

КС/НВ

TC 99-046

DOCKET NO.

In the Matter of _____

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

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
4/21 99	Filed and Docketed;
4/23 99	Weekly Filing
5/7 99	Staff Comments on Interim A full Disabling Parity Plan;
5/17 99	Response of SOITC to Staff Comments;
5/21 99	Amendment to Disabling Parity Plan;
6/17 99	Amended Disabling Parity Plan;
6/22 99	Order Granting Petition for Suspension and Modification;
6/22 99	Order Approving Disabling Parity Implementation Plan;
6/22 99	Docket Closed.

TELEC CONSULTING RESOURCES

1099-040
909 N. 96th Street, Suite 203
Omaha, NE 68114-2509
(402) 398-0062 FAX (402) 398-0065

301 S. 13th Street, Suite 401
Lincoln, NE 68508
(402) 441-4315 FAX (402) 441-4317

P.O. Box 858, 1509 Sylvan Circle
Brandon, SD 57005-0858
(605) 582-2020 FAX (605) 582-2021

April 20, 1999

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

RECEIVED

APR 21 1999

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: Docket TC99-030/Implementation Plan for IntraLATA Dialing Parity

Dear Mr. Bullard:

On behalf of our client, Western Telephone Company (Western), we are enclosing its intraLATA toll dialing parity implementation plan for filing in the above referenced docket and, pursuant to South Dakota Public Utilities Commission rule 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.

The FCC, in FCC 99-54, released March 23, 1999, issued a "compressed schedule" (the FCC's words), for local exchange carriers (LECs) to implement intraLATA dialing parity. The Telecommunications Act of 1996 provides for the suspension and modification of the application of a requirement in Section 252, subsection (b) or (c) for LECs "with fewer than two percent of the Nation's subscriber lines installed in the aggregate nationwide." Said LECs, in petitioning their state commission(s), must demonstrate that such suspension and modification "(A) is necessary - (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; or (iii) to avoid imposing a requirement that is technically infeasible; and (B) is consistent with the public interest, convenience, and necessity. Western Telephone Company is a local exchange carrier (LEC) with approximately 1100 access lines which is fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide. 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 (SDN) 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 FCC 99-54. Regardless of Western's choice, however, either centralized intraLATA equal access or end office intraLATA equal access can be implemented by September 15, 1999.

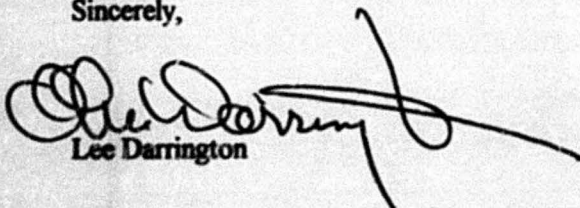
We are submitting a centralized intraLATA equal access plan. Should Western decide to offer end office intraLATA equal access, we will update and correct the plan as soon as possible. We hope to have this decision by mid-June.

Included in Western's plan is a description of the offering, conversion details, carrier and customer notifications, a time-line, and relevant pages from Western's service catalog.

Please give Loretta Calabro or me a call at (402)398-0062 with any questions you may have on either the petition or implementation plan.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Darrington", with a long horizontal flourish extending to the right.

enc.

cc: Harold Brown, Western Telephone Company

**WESTERN TELEPHONE COMPANY
INTRALATA DIALING PARITY IMPLEMENTATION PLAN**

Western Telephone Company 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 (Commission) Docket TC99-030. The purpose of the Plan is to provide information to the Commission on how and when Western Telephone Company (Western) will convert to intraLATA dialing parity, or, as it is sometimes called, intraLATA equal access. The provisioning of this capability will allow customers to select whichever long distance carrier they want to handle their intraLATA 1+ calls.

1. Company name and address:

Western Telephone Company
111 9th Ave. N
Box 128
Faulkton, SD 57438-0128

2. Associated LATA:

South Dakota LATA, LATA 640

3. Description of offering:

Western Telephone Company will offer intraLATA dialing parity through the full 2-PIC presubscription software installed on a centralized basis at the access tandem switch of South Dakota Network, Inc. (SDN). The full 2-PIC method of presubscription 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. Because the intraLATA dialing parity capability will be provisioned via SDN at 2900 West 10th, Sioux Falls, SD 57104, interconnection and access necessary for participation in the offering may be ordered by long distance carriers via SDN.

