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THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF DETERMINING PRICES
FOR UNBUNDLED NETWORK ELEMENTS (UNES)
IN QWEST CORPORATION'S STATEMENT
OF GENERALLY AVAILABLE TERMS (SGAT)

TC01-098

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Transcript of Proceedings
March 28, 2002

ORIGINAL

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BEFORE THE PUBLIC UTILITIES COMMISSION,
JIM BURG, CHAIRMAN
PAM NELSON, COMMISSIONER
ROBERT SAHR, COMMISSIONER

COMMISSION STAFF

- Rolayne Ailts Wiest
- John Smith
- Karen Cremer
- Greg Rislov
- Harlan Best
- Keith Senger
- Dave Jacobson
- Michele Farris
- Heather Forney
- Mary Giddings
- Sue Cichos
- Debra Elofson

APPEARANCES

- Timothy L. Thomas, Black Hills Fibercom
- David A. Gerdes, Midcontinent
- John L. Munn, Qwest

Reported By Cheri McComsey Wittler, RPR

PRECISION REPORTING

L I M I T E D

APPEARANCES BY TELEPHONE

- Mary Lohnes, Midcontinent
- Janet Browne, AT&T
- Jeff Carmon, Qwest
- Mary Hobson, Qwest
- Larry Toll, Qwest
- Tom Welk, Qwest
- Steven Weigler, AT&T

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TRANSCRIPT OF PROCEEDINGS, held in the
 above-entitled matter, at the South Dakota State
 Capitol, Room 412, 500 East Capitol Avenue, Pierre,
 South Dakota, on the 28th day of March 2002, commencing
 at 1:30 p.m.

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1 CHAIRMAN BURG: TC01-098, In The
2 Matter Of Determining Prices For Unbundled Network
3 Elements In Qwest Corporation's Statement Of
4 Generally Available Terms. Today how shall the
5 Commission proceed?

6 Do we want the company to go first?

7 MS. AILTS WIEST: This is
8 Rolayne Wiest, and what I was looking for is just
9 any suggestions from any of the parties involved as
10 to any type of procedural schedule, how soon you
11 would like it, how much time is needed.

12 Qwest, do you have any comments?

13 MS. HOBSON: Thank you. This is
14 Mary Hobson on behalf of Qwest. What has happened
15 here is it's been almost a year now since this case
16 was filed in July, and the cost studies upon which
17 the case is based are now getting a little bit out
18 of date.

19 So we've had some very, very preliminary
20 discussions this morning with the staff, but we're
21 suggesting that we might want to put in some new
22 cost studies to have the most updated take on some
23 of these issues. And that's going to probably take
24 the company a couple of months.

25 So we're looking at roughly the June time

1 frame to update the cost studies. If it's
2 something we can do in the meantime, Qwest is
3 prepared to go ahead. But we would like to point
4 out that there has been no testimony filed at this
5 point, and we really don't have a procedural
6 schedule. So we probably need to first get a take
7 on whether the staff wants to wait for new cost
8 studies and go forward from there to build a
9 procedural schedule.

10 MS. AILTS WIEST: Okay. Thank you.

11 AT&T?

12 MR. WEIGLER: No comment.

13 MS. AILTS WIEST: Staff?

14 MS. CREMER: Thank you. This is
15 Karen Cremer from staff. Staff is looking at
16 conducting one round of discovery. We are then
17 anticipating by the time we get that back, then
18 holding a technical conference with Qwest on this
19 matter. There would then be a second round of
20 discovery.

21 And then I originally was thinking of a
22 hearing in the August, September time frame. Then
23 when I talked to Mary this morning she had
24 mentioned new cost studies. I think we can
25 probably get -- well, I'm not sure now if that

1 first round of discovery will be able to go out
2 because it would be based on old information.

3 MS. AILTS WIEST: So does staff have
4 any objection to waiting until June for Qwest to
5 update their current cost studies? Or maybe you
6 don't have an opinion at this time.

7 MS. CREMER: That would be fine.
8 Just have them do this again and see what they want
9 to do for a procedural schedule. That's fine.

10 MS. AILTS WIEST: Based on those
11 comments, I would suggest the Commission defer this
12 at this point and not issue any procedural
13 schedule.

14 CHAIRMAN BURG: Okay. Any other
15 comment on that recommendation? Okay. We will
16 defer TC01-098.

17 So what would be the process to make sure that
18 they do move ahead with this new cost study? Just
19 an agreement with Qwest?

