers in the following exchanges in North and South Dakota:

<u>End Office</u>	<u>NPA/NXX</u>	<u>End Office</u>	<u>NPA/NXX</u>
Crete	753	Milnor	427
Dickey	778	Netvik	701-374 / 605-379
Forbes	701-357 / 605-358	Venturia	701-684 / 605-687
Fort Ransom	973	Vernon	701-432
Fredonia	698	Aahley	701-288 / 605-289
Fulcrton	375	Ellendale	701-349 / 605-344
Guelph	701-783 / 605-383	Osles	742
Jad	685	LaMoure	883
Kathryn	796	Edgeley	493
Litchville	762	Forman	701-724 / 605-735
Marion	660	Kulm	647
Merricourt	396		

On November 25, 1999, Dickey Rural Telephone Cooperative and its Subsidiary will implement intraLata dialing parity/equal access. If you are interested in providing intraLATA equal access in any or all of the above exchanges, please notify us in writing or fax at the above address by November 1, 1999. (see attached). Appropriate ASR's will need to be received within this timeframe also.

Dickey Rural will work closely with all carriers of record expressing an interest in being an intralata carrier. If you have questions, you may contact Margaret Barton at 701-349-3687.

Sincerely,

Darren D. Mueller  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary



**START**

**OF**

**RETAKE**

Dickey Rural will work closely with all carriers of record expressing an interest in being an intralata carrier. If you have questions, you may contact Margaret Barton at 701-349-3687.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary

Dickey Rural will work closely with all carriers of record expressing an interest in being an intralata carrier. If you have questions, you may contact Margaret Barton at 701-349-3687.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary



Please fill out form and return to Dickey Rural via Fax or Mail.

\_\_\_\_\_ elects to be an intraLATA toll provider in the Dickey Rural's service  
(Carrier Name and CIC Code)  
areas noted below.

Crete	701-753	_____ YES	_____ NO
Dickey	701-778	_____ YES	_____ NO
Forbes	701-757 / 605-358	_____ YES	_____ NO
Fort Ransom	701-973	_____ YES	_____ NO
Fredonia	701-698	_____ YES	_____ NO
Fullerton	701-375	_____ YES	_____ NO
Guthrie	701-783 / 605-383	_____ YES	_____ NO
Jud	701-685	_____ YES	_____ NO
Kathryn	701-796	_____ YES	_____ NO
Litchville	701-762	_____ YES	_____ NO
Marion	701-669	_____ YES	_____ NO
Merricourt	701-396	_____ YES	_____ NO
Milnor	701-427	_____ YES	_____ NO
Nehalem	701-374 / 605-374	_____ YES	_____ NO
Venturia	701-684 / 605-689	_____ YES	_____ NO
Verona	701-432	_____ YES	_____ NO
Ashley	701-274 / 605-289	_____ YES	_____ NO
Ellendale	701-349 / 605-346	_____ YES	_____ NO
Oakes	701-742	_____ YES	_____ NO
Lakewood	701-843	_____ YES	_____ NO
Edgemoor	701-493	_____ YES	_____ NO
Forman	701-724 / 605-735	_____ YES	_____ NO
Kahn	701-647	_____ YES	_____ NO

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**END**

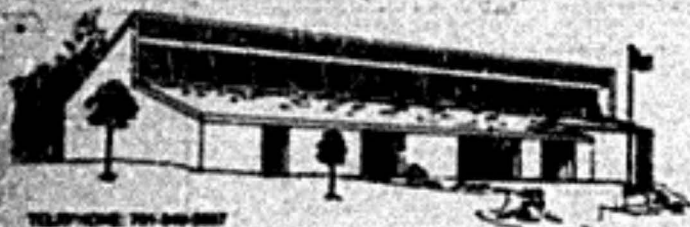
**OF**

**RETAKE**

Dickey Rural Telephone Cooperative and Subsidiary  
Intralata Dialing Parity Timeline

Carrier notification completed by	October 5, 1999
Carrier Response due by	November 1, 1999
Customer notification completed by	November 12, 1999
Customer response due by	November 22, 1999
IntraLATA dialing parity implementation date	November 25, 1999
End of 60 day grace period	January 24, 2000





TELEPHONE: 701-840-8887  
TOLL: 1-800-342-4881

*TC99-041*  
~~TELEPHONE~~  
*Dickey Rural Communications, Inc.*  
*Dickey Rural Enterprises, Inc.*

P.O. BOX 69  
9628 HWY. 281 • ELLENDALE, NORTH DAKOTA 58435-0069

September 24, 1999

South Dakota Public Utilities Commission  
State Capitol Building  
William Bullard Jr., Executive Director  
500 East Capitol Avenue  
Pierre, SD 57501-5070

**RECEIVED**

SEP 29 1999

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

RE: Intrastate Toll Dialing Parity

Dear Mr. William Bullard Jr.:

Dickey Rural Communications, PO Box 69, 9628 Highway 281 North Ellendale, North Dakota 58435  
we respectfully request the SD Public Utilities Commission consider mirroring the Intrastate Dialing Parity  
Plans as filed with the ND Public Service Commission, ND PUC Case No. PU-1754-99-212.


You will find enclosed one original and 10 copies of the plan filed for the South Dakota Public Utilities  
Commission and one copy of the plan as filed in North Dakota with the North Dakota PSC.

With only 36 of our 6,064 subscribers being located in South Dakota and all of our dialing equipment being  
located in North Dakota, we feel the mirroring of plans would be in the best interest of our subscribers.

Should you have any questions or need additional information please contact us.

Again, we respectfully request the SD PUC consider mirroring the plans. Thank you for your time and  
consideration of this matter.

Sincerely,

  
Dave D. Mow  
General Manager  
Dickey Rural Communications, Inc.

Dickey Rural Communications, Inc.  
Intralata Dialing Parity Implementation Plan

Dickey Rural Communications, Inc. submits this implementation plan for intralATA dialing parity (the Plan) pursuant to 47 C.F.R. 51.211, FCC Order 99-54, and South Dakota Public Utilities Commission Docket TC99-030. The purpose of the Plan is to provide information to the Commission on how and when Dickey Rural will convert to intralATA dialing parity. The provisioning of this capability will allow customers to select a long distance carrier to handle their intralATA 1 + calls.