4. Included local exchange areas and conversion date:

IntraLATA toll dialing parity through SDN will be available in the following local exchange areas beginning September 15, 1999:

<u>Exchange</u>	<u>NPA</u>	<u>NXX</u>
Cresbard, South Dakota	(605)	324
Faulkton, South Dakota	(605)	598
Orient, South Dakota	(605)	392

5. Interexchange carrier (carrier) notification:

All carriers certified in South Dakota to provide long distance services will be notified by July 1, 1999, of the conversion to intral.ATA toll dialing parity. (Please see Attachment A.) These carriers will be asked to respond by August 2, 1999, if they want to participate in the intral.ATA toll presubscription process. (See Attachment B.) For those carriers that choose to participate in the presubscription process, information regarding customer choices will be forwarded by Western Telephone Company to the participating carriers through the "Customer Account Record Exchange" (CARE) process that is already in place. CARE currently serves as the vehicle for the exchange of information regarding interl.ATA toll selections.

Western Telephone Company will make available, upon request, preconversion customer name and address lists to participating carriers that meet all requirements for participation in the intral.ATA presubscription process.

6. Customer notification:

A. Current customers:

Customers will be notified of the conversion to intral.ATA toll dialing parity by letter by August 10, 1999. (Please see Attachment C.) Included in this letter will be a list of participating carriers. In the letter, customers will be advised that they may remain with their existing intral.ATA 1+ carrier or choose a different carrier from the list of participating carriers. Enclosed with the customer notification letter will be customer response form. (See Attachment D). Customers will be advised to fill out and return the response form if they choose a carrier other than their existing carrier, those customers choosing to stay with their existing carrier need not fill out and return the form. Based on the customer response forms and any letters of agency received directly from participating carriers, Western Telephone Company will execute all necessary carrier selection changes as of September 15, 1999. Customers will not be charged for making any change to their intral.ATA 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 intral.ATA 1+ carrier, one 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 interl.ATA 1+ carrier change.

B. New customers:

New customers applying for local service from Western Telephone Company after August 10, 1999, will be asked to choose both an interl.ATA and intral.ATA 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 customer 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 intral.ATA 1+ nor interl.ATA 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:

Western Telephone Company asks that the Commission grant its official approval of this plan.

Dated this 20th day of April, 1999.

Respectfully submitted,

Lee Darrington
TELEC Consulting Resources, Inc.
on behalf of
Western Telephone Company

**WESTERN TELEPHONE COMPANY
INTRALATA DIALING PARITY TIMELINE**

Carrier notification completed by:	July 1, 1999
Carrier response due by:	August 2, 1999
Customer notification completed by:	August 10, 1999
Customer response due:	September 3, 1999
IntraLATA dialing parity implementation date:	September 15, 1999
End of 60 day grace period:	November 15, 1999

ATTACHMENT A

INTEREXCHANGE CARRIER NOTICE

July 1, 1999

**All Long Distance Carriers of Record
State of South Dakota**

Dear Sir or Madam:

Western Telephone Company (Western) is pleased to announce the provisioning of intraLATA equal access on September 15, 1999, in the following exchange areas:

Exchange	NPA	NXX
Cresbard, South Dakota	(605)	324
Faulkton, South Dakota	(605)	598
Orient, South Dakota	(605)	392

Because intraLATA equal access will be provisioned via South Dakota Network (SDN), interconnection and access should be ordered via SDN at 2900 W. 10th St.; Sioux Falls, SD 57104. SDN's telephone number is (605)334-7185. Information regarding customers that choose you as their intraLATA carrier will be forwarded to you via the existing CARE process.

Please complete and return the enclosed response form by August 12, 1999, if you want to be a carrier of choice on the intraLATA equal access PIC list for any of all of the above listed South Dakota exchanges.

Questions may be directed to our office at (605)598-6217.

Yours truly,

**Harold Brown
General Manager**

**ATTACHMENT B
INTRALATA PIC LIST PARTICIPATION FORM
WESTERN TELEPHONE COMPANY
FAULKTON, SOUTH DAKOTA**

Carrier name: _____

ACNA: _____ CIC: _____

Billing address: _____

Billing contact: _____

Tel. No: _____ Fax No. _____

E-mail address: _____

Customer service #: _____
(Business)

Customer service #: _____
(Residence)

Include on intraLATA PIC list for:

Cresbard	(605)324	_____	YES	_____	NO
Faulkton	(605)598	_____	YES	_____	NO
Orient	(605)392	_____	YES	_____	NO

Signature

Title

Date

Western Telephone Company
Box 128
Faulkton, SD 57438-0128
Tel.: (605)598-6217 Fax: (605)598-4100
RESPOND BY AUGUST 2, 1999

ATTACHMENT C

CUSTOMER NOTICE AND CARRIER LIST

August 10, 1999

Western Telephone Company Customer

Dear Customer:

Currently, Express Communications provides you with 1+ long distance service within the South Dakota calling area. Western Telephone Company will be making changes effective September 15, 1999, that will allow you to choose a different 1+ provider of long distance service for calls within the state. We are including in this mailing a list of participating long distance companies that you may choose from.

