

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE)
APPLICATION OF QWEST) DOCKET NO. TC08-127
CORPORATION TO MODIFY ITS)
JURISDICTIONAL REPORT) **MOTION TO EXTEND SUSPENSION**
REQUIREMENTS IN SECTION 2 BY)
ESTABLISHING A PERCENT)
INTERSTATE USAGE (PIU) FLOOR)
FOR UNIDENTIFIED FEATURE)
GROUP D (FGD) TERMINATING)
TRAFFIC.)

MCI Communications Services, Inc., d/b/a Verizon Business Services ("Verizon Business") moves that this matter be suspended for an additional 60 days.

AND AS GROUNDS THEREFOR, Counsel states:

1. The parties have diligently pursued settlement discussions regarding this issue throughout the Qwest Corporation ("Qwest") in-state region, but have been unable to reach an agreement where this matter and like matters are still pending.

2. There are factual matters at issue in this proceeding concerning how Qwest and Verizon Business identify certain forms of Feature Group D traffic including, for example, international traffic, 800 traffic, and wireless traffic, that may be affected by the tariff revisions proposed by Qwest.

3. In Utah pursuant to an Interim Scheduling Order issued February 18, 2009, the same parties in this proceeding held a discovery conference on March 3 in which certain factual matters were discussed. Subsequently on March 5, both Verizon Business and Qwest issued discovery requests for which responses are due March 16. A settlement conference is set in Utah for March 19. If needed, the Commission will hold another scheduling conference after March 19, to calendar further matters as required.

4. The Utah factual matters being addressed in the Utah discovery requests are related to same issues in all pending Qwest PIU filings across the region.

5. Similarly in Oregon, pursuant to a Prehearing Conference Memorandum, these parties have a discovery conference on March 20 and a settlement conference on April 2. If there is no settlement, a prehearing conference is set for April 9.

6. In Colorado, the same matter was suspended by an administrative law judge for an additional 90 days (a total of 210 days) until July 17, 2009, and is set for hearing on May 19, 2009. The parties will file prefiled testimony and have agreed to "import" discovery from other states such as that pending in Utah in order to expedite the proceeding and conserve resources.

7. In Nebraska, nothing else has occurred to date beyond the additional suspension order.

8. In fairness to Qwest both Minnesota and Washington let Qwest's revised tariff pages become effective since this case was opened in South Dakota.

9. Given the same nature of this case and those still pending in Colorado, Nebraska, Oregon and Utah, it is apparent that in short order the parties will either reach a settlement in Utah or Oregon or likely litigate these cases across the Qwest in-state region.

10. Verizon Business also requests the Commission direct the parties to develop a proposed procedural schedule by April 1, 2009, in the event this matter cannot be settled.

11. Since Qwest and Verizon Business are already required to prefile all of their testimony in Colorado by May 11, 2009, this matter can be expedited so that prefiled testimony is also timely filed here and a hearing held before the expiration of the suspension period.

12. Finally, in Oregon on March 5, Qwest requested that the Oregon Public Utility Commission address the similar pending tariff without a proceeding that includes prefiled testimony or

an evidentiary hearing citing the Minnesota order on a similar filing. Qwest generally asserted that the parties were very familiar with the issues and, therefore, needed no prefiled testimony or hearing.

13. While the parties are very familiar with the issues, there remains outstanding discovery seeking facts that are relevant to the application of Qwest's tariff here. Therefore, to the extent Qwest contends this matter should be addressed without a proceeding that includes prefiled testimony or an evidentiary hearing, Verizon Business disagrees because the primary purpose of a hearing is to establish relevant and material facts to determine how to apply the laws of South Dakota to the pending Qwest filing.

WHEREFORE Verizon Business prays that the Commission grant his motion for the reasons stated.

Dated this 17th day of March 2009.

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CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17th day of March, 2009, he served electronically a true and correct copy of the foregoing in the above-captioned action to the following at their last known e-mail addresses, to-wit:

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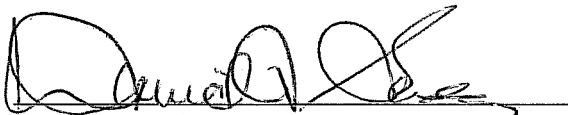
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