1. Company name and address:

Dickey Rural Communications, Inc.  
P.O. BOX 69  
Ellendale, ND 58436

2. Associated LATA:

Fargo/Brainerd LATA / LATA 636

3. Description of offering:

Dickey Rural Communications, Inc. will offer intralATA dialing parity through the full 2-PIC method of presubscription that allows a customer to presubscribe to one long distance carrier for all 1 + intralATA toll calls and to presubscribe to the same or to another long distance carrier for all 1 + interLATA toll calls.

4. Included local exchange areas and conversion date:

IntralATA toll dialing parity will be available in the following local exchange areas beginning November 25, 1999.

<u>Exchanges</u>	<u>NPA/NXX</u>
Ashley	701-288 / 605-289
Ellendale	701-344 / 701-349 / 605-346
Oakton	701-742
LaMoure	701-883
Edgely	701-473
Forman	701-724 / 605-735
Kuhn	701-647

5. Interexchange carrier notification:

All carriers currently offering interLATA long distance services to Dickey Rural Communications, Inc. customers will be notified by October 5, 1999, of the conversion to intraLATA toll dialing parity. These carriers will be asked to respond by November 1, 1999, if they want to participate in the intraLATA toll presubscription process. For those carriers choosing to participate in the presubscription process, information regarding customer choices will be forwarded to the participating carriers through the "Customer Account Record Exchange" (CARE) process this is already in place.

6. Customer notifications:

A. Current Customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by November 12, 1999. Included in this letter will be a list of participating carriers. In this letter, customers will be advised that they may choose an intraLATA 1+ carrier from the list of participating carriers, or they may do nothing, in which case they will be assigned to North Dakota Long Distance, their previous designated carrier. Enclosed with the customer notification letter will be a customer response form. Customers will be advised to fill out and return the response form if they choose a carrier other than their designated carrier, North Dakota Long Distance. Based on the customer response forms and any letters of agency received directly from participating carriers, Dickey Rural will execute all necessary carrier selection change as of November 24, 1999. Customers will not be charged for making any change to their intraLATA 1+ carrier selection during the presubscription process. In addition, customers will be advised that they will be given a 60 day grace period after the implementation date to change their intraLATA 1+ carrier, on time, at no charge. After the 60 day grace period, a one-time \$5.00 charge will apply to such a change, just as it does today for making an interLATA 1+ carrier change.

B. New Customers:

New customers applying for local service from Dickey Rural Communications, Inc. after November 12, 1999, will be asked to choose both an interLATA and intraLATA carrier. They will be advised that this may or may not be the same carrier and will choose from the respective lists of participating carriers. Lists used by customer service representatives will contain participating carriers' names in random order. Upon customers request, customer service representatives will provide contact telephone numbers for customers to use in contacting carriers. Customers applying for service will be encouraged to make carrier selections and will be advised that neither intraLATA 1+ nor interLATA 1+ calls can be made from their local line until selections are made. Until selections are made, customers will have to dial a carrier access code to make 1+ calls.



**7. Request for approval of plan:**

Dickey Rural Communications, Inc. asks that the Commission grant its official approval of this plan.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Communications, Inc.

November 12, 1999

Dear Customer:

Dickey Rural Communications will be making changes effective November 25, 1999 that will allow you to choose a different long distance service provider within your LATA (Local Access and Transport Area). (See attached map). Calls that originate and terminate within the outline portions of this map are referred to as intralATA calls. Calls that cross these LATA boundaries are referred to as interLATA calls.

If you wish to choose a long distance carrier from the attached list for calls within the LATA, please fill out the enclosed response form and mail or bring it to our office by November 22, 1999. If you do nothing, North Dakota Long Distance will become your intralATA long distance provider.

In the coming months, companies that plan to offer long distance service within your LATA may contact you through telemarketing, advertising, or direct mail. The information provided may help you make your choice since each company's rates, plans and policies differ.

There is a 60 day grace period during which time you may decide to change your intralATA carrier at no charge. After January 24, 2000, you will incur a \$5.00 Primary Interexchange Carrier (PIC) change charge for changing carriers. If you wish to protect your account from future unauthorized changes to your intralATA long distance carrier choice, commonly referred to as a "PIC freeze", you must contact your local telephone company at 701-349-3687 or 1-800-342-4551.

Please call our office at the above telephone numbers if you have any questions on this matter.

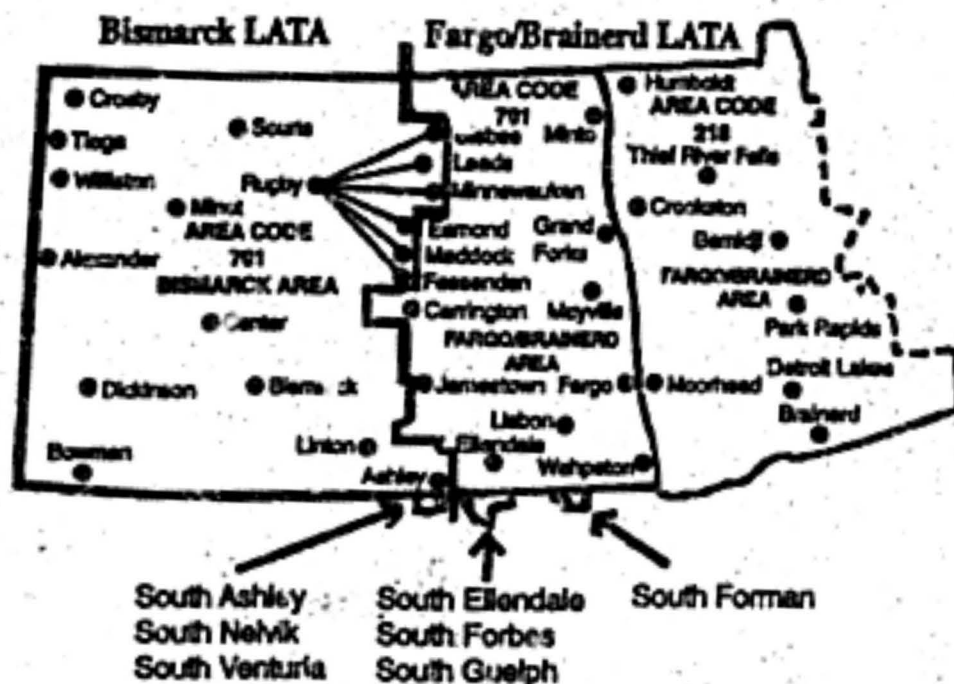
Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Communications, Inc.