We will make no change in your service unless you tell us to do so. If you wish to choose a different long distance carrier for calls to points within the state, please fill out the enclosed response form and mail or bring it to our office by September 3, 1999. If you do nothing, Express Communications will remain your intrastate 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 November 15, 1999, you will incur a \$5.00 charge for changing carriers.

Please call our office at (605)598-6217 if you have any questions on this matter.

Sincerely,

Western Telephone Company

LIST OF PARTICIPATING LONG DISTANCE CARRIERS

ABC Long Distance

(xxx)xxx-xxxx (Business)

(xxx)xxx-xxxx (Residence)

DEF Long Distance

(xxx)xxx-xxxx (Bus/Res)

ETC, ETC, ETC.....

ATTACHMENT D

**WESTERN TELEPHONE COMPANY
IN-STATE 1+ LONG DISTANCE (INTRALATA LONG DISTANCE SERVICE)
CUSTOMER RESPONSE FORM**

Please Print

Billing Name: _____

Billing Address: _____

Please change my long distance company for in-state (intraLATA) 1+ calling.

Telephone Number(s)

Carrier Name

Signature (Required)

Date (Required)

**NOTE: DO NOT RETURN THIS FORM IF YOU WISH TO RETAIN YOUR CURRENT
INTRALATA LONG DISTANCE CARRIER, EXPRESS COMMUNICATIONS.**

Western Telephone Company
Local Exchange Service Catalog

SERVICES AND APPLICATION OF RATES AND CHARGES

Miscellaneous Services

Presubscription

- A. Presubscription is the process by which end user customers may select and designate to the Company an interexchange carrier to place, without any special codes, their interLATA and intraLATA calls.
- B. An end user may select a primary interexchange carrier for all of its lines, or it may indicate a different interexchange carrier for each of its lines. Only one interLATA and intraLATA carrier may be selected for each line terminating in the same hunt group.
- C. After the end user's initial selection of an interLATA and intraLATA carrier or the designation that they do not want to presubscribe to any interexchange carrier, the end user will be charged for any change in selection after the grace period associated with the conversion to Equal Access. This nonrecurring charge will be billed to the end user who is the subscriber to the Local Exchange Access Service. It is in addition to the interstate presubscription charge.
- D. In the event the end user is incorrectly presubscribed, due to misassignment on the part of the Company, no charge shall apply.
- E. In the event an end user is incorrectly presubscribed due to misassignment on the part of the interexchange carrier, and the interexchange carrier is unable to document such an assignment, the Company will apply the charge to the responsible interexchange carrier and assign the end user to an interexchange carrier of the end user's choice.

(N)

(N)

Western Telephone Company
Local Exchange Service Catalog

RATE LIST

Presubscribed Interexchange
Carrier (PIC) Change Charge-
Intrastate

\$ 5.00/line

(N)

Issued: August 13, 1999

Effective: September 15, 1999

South Dakota Public Utilities Commission
WEEKLY FILINGS
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 (605-865), 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

TC99-040 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 telecommunication services on a statewide basis.

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

TC99-041 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 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. 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: 04/19/99
Comments Due: 05/07/99
Reply Comments Due 05/17/99

TC99-042 In the Matter of the Filing by Consolidated Telephone Cooperative and its Wholly Owned Subsidiary, Consolidated Telcom, Inc. formerly known as CTC Communications, Inc. for Approval of Petition for Suspension and Modification of Dialing Parity.

Consolidated Telephone Cooperative and Consolidated Telcom, 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 Telcom, 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 Presheo 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. 98-98, Order adopted March 19 and released March 23, 1999, FCC 98-54.

