

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE COMPLAINT	)	
OF MIDCONTINENT COMMUNICATIONS,	)	<b>TC10-096</b>
KNOLOGY OF THE PLAINS, INC.,	)	COMPLAINANTS' OPPOSITION
AND KNOLOGY OF THE BLACK HILLS, LLC,	)	TO VERIZON'S REQUEST FOR STAY
AGAINST MCI COMMUNICATIONS	)	OR ALTERNATIVE REQUEST FOR
SERVICES, INC. D/B/A VERIZON BUSINESS	)	HEARING ON THRESHOLD FACTUAL
SERVICES FOR UNPAID ACCESS CHARGES	)	ISSUES

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Come now Midcontinent Communications, Knology of the Plains, Inc., and Knology of the Black Hills, LLC, ("Complainants") by and through their undersigned counsel of record, and file this Reply in Opposition to MCI Communications Services, Inc. d/b/a Verizon Business Services ("Verizon's) Request for Stay to Permit Settlement Negotiations, or in the Alternative, Request for Hearing on Threshold Factual Issues Related to Jurisdiction.<sup>1</sup> Complainants' opposition is supported by the accompanying Brief in Support of Opposition, which is filed simultaneously herewith.

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<sup>1</sup>According to ARSD § 20:10:01:11:01, the defenses set forth in SDCL 15-6-12(b) may be raised by motion to dismiss or answer, at the option of the respondent. Verizon chose to file each of its affirmative defenses in its Answer rather than file by a motion to dismiss. Despite Verizon's request in its prayer for relief that the Commission dismiss the action, Verizon has not properly presented a Motion to Dismiss and such a motion is not, therefore, properly before the Commission. To the extent Verizon's pleading is somehow construed as a Motion to Dismiss, Complainants formally oppose such a motion and request an opportunity to file a further reply addressing Motion to Dismiss legal standards and issues.

Dated this 8th day of December, 2010

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By: 

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**CERTIFICATE OF SERVICE**

The undersigned, one of the attorneys for Complainants, hereby certifies that a true and correct copy of the foregoing "Complainants' Opposition to Verizon's Request For Stay or Alternative Request for Hearing on Threshold Factual Issues" was served via email upon the following:

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