Enclosure

*This letter has been approved by the South Dakota Public Utilities Commission*

# LATA'S (Local Access and Transport Areas)





**List of Participating Long Distance Carriers**

Dickey Rural Communications, Inc.  
Intralata Long Distance Service  
Customer Response Form

Please Print

Billing Name \_\_\_\_\_

Billing Address \_\_\_\_\_

Please change my long distance company for intralATA 1+ calling.

Telephone Number(s)

Carrier Name

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature (Required)

Date (Required)

NOTE: YOU DO NOT HAVE TO RETURN THIS FORM IF YOU WANT NORTH DAKOTA  
LONG DISTANCE TO BECOME YOUR INTRALATA LONG DISTANCE CARRIER.

Date: October 5, 1999

To: Interexchange Carriers providing Interlata Long Distance Services to Dickey Rural

From: Dickey Rural Communications, Inc.  
P.O. Box 69  
Ellendale, ND 58436  
Fax: 701-783-4300

RE: IntraLATA Dialing Parity Implementation

Dickey Rural Telephone Cooperative and its subsidiary Dickey Rural Communications provide local exchange service to approximately 8,600 customers in the following exchanges in North and South Dakota:

End Office	NPA/NXX	End Office	NPA/NXX
Crow	753	Milnor	427
Dickay	778	Nelvik	701-374 / 605-379
Forbes	701-357 / 605-358	Venturia	701-684 / 605-687
Fort Ransom	973	Verona	701-432
Fredonia	698	Ashley	701-288 / 605-289
Fallerton	375	Ellendale	701-349 / 605-344
Cuelph	701-783 / 605-383	Oakes	742
Jud	685	LaMoure	823
Kathryn	796	Edgley	493
Litchville	762	Forman	701-724 / 605-735
Marion	669	Kuhn	647
Merricourt	396		

On November 25, 1999, Dickey Rural Telephone Cooperative and its Subsidiary will implement IntraLata dialing parity/equal access. If you are interested in providing IntraLATA equal access in any or all of the above exchanges, please notify us in writing or fax at the above address by November 1, 1999. (see attached). Appropriate ASR's will need to be received within this timeframe also.



Dickey Rural will work closely with all carriers of record expressing an interest in being an intraLata carrier. If you have questions, you may contact Margaret Barton at 701-349-3687.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary

Please fill out form and return to Dickey Rural via Fax or Mail.

\_\_\_\_ elects to be an intraLATA toll provider in the Dickey Rural's service  
 (Carrier Name and CIC Code)  
 areas noted below.

Crete	701-753	____ YES	____ NO
Dickey	701-778	____ YES	____ NO
Forbes	701-357 / 605-358	____ YES	____ NO
Fort Ransom	701-973	____ YES	____ NO
Fredonia	701-698	____ YES	____ NO
Fullerton	701-375	____ YES	____ NO
Gustaf	701-783 / 605-383	____ YES	____ NO
Jad	701-635	____ YES	____ NO
Kathryn	701-796	____ YES	____ NO
Litchville	701-762	____ YES	____ NO
Marion	701-669	____ YES	____ NO
Merricourt	701-396	____ YES	____ NO
Milnor	701-427	____ YES	____ NO
Nelvik	701-374 / 605-379	____ YES	____ NO
Venturia	701-684 / 605-689	____ YES	____ NO
Verona	701-432	____ YES	____ NO
Ashley	701-288 / 605-289	____ YES	____ NO
Ellendale	701-349 / 605-346	____ YES	____ NO
Oakes	701-742	____ YES	____ NO
LaMoure	701-883	____ YES	____ NO
Edgeley	701-493	____ YES	____ NO
Forman	701-724 / 605-735	____ YES	____ NO
Kahn	701-647	____ YES	____ NO

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Dickey Rural Telephone Cooperative and Subsidiary  
Intralata Dialing Parity Timeline

Carrier notification completed by	October 5, 1999
Carrier Response due by	November 1, 1999
Customer notification completed by	November 12, 1999
Customer response due by	November 22, 1999
IntralATA dialing parity implementation date	November 25, 1999
End of 60 day grace period	January 24, 2000





TELEPHONE: 701-342-3857  
TOLL FREE: 1-800-342-4281

*Dickey Rural Telephone Cooperative*

PO BOX 69  
HIGHWAY 221 NORTH

ELLENDALE, NORTH DAKOTA 58436-0069

RECEIVED

OCT 25 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

October 20, 1999

South Dakota Public Utilities Commission  
State Capitol Building  
William Dufford Jr., Executive Director  
503 East Capitol Avenue  
Pierre, SD 57501-5070

RE: Intrastate Toll Dialing Parity

Dear Mr. William Dufford Jr.:

Dickey Rural Telephone Cooperative and subsidiary, Dickey Rural Communications, PO Box 69, 9628 Highway 221 North, Ellendale, ND, 58436 respectfully submits the revised toll dialing parity plans for our South Dakota subscribers.

You will find enclosed the revised plan and 10 copies of the revision for the South Dakota Public Utilities Commission. The revision stems from the request of the Commission meeting held Tuesday, October 19, 1999.

Should you have any questions or need additional information please contact us.

Sincerely,

Darren D. Mauer  
General Manager

*Quality Service*

RECEIVED

OCT 25 1999

Dickey Rural Telephone Cooperative  
IntralATA Dialing Parity Implementation Plan

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Dickey Rural Telephone Cooperative submits this implementation plan for intralATA dialing parity (the Plan) pursuant to 47 C.F.R. 51.213 FCC Order 99-34, and South Dakota Public Utilities Commission Docket TC99-030. The purpose of the Plan is to provide information to the Commission on how and when Dickey Rural will convert to intralATA dialing parity. The provisioning of this capability will allow customers to select a long distance carrier to handle their intralATA 1 + calls.