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 RDSI, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Application by RDSI, Inc. for a Certificate of Authority to provide Intrastate Telecommunications Services in South Dakota. RDSI, Inc. proposes to offer intrastate, interexchange 1+ and 101XXXX outbound, 800/888 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

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 Capital Avenue
Pierre, SD 57501

RE: Comments on Dockets TC99-030, TC99-041, TC99-042, TC99-043, ~~044~~ 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

Capital Office
Telephone (605)773-3381
FAX (605)773-3889

Transportation/
Warehouse Division
Telephone (605)773-5280
FAX (605)773-3225

Consumer Hotline
1-800-332-1782

TTY Through
Relay South Dakota
1-800-877-1113

Internet Website
www.puc.state.sd.us/puc/

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Lewis Hammond
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Cameron Hoesch
Lisa Hull
Dave Jacobson
Katie Johnson
Bob Knapp
Dolaine Kolbo
Jeffrey P. Lorenson
Cherlene Lund
Terry Norem
Gregory A. Rislov
Keith Senger
Kathryn Alts Wiest

**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 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 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. Sancom, 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:

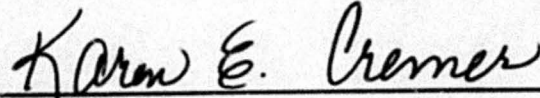
1. Farmers Mutual Telephone Cooperative, Ellendale, ND
2. GTE of Minnesota, Minneapolis, MN
3. Great Plains Communications, Blair, NE
4. RT Communications, Inc., Worland WY
5. Red River Telecom, Inc., Abercrombie, ND
6. Three River Teleco, Lynch, NE

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 Buttes 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. FirsTel, 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.



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

Richard D. Colt
Executive Director
rcd@sd.cybernet.net

May 17, 1999

RECEIVED

MAY 17 1999

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

**Bill Bullard, Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Building
Pierre, South Dakota 57501**

**RE: Dockets TC99-030, TC99-043, ~~YC99-046~~ and TC99-047
(Implementation Plans for IntraLATA Dialing Parity)**

Dear Bill:

SDITC submits this letter on behalf of its member LECs that have recently filed IntraLATA Dialing Parity Plans (hereinafter referred to as "Implementation Plans") for Commission approval. This includes the following local exchange carriers (LECs):

**Accent Communications, Inc.
Splitrock Properties, Inc.
Jefferson Telephone Company
Venture Communications, Inc.
Hanson County Telephone Company
Hanson Communications, Inc.
Vivian Telephone Company
Stockholm-Strandburg Telephone Co.
Heartland Communications, Inc.
Mobridge Telecommunications
West River Telecommunications Cooperative
Stateline Telecommunications, Inc.
Kennebec Telephone Company
Western Telephone Company
Beresford Municipal Telephone Company**

Specifically, this letter is filed in response to Staff comments dated May 7, 1999, filed in the above referenced Dockets.

All of the SDITC member companies that have filed "Implementation Plans" with the Commission concur with the Staff comments and offer to amend their Implementation Plans in accord with the Staff recommendations.



Staff first recommends that the language in the proposed "customer notification letter" (Appendix C) be amended to state that if the customer chooses to change intraLATA long distance carriers, the customer should directly contact the long distance company that he/she has chosen in order to initiate that change. The SDITC member LECs share Staff's concerns and also believe customers would be better served by contacting the long distance carrier selected if they wish to make a change in their IntraLATA long distance service. This will ensure (1) that consumers receive applicable rate information prior to making their carrier selection; and (2) that any preferred carrier change order is properly verified consistent with the FCC rules addressing changes in preferred telecommunications service providers (47 C.F.R. §§ 64.1150, 64.1160, and 64.1100).

Staff further notes that none of the SDITC member LECs, other than Kennebec Telephone Company, have indicated how payphone station lines will be treated in the IntraLATA dialing parity conversion process. The SDITC member LECs agree with Staff, that payphone lines should also be addressed.

In response to the Staff concerns, each of the SDITC member companies affected offers to revise its Implementation Plan (by revising Sections 5 & 6 of the Plan and Appendix C, the customer notification letter) as set forth below. To illustrate these proposed revisions, the Stateline Telecommunications, Inc. Plan is used as an example.

Revise Section 5 of the Plan as follows:

5. Interexchange carrier "carrier" notification.

All carriers certified in South Dakota to provide long distance services will be notified by June 1, 1999, of the conversion to intraLATA toll dialing parity (a sample copy of the carrier notification letter to be used is attached hereto as Appendix A). These carriers will be asked to respond by June 16, 1999, if they want to participate in the intraLATA toll presubscription process (a sample copy of the form which carriers will complete to indicate their participation in the presubscription process is attached hereto as Appendix B). For those carriers that choose to participate in the presubscription process, shall submit verified preferred carrier change orders to Stateline Telecommunications, Inc. to effectuate requests by subscribers for their intraLATA toll service information regarding customer choices will be forwarded by the local exchange carrier to the participating carriers through the "Customer Account Record Exchange" ("CARE") process in place today for exchanging information regarding interLATA toll selections. The CARE process allows for regular reporting via magnetic tape or facsimile transmission of customer carrier selections between local exchange carriers and long distance carriers.