20 Are you going to initiate the new cost studies
21 immediately?

22 MS. HOBSON: Yes. Uh-huh. We are
23 prepared to file the new cost studies in June, and
24 I can confirm that with a letter to staff or
25 however you advise me to proceed.

1 CHAIRMAN BURG: Okay. That's what I
2 prefer, that you do submit the letter saying
3 approximately when you'll have those cost studies
4 completed.

5 MS. HOBSON: Thank you,
6 Mr. Chairman.

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THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE APPLICATION
OF LEVEL 3 COMMUNICATIONS, LLC
FOR APPROVAL TO EXPAND ITS
CERTIFICATE OF AUTHORITY TO PROVIDE TC02-018
FACILITIES-BASED LOCAL EXCHANGE
SERVICES IN THE SERVICE TERRITORY
OF BERESFORD MUNICIPAL TELEPHONE CO.

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Transcript of Proceedings
March 28, 2002

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John L. Munn, Qwest

Reported By Cheri McComsey Wittler, RPR

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Tom Welk, Qwest

Steven Weigler, AT&T

5 Tom Frieberg, City of Beresford

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1 CHAIRMAN BURG: TC02-018, In The
2 Matter Of The Application Of Level 3
3 Communications, LLC For Approval To Expand Its
4 Certificate Of Authority To Provide
5 Facilities-Based Local Exchange Service In The
6 Service Territory Of Beresford Municipal Telephone
7 Company. Today shall the Commission grant
8 intervention to Beresford Municipal Telephone.

9 Anybody from Beresford -- any comment on it
10 from Beresford?

11 MR. FRIEBERG: This is Tom Frieberg,
12 Commissioner. I believe under the Rules that we're
13 entitled as a local service provider to
14 intervention. I don't believe Level 3 had any
15 objection to it.

16 The only additional request is we be included
17 in any discovery and data requests filed in this
18 matter.

19 MR. GERDES: Mr. Chairman, members
20 of the Commission, my name is Dave Gerdes. I
21 represent Level 3. We have no objection to the
22 intervention.

23 CHAIRMAN BURG: Any other comments?

24 (No audible response)

25 CHAIRMAN BURG: I will move we grant

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intervention to Beresford Municipal Telephone
Company in TC02-018.

COMMISSIONER SAHR: I'll second.

COMMISSIONER NELSON: I'd concur.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING
FOR APPROVAL OF AN AMENDMENT
TO AN INTERCONNECTION AGREEMENT
BETWEEN QWEST CORPORATION AND
MIDCONTINENT COMMUNICATIONS, INC. TC02-022

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Transcript of Proceedings
March 28, 2002

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1 CHAIRMAN BURG: TC02-022, In The
2 Matter Of The Filing For Approval Of An Amendment
3 To An Interconnection Agreement Between Qwest
4 Corporation And Midcontinent Communications,
5 Incorporated. Today shall the Commission approve
6 the amendment to the Interconnection Agreement?

7 Mary, do you have any comments on this?

8 MS. HOBSON: No comment. Thank you.

9 CHAIRMAN BURG: Karen, go ahead.

10 MS. CREMER: I was just going to say
11 I grabbed Kelly's file. I don't see anything in
12 there one way or the other as to -- I'm assuming if
13 you put it on, it's ready to go.

14 I don't know if you want to wait. I think
15 you're well within the time frame. Don't you have
16 90 days?

17 MS. AILTS WIEST: Go ahead. It's
18 not a new company. It's Midcontinent.

19 MS. CREMER: Okay.

20 COMMISSIONER SAHR: I'll move we
21 approve the amendment to the Interconnection
22 Agreement in TC02-022.

23 COMMISSIONER NELSON: Second.

24 CHAIRMAN BURG: I'll concur. It has
25 been granted.

1 STATE OF SOUTH DAKOTA)

2 :SS

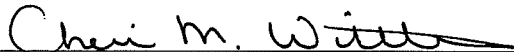
CERTIFICATE

3 COUNTY OF HUGHES)

4
5 I, CHERI MCCOMSEY WITTLER, a Registered
6 Professional Reporter and Notary Public in and for the
7 State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed
9 shorthand reporter, I took in shorthand the proceedings
10 had in the above-entitled matter on the 28th day of
11 March 2002, and that the attached is a true and
12 correct transcription of the proceedings so taken.

13 Dated at Pierre, South Dakota this 3rd day
14 of March 2002.

15
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17 
18 Cheri McComsey Wittler,
19 Notary Public and
Registered Professional Reporter