1. Company name and address:

Dickey Rural Telephone Cooperative  
P.O. BOX 69  
Ellendale, ND 58436

2. Associated LATA:

Fargo/Minnerd LATA / LATA 636

3. Description of offering:

Dickey Rural Telephone Cooperative will offer intralATA dialing parity through the full 2-PIC method of presubscription that allows a customer to presubscribe to one long distance carrier for all 1 + intralATA toll calls and to presubscribe to the same or to another long distance carrier for all 1 + interLATA toll calls.

4. Included local exchange areas and conversion date:

IntralATA toll dialing parity will be available in the following local exchange areas beginning November 25, 1999.

Exchange	NPA/NXX
Care	713
Dickey	778
Forbes	781-757 / 605-358
Fort Ransom	973
Fordville	698
Fullerton	375
Guthrie	781-783 / 605-383
Ida	673
Kulbys	714
Lindville	762
Marian	669
Munkin	396
Milnor	427
Norfolk	781-374 / 605-375
Verona	781-684 / 605-687
Venus	432

5. Interexchange carrier notification:

All carriers currently offering interLATA long distance services to Dickey Rural Telephone Cooperative customers will be notified by October 5, 1999, of the conversion to intraLATA toll dialing parity. These carriers will be asked to respond by November 1, 1999, if they want to participate in the intraLATA toll presubscription process. For those carriers choosing to participate in the presubscription process, information regarding customer choices will be forwarded to the participating carriers through the "Customer Account Record Exchange" (CARE) process this is already in place.

6. Customer notifications:

A. Current Customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by November 12, 1999. Included in this letter will be a list of participating carriers. In this letter, customers will be advised that they may choose an intraLATA 1+ carrier from the list of participating carriers, or they may do nothing, in which case they will be assigned to North Dakota Long Distance, their previous designated carrier. Enclosed with the customer notification letter will be a customer response form. Customers will be advised to fill out and return the response form if they choose a carrier other than their designated carrier, North Dakota Long Distance. Based on the customer response forms and any letters of agency received directly from participating carriers, Dickey Rural will execute all necessary carrier selection change as of November 24, 1999. Customers will not be charged for making any change to their intraLATA 1+ carrier selection during the presubscription process. In addition, customers will be advised that they will be given a 60 day grace period after the implementation date to change their intraLATA 1+ carrier, on time, at no charge. After the 60 day grace period, a one-time \$5.00 charge will apply to such a change, just as it does today for making an interLATA 1+ carrier change.

B. New Customers:

New customers applying for local service from Dickey Rural Telephone Cooperative after November 12, 1999, will be asked to choose both an interLATA and intraLATA carrier. They will be advised that this may or may not be the same carrier and will choose from the respective lists of participating carriers. Lists used by customer service representatives will contain participating carriers' names in random order. Upon customers request, customer service representatives will provide contact telephone numbers for customers to use in contacting carriers. Customers applying for service will be encouraged to make carrier selections and will be advised that neither intraLATA 1+ nor interLATA 1+ calls can be made from their local line until selections are made. Until selections are made, customers will have to dial a carrier access code to make 1+ calls.



7. Request for approval of plan:

Dickey Rural Telephone Cooperative asks that the Commission grant its official approval of this plan.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative

November 12, 1999

Dear Customer:

Currently, North Dakota Long Distance provides you with 1+ long distance service for your intraLATA calling area. Dickey Rural Telephone will be making changes effective November 25, 1999, that will allow you to choose a different 1+ provider of long distance service for your intraLATA calls. We are including in this mailing, a list of participating long distance companies that you may choose from.

We will make no change to your service when we are advised to do so. If you wish to choose a different long distance provider for your intraLATA calls, please contact the carrier of your choice from the enclosed list of participating carriers. This will allow you to subscribe to a long distance plan that specifically fits your needs. The carrier will, in turn, notify us and we will make the change to your service on November 25. If you do nothing, North Dakota Long Distance will remain your intraLATA long distance provider, just as it is today.

Whether or not you make a choice now, there is a 60 day grace period during which time you may decide to change your intraLATA carrier, one time, at no charge. After January 24, 2000, you will incur a \$5.00 charge for changing carriers.

Please call our office at (701) 349-3687 or 1-800-342-4551 if you have any questions on this matter.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative

# LATA'S (Local Access and Transport Areas)





**List of Participating Long Distance Carriers**

Date: October 5, 1999

To: Interexchange Carriers providing Interlata Long Distance Services to Dickey Rural

From: Dickey Rural Telephone Cooperative and Subsidiary  
P.O. Box 69  
Ellendale, ND 58436  
Fax: 701-783-4300

RE: IntraLATA Dialing Parity Implementation

Dickey Rural Telephone Cooperative and its subsidiary Dickey Rural Communications provide local exchange service to approximately 8,600 customers in the following exchanges in North and South Dakota:

<u>End Office</u>	<u>NPA/NXX</u>	<u>End Office</u>	<u>NPA/NXX</u>
Crete	753	Milnor	427
Dickey	778	Nelvik	701-374 / 605-379
Forbes	701-357 / 605-358	Venturia	701-684 / 605-687
Fort Ransom	973	Verona	701-432
Frederick	698	Ashley	701-288 / 605-289
Fullerton	375	Ellendale	701-349 / 605-344
Guelph	701-783 / 605-383	Onkes	742
Jud	685	LaMoure	883
Kathryn	796	Edgeley	493
Litchville	762	Forman	701-724 / 605-735
Marion	669	Kulm	647
Merricourt	396		

On November 25, 1999, Dickey Rural Telephone Cooperative and its Subsidiary will implement intraLata dialing parity/equal access. If you are interested in providing intraLATA equal access in any or all of the above exchanges, please notify us in writing or fax at the above address by November 1, 1999. (see attached). Appropriate ASR's will need to be received within this timeframe also.

Dickey Rural will work closely with all carriers of record expressing an interest in being an IntraLata carrier. If you have questions, you may contact Margaret Martin at 701-349-3687.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary



Please fill out form and return to Dickey Rural via Fax or Mail.

elects to be an intra-LATA toll provider in the Dickey Rural's service

(Circle Name and CIC Code)  
areas noted below.