Stateline Telecommunications, Inc. will also provide a summary report that will list all carrier selections received for the long distance carrier for whom the report is prepared. This report will be mailed to each participating long distance carrier in advance of the intraLATA dialing parity implementation date.

Stateline Telecommunications, Inc. will make available preconversion customer name and address lists. These customer lists are available to assist participating carriers in their presubscription solicitation efforts. These lists may be provided subject to a reasonable non-discriminatory fee, with delivery contingent upon the carrier meeting all requirements for participation in the intraLATA presubscription process.

Revise Section 6 A of the Plan as follows:

6. Customer notification.

A. Current customers.

Customers, including payphone service providers, will be notified of the conversion to intraLATA toll dialing parity by letter postmarked by no later than June 25, 1999. In such letter, customers will be advised of their intraLATA choices. Customers will be given the option to remain with their existing intraLATA 1+ carrier, Express Communications, or to choose a different intraLATA carrier for their 1+ service. The letter will include a list indicating all carriers in addition to the existing 1+ carrier that have chosen to participate in the intraLATA toll presubscription process (a sample copy of the customer notification letter that will be used is attached hereto as Appendix C).

~~Stateline Telecommunications, Inc. will include with the customer notification letter a customer response form (a sample copy of the customer response form to be used is attached hereto as Appendix D).~~ Customers will be advised that if they choose a carrier other than their existing intraLATA 1+ carrier, they must fill out and return the response form postmarked by July 12, 1999 directly contact the long distance company that they've chosen in order to initiate that change. Those customers choosing to stay with their existing intraLATA 1+ carrier, will not have to return the response form take any action. Their intraLATA 1+ service will remain with their current provider. Based on the customer response forms received and any letters of agency received directly from participating carriers, Stateline Telecommunications, Inc., as of the date and time that intraLATA dialing parity is implemented, will execute all necessary carrier selection changes.

Customers will not be charged for making any change to their intraLATA 1+ carrier during the presubscription process. In addition, customers will be advised that they will be given 60 days after the intraLATA toll dialing parity implementation date to change their intraLATA 1+ carrier at no charge.

Revise the customer notification letter (Appendix C) as follows:

To: All Customers of
Stateline Telecommunications, Inc.

Stateline Telecommunications, Inc. is pleased to announce that effective July 22, 1999, we will make it possible for you to choose from various long distance companies for your in-state 1+ long distance service (intraLATA long distance service). This service includes all of your intrastate long distance calls made by dialing 1 plus the area code and local telephone number. With these changes, you will have the ability to select a long distance company for your in-state 1+ long distance service.

In conjunction with making these changes, Stateline Telecommunications, Inc. is asking all of its local exchange subscribers to choose whether they wish to retain the current long distance company providing their in-state 1+ long distance service or select another company for the service.

Currently, Express Communications provides your in-state 1+ long distance service. This company will continue to provide service to you unless you tell us to make a change and select another carrier. If you do nothing, your in-state 1+ long distance service will remain with Express Communications.

Attached is a list of long distance companies, in addition to Express Communications, that have agreed to provide 1+ in-state long distance services in your area. If you would like one of these other companies to provide your service, please complete the customer response form that is also attached and return it to our business office postmarked by no later than July 12, 1999 wish to change your 1+ in-state (intraLATA) long distance carrier. you must directly contact the long distance company that you've chosen in order to initiate that change.

You will not be charged for making a change to your existing in-state 1+ long distance service in response to this notice. In addition, for a period of 60 days after July 22, 1999, you may decide to change your in-state 1+ long distance carrier, one time, at no charge. After September 20, 1999, you will incur a Primary Interexchange Carrier (PIC) charge of \$5.00 for changing carriers.

Please call our office at 605-244-5236 if you have any questions on this matter.

Sincerely,

Darrell D. Henderson, General Manager

Revise the "List" of participating long distance carriers attached to the customer notification letter as follows:

LIST

Listed below are the other long distance companies that are willing to offer you intraLATA 1+ (generally in-state) long distance services. If you wish to change your intraLATA 1+ long distance carrier, please complete the attached form and return it postmarked by July 12, 1999, to Stateline Telecommunications, Inc. P.O. Box 39, Bison, South Dakota 57620 directly contact the long distance company that you've chosen in order to initiate that change.

*ABC Telephone Company, Inc.
Bus/Res: 1-800-555-1234*

*LMNOP Telecommunications
Bus: 1-800-55-2345*

*ZXC Telephone Company
Bus/Res: 1-800-555-3456*

Additionally, in accord with the Staff recommendations, each company proposes to remove completely from its Plan the "Customer Response Form" (Appendix D). This form would obviously not be necessary if customers are asked to directly contact their chosen long distance carrier.

I should further note that regarding the Staff recommendations seeking minor revisions to the customer notification letters proposed by Heartland Communications, Inc. and Accent Communications, Inc., these companies will revise their plans further to address these additional recommendations.

The SDITC member LECs will file revised Implementation Plans incorporating the above revisions, provided these revisions are found acceptable to the Commission.

Sincerely,



Richard D. Coff
Executive Director

TELEC CONSULTING RESOURCES 3

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MAY 21 1999

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

909 N. 90th Street, Suite 203
Omaha, NE 68114-2508
(402) 398-0062 FAX (402) 398-0065

301 S. 13th Street, Suite 401
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(402) 441-4315 FAX (402) 441-4317

P.O. Box 858, 1509 Sylvan Circle
Brandon, SD 57005-0858
(605) 582-2020 FAX (605) 582-2021

May 18, 1999

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

RE: Docket TC99-046/Implementation Plan for IntraLATA Dialing Parity

Dear Mr. Bullard:

On behalf of our client, Western Telephone Company (Western), we are filing an amendment to its intraLATA toll dialing parity implementation plan in the above referenced docket.

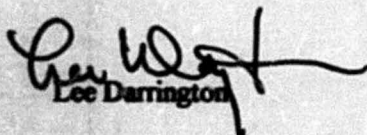
Per the recommendations of the South Dakota Public Utilities Commission (SDPUC) staff, we are adding information specifically addressing payphones. This information has been added to item 6.A. of the Plan: Customer notification, Current customers. We have also changed item 6.A. in accordance with the SDPUC staff's recommendation regarding the need for customers who decide to change their intraLATA carrier to contact their carrier of choice. The customer notification (Attachment C) has been amended to reflect this change and the customer response form (Attachment D) has been omitted.

We have enclosed the corrected Plan pages.

Please give Loretta Calabro or me a call at (402)398-0062 with any questions you may have on this filing.

Thank you.

Sincerely,


Lee Darrington

enc.

cc: Harold Brown, Western Telephone Company

5. Interexchange carrier (carrier) notification:

All carriers certified in South Dakota to provide long distance services will be notified by July 1, 1999, of the conversion to intraLATA toll dialing parity. (Please see Attachment A.) These carriers will be asked to respond by August 2, 1999, if they want to participate in the intraLATA toll presubscription process. (See Attachment B.)

Western Telephone Company will make available, upon request, preconversion customer name and address lists to participating carriers that meet all requirements for participation in the intraLATA presubscription process.

6. Customer notification:

A. Current customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by August 10, 1999. (Please see Attachment C.) Included in this letter will be a list of participating carriers. In the letter, customers will be advised that they may remain with their existing intraLATA 1+ carrier or choose a different carrier from the list of participating carriers. Customers will be advised to contact the carrier of their choice when choosing a carrier other than their existing carrier; those customers choosing to stay with their existing carrier need take no action and Express Communications will automatically remain their intraLATA carrier. Based on the changes received from participating carriers, Western Telephone Company will execute all necessary carrier selection changes as of September 15, 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, one 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. All residence, business, and payphone provider customers will be included in this process.

B. New customers:

New customers applying for local service from Western Telephone Company after August 10, 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 customer 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.

START

OF

RETAKE

5. Interexchange carrier (carrier) notification:

All carriers certified in South Dakota to provide long distance services will be notified by July 1, 1999, of the conversion to intraLATA toll dialing parity. (Please see Attachment A.) These carriers will be asked to respond by August 2, 1999, if they want to participate in the intraLATA toll presubscription process. (See Attachment B.)

Western Telephone Company will make available, upon request, preconversion customer name and address lists to participating carriers that meet all requirements for participation in the intraLATA presubscription process.

6. Customer notification:

A. Current customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by August 10, 1999. (Please see Attachment C.) Included in this letter will be a list of participating carriers. In the letter, customers will be advised that they may remain with their existing intraLATA 1+ carrier or choose a different carrier from the list of participating carriers. Customers will be advised to contact the carrier of their choice when choosing a carrier other than their existing carrier; those customers choosing to stay with their existing carrier need take no action and Express Communications will automatically remain their intraLATA carrier. Based on the changes received from participating carriers, Western Telephone Company will execute all necessary carrier selection changes as of September 15, 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, one 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. All residence, business, and payphone provider customers will be included in this process.

B. New customers:

New customers applying for local service from Western Telephone Company after August 10, 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 customer 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.