Croft	701-753	_____ YES _____ NO
Dickey	701-778	_____ YES _____ NO
Forbes	701-357 / 605-358	_____ YES _____ NO
Fort Ransom	701-973	_____ YES _____ NO
Fredonia	701-698	_____ YES _____ NO
Fullerton	701-375	_____ YES _____ NO
Guelph	701-783 / 605-383	_____ YES _____ NO
Jad	701-685	_____ YES _____ NO
Kathryn	701-796	_____ YES _____ NO
Litchville	701-762	_____ YES _____ NO
Marion	701-669	_____ YES _____ NO
Merricourt	701-396	_____ YES _____ NO
Milnor	701-427	_____ YES _____ NO
Nelvik	701-374 / 605-379	_____ YES _____ NO
Venturia	701-684 / 605-689	_____ YES _____ NO
Verona	701-432	_____ YES _____ NO
Ashley	701-288 / 605-289	_____ YES _____ NO
Ellendale	701-349 / 605-346	_____ YES _____ NO
Oakes	701-742	_____ YES _____ NO
LaMoure	701-883	_____ YES _____ NO
Edgeley	701-493	_____ YES _____ NO
Forman	701-724 / 605-735	_____ YES _____ NO
Kuhn	701-647	_____ YES _____ NO

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone Number

Dickey Rural Telephone Cooperative and Subsidiary  
Intralata Dialing Parity Timeline

Carrier notification completed by	October 5, 1999
Carrier Response due by	November 1, 1999
Customer notification completed by	November 12, 1999
Customer response due by	November 22, 1999
IntraLATA dialing parity implementation date	November 25, 1999
End of 60 day grace period	January 24, 2000

TC 99-041



TELEPHONE: 704-540-5957  
FAX: 1-800-540-4234

*Dickey Rural Communications, Inc.*  
*Dickey Rural Enterprises, Inc.*

P.O. BOX 69  
ELLENDALE, ND 58436

ELLENDALE, NORTH DAKOTA 58436 5000

October 20, 1999

RECEIVED

OCT 25 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

South Dakota Public Utilities Commission  
State Capitol Building  
William Ballard Jr., Executive Director  
500 East Capitol Avenue  
Pierre, SD 57501-5070

RE: Intrastate Toll Dialing Parity


Dear Mr. William Ballard Jr.:

Dickey Rural Telephone Cooperative and subsidiary, Dickey Rural Communications, PO Box 69, 9628 Highway 281 North, Ellendale, ND, 58436 respectfully submits the revised toll dialing parity plans for our South Dakota subscribers.

You will find enclosed the revised plan and 10 copies of the revision for the South Dakota Public Utilities Commission. The revision stems from the request of the Commission meeting held Tuesday, October 19, 1999.

Should you have any questions or need additional information please contact us.

Sincerely,

  
Darren D. Meier  
General Manager

*Quality Service*



RECEIVED

OCT 25 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Dickey Rural Communications, Inc.  
IntraLATA Dialing Parity Implementation Plan

Dickey Rural Communications, Inc. submits this implementation plan for intraLATA dialing parity (the Plan) pursuant to 47 C.F.R. 51.213 FCC Order 99-54, and South Dakota Public Utilities Commission Docket TC99-030. The purpose of the Plan is to provide information to the Commission on how and when Dickey Rural will convert to intraLATA dialing parity. The provisioning of this capability will allow customers to select a long distance carrier to handle their intraLATA 1 + calls.

1. Company name and address:

Dickey Rural Communications, Inc.  
P.O. BOX 69  
Ellendale, ND 58436

2. Associated LATA:

Fargo/Brainerd LATA / LATA 636

3. Description of offering:

Dickey Rural Communications, Inc. will offer intraLATA dialing parity through the full 2-PIC method of presubscription that allows a customer to presubscribe to one long distance carrier for all 1 + intraLATA toll calls and to presubscribe to the same or to another long distance carrier for all 1 + interLATA toll calls.

4. Included local exchange areas and conversion date:

IntraLATA toll dialing parity will be available in the following local exchange areas beginning November 25, 1999.

<u>Exchanges</u>	<u>NPA/NXX</u>
Ashley	701-288 / 605-289
Ellendale	701-344 / 701-349 / 605-346
Oakes	701-742
LaMoure	701-883
Edgeley	701-493
Forman	701-724 / 605-735
Kulm	701-647

5. Interexchange carrier notification:

All carriers currently offering interLATA long distance services to Dickey Rural Communications, Inc. customers will be notified by October 5, 1999, of the conversion to intraLATA toll dialing parity. These carriers will be asked to respond by November 1, 1999, if they want to participate in the intraLATA toll presubscription process. For those carriers choosing to participate in the presubscription process, information regarding customer choices will be forwarded to the participating carriers through the "Customer Account Record Exchange" (CARE) process this is already in place.

6. Customer notifications:

A. Current Customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by November 12, 1999. Included in this letter will be a list of participating carriers. In this letter, customers will be advised that they may choose an intraLATA 1+ carrier from the list of participating carriers, or they may do nothing, in which case they will be assigned to North Dakota Long Distance, their previous designated carrier. Enclosed with the customer notification letter will be a customer response form. Customers will be advised to fill out and return the response form if they choose a carrier other than their designated carrier, North Dakota Long Distance. Based on the customer response forms and any letters of agency received directly from participating carriers, Dickey Rural will execute all necessary carrier selection changes as of November 24, 1999. Customers will not be charged for making any change to their intraLATA 1+ carrier selection during the presubscription process. In addition, customers will be advised that they will be given a 60 day grace period after the implementation date to change their intraLATA 1+ carrier, on time, at no charge. After the 60 day grace period, a one-time \$5.00 charge will apply to such a change, just as it does today for making an interLATA 1+ carrier change.

B. New Customers:

New customers applying for local service from Dickey Rural Communications, Inc. after November 12, 1999, will be asked to choose both an interLATA and intraLATA carrier. They will be advised that this may or may not be the same carrier and will choose from the respective lists of participating carriers. Lists used by customer service representatives will contain participating carriers' names in random order. Upon customers request, customer service representatives will provide contact telephone numbers for customers to use in contacting carriers. Customers applying for service will be encouraged to make carrier selections and will be advised that neither intraLATA 1+ nor interLATA 1+ calls can be made from their local line until selections are made. Until selections are made, customers will have to dial a carrier access code to make 1+ calls.