ATTACHMENT C

CUSTOMER NOTICE AND CARRIER LIST

August 10, 1999

Western Telephone Company Customer

Dear Customer:

Currently, Express Communications provides you with 1+ long distance service within the South Dakota calling area. Western Telephone Company will be making changes effective September 15, 1999, that will allow you to choose a different 1+ provider of long distance service for calls within the state. We are including, in this mailing, a list of participating long distance companies that you may choose from.

We will make no change in your service unless we are advised to do so. If you wish to choose a different long distance carrier for calls to points within the state, 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 September 15. If you do nothing, Express Communications will remain your intrastate 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 November 15, 1999, you will incur a \$5.00 charge for changing carriers.

Please call our office at (605)598-6217 if you have any questions on this matter.

Sincerely,

Western Telephone Company

enc.

END

OF

RETAKE

**WESTERN TELEPHONE COMPANY
INTRALATA DIALING PARITY IMPLEMENTATION PLAN**

Western Telephone Company 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 (Commission) Docket TC99-046. The purpose of the Plan is to provide information to the Commission on how and when Western Telephone Company (Western) will convert to intraLATA dialing parity, or, as it is sometimes called, intraLATA equal access. The provisioning of this capability will allow customers to select whichever long distance carrier they want to handle their intraLATA 1+ calls.

1. Company name and address:

Western Telephone Company
111 9th Ave. N
P.O. Box 128
Faulkton, SD 57432-0128

2. Associated LATA:

South Dakota LATA, LATA 640

3. Description of offering:

Western Telephone Company will offer intraLATA dialing parity through the full 2-PIC presubscription software installed on a centralized basis at the access tandem switch of South Dakota Network, Inc. (SDN). The full 2-PIC method of presubscription 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. 1+ Directory Assistance calls are included in this presubscription process. Because the intraLATA dialing parity capability will be provisioned via SDN at 2900 West 10th, Sioux Falls, SD 57104, interconnection and access necessary for participation in the offering may be ordered by long distance carriers via SDN.

4. Included local exchange area and conversion date:

IntraLATA toll dialing parity through SDN will be available in the following local exchange area beginning September 15, 1999:

<u>Exchange</u>	<u>NPA</u>	<u>NXX</u>
Cresbard, South Dakota	(605)	324
Faulkton, South Dakota	(605)	598
Orient, South Dakota	(605)	392

5. Interexchange carrier (carrier) notification:

All carriers certified in South Dakota to provide long distance services will be notified by July 1, 1999, of the conversion to intraLATA toll dialing parity. (Please see Attachment A.) These carriers will be asked to respond by August 2, 1999, if they want to participate in the intraLATA toll presubscription process. (See Attachment B.)

Western Telephone Company will make available, upon request, preconversion customer name and address lists to participating carriers that meet all requirements for participation in the intraLATA presubscription process.

6. Customer notification:

Western Telephone Company, upon being contacted by either new or existing customers requesting a preferred carrier selection or change, will not market its products or services on that same call, but will answer customer initiated questions.

A. Current customers:

Customers will be notified of the conversion to intraLATA toll dialing parity by letter by August 10, 1999. (Please see Attachment C.) Included in this letter will be a list of participating carriers. In the letter, customers will be advised that they may remain with their existing intraLATA 1+ carrier or choose a different carrier from the list of participating carriers. Customers will be advised to contact the carrier of their choice when choosing a carrier other than their existing carrier; those customers choosing to stay with their existing carrier need take no action and Express Communications will automatically remain their intraLATA carrier. Based on the changes received from participating carriers, Western Telephone Company will execute all necessary carrier selection changes as of September 15, 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, one 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. All residence, business, and payphone provider customers will be included in this process.

B. New customers:

New customers applying for local service from Western Telephone Company after August 10, 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 customer 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. PIC Freeze:

Customers who currently have an interLATA PIC freeze must give Western Telephone Company a separate authorization to freeze their intraLATA PIC. New customers wanting PIC freeze must give Western Telephone Company two PIC freeze authorizations; one for their interLATA PIC and one for their intraLATA PIC.

8. Request for approval of plan:

Western Telephone Company asks that the Commission grant its official approval of this plan on June 22, 1999.

Dated this 16th day of June, 1999.

Respectfully submitted,



Lee Darrington
TELEC Consulting Resources, Inc.
on behalf of
Western Telephone Company

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
WESTERN TELEPHONE COMPANY FOR)	PETITION FOR
APPROVAL OF DIALING PARITY)	SUSPENSION AND
IMPLEMENTATION PLAN AND PETITION FOR)	MODIFICATION
SUSPENSION AND MODIFICATION OF)	
DIALING PARITY)	TC99-046

On April 21, 1999, Western Telephone Company (Western Telephone) filed with the Public Utilities Commission (Commission) for approval of its 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 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 submitted a centralized intraLATA equal access plan.