7. Request for approval of plan:

Dickey Rural Communications, Inc. asks that the Commission grant its official approval of this plan.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Communications, Inc.



5. Interexchange carrier notification:

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Dickey Rural Communications, Inc. asks that the Commission grant its official approval of this plan.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Communications, Inc.

November 12, 1999

Dear Customer:

Currently, North Dakota Long Distance provides you with 1+ long distance service for your intraLATA calling area. Dickey Rural Communications will be making changes effective November 25, 1999, that will allow you to choose a different 1+ provider of long distance service for your intraLATA calls. We are including in this mailing, a list of participating long distance companies that you may choose from.

We will make no change to your service unless we are advised to do so. If you wish to choose a different long distance provider for your intraLATA calls, please contact the carrier of your choice from the enclosed list of participating carriers. This will allow you to subscribe to a long distance plan that specifically fits your needs. The carrier will, in turn, notify us and we will make the change to your service on November 25. If you do nothing, North Dakota Long Distance will remain your intraLATA long distance provider, just as it is today.

Whether or not you make a choice now, there is a 60 day grace period during which time you may decide to change your intraLATA carrier, one time, at no charge. After January 24, 2000, you will incur a \$5.00 charge for changing carriers.

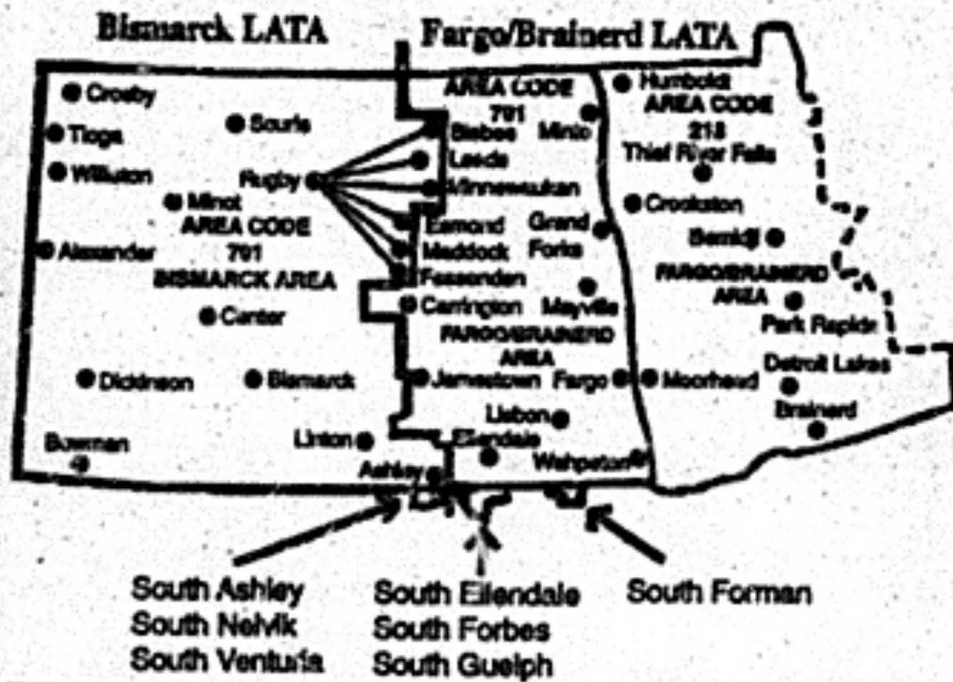
Please call our office at (701) 349-3687 or 1-800-342-4551 if you have any questions on this matter.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Communications, Inc.



# LATA'S (Local Access and Transport Areas)



**List of Participating Long Distance Carriers**

Date: October 5, 1999

To: Interexchange Carriers providing Interlata Long Distance Services to Dickey Rural

From: Dickey Rural Communications, Inc.  
P.O. Box 69  
Ellendale, ND 58436  
Fax: 701-783-4300

RE: IntraLATA Dialing Parity Implementation

Dickey Rural Telephone Cooperative and its subsidiary Dickey Rural Communications provide local exchange service to approximately 8,600 customers in the following exchanges in North and South Dakota:

<u>End Office</u>	<u>NPA/NXX</u>	<u>End Office</u>	<u>NPA/NXX</u>
Crete	753	Milnor	427
Dickey	778	Nelvik	701-374 / 605-379
Forbes	701-357 / 605-358	Venturia	701-684 / 605-687
Fort Ransom	973	Verona	701-432
Fredonia	698	Ashley	701-288 / 605-289
Fullerton	375	Ellendale	701-349 / 605-344
Gustph	701-783 / 605-383	Oakes	742
Jud	685	LaMoure	883
Kathryn	796	Edgley	493
Litchville	762	Forman	701-724 / 605-735
Marion	669	Kulm	647
Merricourt	396		

On November 25, 1999, Dickey Rural Telephone Cooperative and its Subsidiary will implement intraLata dialing parity/equal access. If you are interested in providing intraLATA equal access in any or all of the above exchanges, please notify us in writing or fax at the above address by November 1, 1999. (see attached). Appropriate ASR's will need to be received within this timeframe also.



Dickey Rural will work closely with all carriers of record expressing an interest in being an intra-Latin carrier. If you have questions, you may contact Margaret Barton at 701-349-3687.

Sincerely,

Darren D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary

**START**

**OF**

**RETAKE**

Dickey Rural will work closely with all carriers of record expressing an interest in being an intraLata carrier. If you have questions, you may contact Margaret Burton at 701-349-3687.

Sincerely,

Deven D. Moser  
General Manager  
Dickey Rural Telephone Cooperative and Subsidiary



Please fill out form and return to Dickey Rural via Fax or Mail.

\_\_\_\_\_ elects to be an intraLATA toll provider in the Dickey Rural's service  
(Carrier Name and CIC Code)  
areas noted below.