The Commission requested comments on Western Telephone's petition for suspension and modification. No parties opposed granting the petition and Commission Staff recommended granting the petition.

At its June 15, 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. The Commission voted unanimously to grant the petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999. The Commission finds, pursuant to SDCL 49-31-81 and section 251(f)(2), that the suspension and modification is necessary to avoid imposing a requirement that is technically infeasible since Western Telephone needs additional time to decide whether intraLATA equal access will be provided by the South Dakota Network as centralized equal access, or, if Western Telephone will make the necessary changes to provide intraLATA dialing parity from its end offices. 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 is for a short time period. It is therefore

ORDERED, that Western Telephone's petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999, is granted.

Dated at Pierre, South Dakota, this 23rd day of June, 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: Nilsine Kalbo

Date: 6/23/99

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
WESTERN TELEPHONE COMPANY FOR)	DIALING PARITY
APPROVAL OF DIALING PARITY)	IMPLEMENTATION PLAN
IMPLEMENTATION PLAN AND PETITION FOR)	
SUSPENSION AND MODIFICATION OF)	TC99-046
DIALING PARITY)	

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The Commission requested comments on Western Telephone's petition for suspension and modification. No parties opposed granting the petition and Commission Staff recommended granting the petition.

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

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
WESTERN TELEPHONE COMPANY FOR)	DIALING PARITY
APPROVAL OF DIALING PARITY)	IMPLEMENTATION PLAN
IMPLEMENTATION PLAN AND PETITION FOR)	
SUSPENSION AND MODIFICATION OF)	TC99-046
DIALING PARITY)	

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The Commission requested comments on Western Telephone's petition for suspension and modification. No parties opposed granting the petition and Commission Staff recommended granting the petition.

At its June 15, 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. The Commission voted unanimously to grant the petition for suspension and modification of the requirement for implementing intraLATA dialing parity until September 15, 1999. The Commission found, pursuant to SDCL 49-31-81 and section 251(f)(2), that the suspension and modification is necessary to avoid imposing a requirement that is technically infeasible since Western Telephone needs additional time to decide whether intraLATA equal access will be provided by the South Dakota Network as centralized equal access, or, if Western Telephone will make the necessary changes to provide intraLATA dialing parity from its end offices. The Commission further found that the suspension and modification is consistent with the public interest, convenience, and necessity. In making this determination, the Commission noted that the suspension and modification is for a short time period.

At its June 15, 1999, meeting, the Commission set certain requirements for intraLATA dialing plans. See, *In the Matter of the FCC Order Establishing New Deadlines for Implementation of IntraLATA Dialing Parity by Local Exchange Carriers, Order Setting Requirements for Plans*, Docket TC99-030. On June 17, 1999, Western Telephone filed an amended intraLATA dialing parity plan. At its June 22, 1999, meeting, the Commission considered whether to approve Western Telephone's amended plan. The Commission voted unanimously to approve Western Telephone's amended intraLATA dialing parity implementation plan. The Commission finds the plan complies with the applicable FCC and Commission orders.

It is therefore

ORDERED, that Western Telephone's amended dialing parity implementation plan is approved.

Dated at Pierre, South Dakota, this 22nd day of June, 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: *William Kaelbo*

Date: 6/23/99

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner



WESTERN TELEPHONE COMPANY

Serving Cresbard, Faulkton, Orient, Polo & Wecota

Harold A. Brown, Manager

PO Box 128, 111 9th Ave. N., Faulkton, SD 57438-0128 — Phone: 605-598-6217 — Fax: 605-598-4100

TC 99-040
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JUL 22 1999

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

July 22, 1999

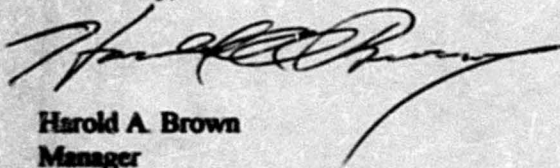
Mr. Bill Bullard
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501

Dear Mr. Bullard:

I am writing to inform the South Dakota Public Utilities Commission that effective September 15, 1999, Western Telephone Company will "brand" Express Communications, the long distance offering of the South Dakota Network (SDN), as **Western Long Distance**. This branding coincides with Western Telephone Company's conversion to SDN and its implementation of intraLATA dialing parity.

Anyone with any questions regarding this matter should call our office at (605)598-6217.

Yours truly,



Harold A. Brown
Manager