Crete	701-753	_____ YES	_____ NO
Dickey	701-778	_____ YES	_____ NO
Forbes	701-357 / 605-358	_____ YES	_____ NO
Fort Ransom	701-973	_____ YES	_____ NO
Fredonia	701-698	_____ YES	_____ NO
Fullerton	701-375	_____ YES	_____ NO
Guelph	701-783 / 605-383	_____ YES	_____ NO
Jud	701-685	_____ YES	_____ NO
Kathryn	701-796	_____ YES	_____ NO
Litchville	701-762	_____ YES	_____ NO
Marion	701-669	_____ YES	_____ NO
Merricourt	701-396	_____ YES	_____ NO
Milnor	701-427	_____ YES	_____ NO
Nelvik	701-374 / 605-379	_____ YES	_____ NO
Ventura	701-684 / 605-689	_____ YES	_____ NO
Verona	701-432	_____ YES	_____ NO
Ashley	701-288 / 605-289	_____ YES	_____ NO
Ellendale	701-349 / 605-346	_____ YES	_____ NO
Onken	701-742	_____ YES	_____ NO
Lakmouth	701-883	_____ YES	_____ NO
Edgeley	701-493	_____ YES	_____ NO
Forman	701-724 / 605-735	_____ YES	_____ NO
Kalm	701-647	_____ YES	_____ NO

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone Number

**END**

**OF**

**RETAKE**

**Dickey Rural Telephone Cooperative and Subsidiary  
Intralata Dialing Parity Timeline**

Carrier notification completed by	October 5, 1999
Carrier Response due by	November 1, 1999
Customer notification completed by	November 12, 1999
Customer response due by	November 22, 1999
IntraLATA dialing parity implementation date	November 25, 1999
End of 60 day grace period	January 24, 2000



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

IN THE MATTER OF THE FILING BY DICKEY )	ORDER REQUIRING
RURAL TELEPHONE COOPERATIVE AND ITS )	CHANGES TO CUSTOMER
WHOLLY OWNED SUBSIDIARY, DICKEY )	NOTIFICATION LETTER
RURAL COMMUNICATIONS, INC. FOR )	
APPROVAL OF PETITION FOR SUSPENSION )	TC99-041
AND MODIFICATION OF DIALING PARITY )	

On April 19, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed for approval of their petition for suspension and modification of dialing parity. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. each have fewer than 2% of the nation's subscriber lines installed in the aggregate. Pursuant to 47 U.S.C. § 251(f)(2), Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. petitioned the Commission for a suspension and modification of the requirement for implementation of intraLATA dialing parity in its service areas until June 30, 2000. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. stated that "[t]he grounds for the petition are that suspension and modification are: a) necessary to avoid imposing requirements that are unduly economically burdensome and infeasible, and b) consistent with the public interest, convenience and necessity. The compressed schedule mandated by the FCC's 1999 Order [CC Docket No. 95-98, Order adopted March 19 and released March 23, 1999, FCC 99-54] is burdensome and infeasible for small LECs to develop and administer plans for timely notification of their subscribers and interexchange carriers regarding subscribers' selection of intraLATA toll providers, and for small LECs to develop fully compensatory local exchange access rates to replace the current arrangement."

The Commission requested comments on Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s petition for suspension and modification. Commission Staff recommended denying the petition.

On June 3, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed their petition for suspension and modification affidavit that they intended to file with the North Dakota Public Service Commission (NDPSC) for a June 15, 1999, hearing before the NDPSC. The companies requested that the Commission consider mirroring the outcome of the NDPSC hearing.

At its June 22, 1999, meeting, the Commission considered whether to grant the petition. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-80 and 49-31-81, ARSD 20:10:32-39, and the federal Telecommunications Act of 1996, specifically §§ 251 and 252. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. did not appear at the meeting. Commission Staff informed the Commission that the NDPSC had to delay its hearing until July so the NDPSC had not ruled on the issue yet. The Commission voted unanimously to grant Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. a suspension and modification until September 15, 1999. The Commission found, pursuant to SDCL 49-31-81 and section 251(f)(2), the suspension and modification was necessary to avoid imposing a requirement that was technically infeasible since Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. had not yet begun to implement dialing parity pending the ruling on their petition for suspension and modification. The

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

IN THE MATTER OF THE FILING BY DICKEY )	ORDER REQUIRING
RURAL TELEPHONE COOPERATIVE AND ITS )	CHANGES TO CUSTOMER
WHOLLY OWNED SUBSIDIARY, DICKEY )	NOTIFICATION LETTER
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Commission further found that the suspension and modification was consistent with the public interest, convenience, and necessity. In making this determination, the Commission noted that the suspension and modification that it granted was for a shorter time period than requested by the companies. The Commission found that the companies' request for a suspension and modification until June 30, 2000, was not adequately justified by the companies.

On August 4, 1999, the Commission received a letter from Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc., requesting the Commission to consider mirroring the North Dakota Public Service Commission order issued July 16, 1999, extending, until January 1, 2000, the suspension and modification of the requirements of dialing parity. At its regularly scheduled meeting on August 17, 1999, the Commission considered this request. Commission Staff recommended that the Commission grant the request and require the companies to file a dialing parity plan by November 15, 1999. The Commission unanimously voted to grant the request to mirror the North Dakota Public Service Commission's order No. PU-405-99-204 extending until January 1, 2000, the suspension and modification of the requirements of dialing parity. The Commission also required the companies to file a dialing parity plan by November 15, 1999.

On September 29, 1999, the companies filed their dialing parity plans requesting that the Commission consider mirroring the dialing parity plans filed with the North Dakota Public Service Commission. At its duly noticed meeting of October 19, 1999, the Commission considered this matter. Commission Staff stated their concerns with the customer letter and requested the Commission to order the companies to follow the Commission's prior orders regarding the customer letter. The Commission unanimously voted to order the companies to follow the Commission's prior orders regarding the customer letter. It is therefore

ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. shall file by November 15, 1999, a dialing parity implementation plan consistent with the Commission orders issued in Docket TC99-030 and any applicable FCC orders.

Dated at Pierre, South Dakota, this 29th day of October, 1999.

<p align="center"><b>CERTIFICATE OF SERVICE</b></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>Delaine Krebs</u></p> <p>Date <u>10/29/99</u></p> <p align="center">(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



NOV. 3. 1999 9:56PM DICKY RURAL TELE CO

TC 99-041  
NO.000 P.1/2

Dicky Rural Telephone  
PO Box 69  
Ellendale, ND 58436

Facsimile Transmitted

To: Karen Kneiser Fax: 606-773-3809  
From: Darren Mear Date: 11/3/1999  
Re: Updated page Pages: 2  
CC: None

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle



The updated page for our toll dialing party plan is included with this fax. Should you  
have any questions or comments please feel free to contact me 701-349-3687



1. Interexchange carrier notification:

All carriers currently offering InterLATA long distance services to Dickey Rural Telephone customers will be notified by October 5, 1999, of the conversion to IntraLATA toll dialing parity. These carriers will be asked to respond by November 1, 1999, if they want to participate in the IntraLATA toll pre-subscription process. For those carriers choosing not to participate in the pre-subscription process information regarding customer choices will be forwarded to the participating carriers through the "Customer Account Record Exchange" (CARE) process, which is already in place.

6. Customer notifications:

A. Current Customers:

Customers will be notified of the conversion to IntraLATA toll dialing parity by letter by November 12, 1999. Included in this letter will be a list of participating carriers. In this letter, customers will be advised that they may choose an IntraLATA 1+carrier from the list of participating carriers, or they may do nothing, in which case they will be assigned to North Dakota Long Distance. Customers will be advised to contact the carrier they choose from the list of participating carriers to notify them of their choice and to participate in any special discount plans that may be available. Upon receipt of any Letters Of Agency (LOA's) directly from the participating carrier, Dickey Rural will execute all necessary carrier selection change as of November 24, 1999. Customers will not be charged for the initial selection of participating carriers. During the next 60 days, customers will be able to make one additional IntraLATA 1+carrier change at no charge. After the 60 days has elapsed or if the customer makes more than one change of carrier after initial selection, a one time \$5.00 charge will apply for each change, just as it does today for making an InterLATA 1+carrier change.

B. New Customers:

New customers applying for local service from Dickey Rural Telephone after November 12, 1999, will be asked to choose both an InterLATA and IntraLATA carrier. They will be advised that this may or may not be the same carrier and will choose from the respective lists of participating carriers. Lists used by the customer service representatives will contain participating carriers' names in random order. Customer service representatives will provide contact telephone numbers for customers to use in contacting carriers. Customers applying for service will be encouraged to make carrier selections and will be advised that neither IntraLATA 1+ nor InterLATA 1+ calls can be made from their local line until selections are made. Until selections are made, customers will have to dial a carrier access code to make 1+ calls.

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

<b>IN THE MATTER OF THE FILING BY DICKEY )</b>	<b>ORDER APPROVING</b>
<b>RURAL TELEPHONE COOPERATIVE AND ITS )</b>	<b>DIALING PARITY</b>
<b>WHOLLY OWNED SUBSIDIARY, DICKEY )</b>	<b>IMPLEMENTATION PLANS</b>
<b>RURAL COMMUNICATIONS, INC. FOR )</b>	
<b>APPROVAL OF PETITION FOR SUSPENSION )</b>	<b>TC99-041</b>
<b>AND MODIFICATION OF DIALING PARITY )</b>	

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The Commission requested comments on Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s petition for suspension and modification. Commission Staff recommended denying the petition.

On June 3, 1999, Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. filed their petition for suspension and modification affidavit that they intended to file with the North Dakota Public Service Commission (NDPSC) for a June 15, 1999, hearing before the NDPSC. The companies requested that the Commission consider mirroring the outcome of the NDPSC hearing.

At its June 22, 1999, meeting, the Commission considered whether to grant the petition. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-80 and 49-31-81, ARSD 20:10-32-39, and the federal Telecommunications Act of 1996, specifically §§ 251 and 252. Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. did not appear at the meeting. Commission Staff informed the Commission that the NDPSC had to delay its hearing until July so the NDPSC had not ruled on the issue yet. The Commission voted unanimously to grant Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. a suspension and modification until September 15, 1999. The Commission found, pursuant to SDCL 49-31-81 and section 251(f)(2), the suspension and modification was necessary to avoid imposing a requirement that was technically infeasible since Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc. had not yet begun to implement dialing parity pending the ruling on their petition for suspension and modification. The Commission further found that the suspension and modification was consistent with the public interest, convenience, and necessity. In making this determination, the Commission noted that the suspension and modification that it granted was for a shorter time period than requested by the companies. The Commission found that the companies' request for a suspension and modification until June 30, 2000, was not adequately justified by the companies.



On August 4, 1999, the Commission received a letter from Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc., requesting the Commission to consider mirroring the North Dakota Public Service Commission order issued July 16, 1999, extending, until January 1, 2000, the suspension and modification of the requirements of dialing parity. At its regularly scheduled meeting on August 17, 1999, the Commission considered this request. Commission Staff recommended that the Commission grant the request and require the companies to file a dialing parity plan by November 15, 1999. The Commission unanimously voted to grant the request to mirror the North Dakota Public Service Commission's order No. PU-405-99-204 extending until January 1, 2000, the suspension and modification of the requirements of dialing parity. The Commission also required the companies to file a dialing parity plan by November 15, 1999.

On September 29, 1999, the companies filed their dialing parity plans requesting that the Commission consider mirroring the dialing parity plans filed with the North Dakota Public Service Commission. At its duly noticed meeting of October 19, 1999, the Commission considered this matter. Commission Staff stated their concerns with the customer letter and requested the Commission to order the companies to follow the Commission's prior orders regarding the customer letter. The Commission unanimously voted to order the companies to follow the Commission's prior orders regarding the customer letter. On October 25, 1999, the companies filed their revised toll dialing parity plans for their South Dakota customers. On November 3, 1999, the companies filed a revised page to the plans.

On November 15, 1999, at its regularly scheduled meeting, the Commission considered whether to approve Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s amended plans. The Commission voted unanimously to approve Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s amended intraLATA dialing parity implementation plans. The Commission finds the plans comply with the applicable FCC and Commission orders.

It is therefore

ORDERED, that Dickey Rural Telephone Cooperative and Dickey Rural Communications, Inc.'s amended dialing parity implementation plans are approved.

Dated at Pierre, South Dakota, this 8th day of December, 1999.

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>Nelaine Kalbo</u>
Date	<u>12/8/99</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