

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE PETITION
OF JAMES VALLEY COOPERATIVE
TELEPHONE COMPANY FOR SUSPENSION
OF INTERMODAL LOCAL NUMBER
PORTABILITY OBLIGATIONS

TC04-077

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Transcript of Proceedings
August 17, 2004

ORIGINAL

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BEFORE THE PUBLIC UTILITIES COMMISSION,
ROBERT SAHR, CHAIRMAN
GARY HANSON, VICE CHAIRMAN
JIM BURG, COMMISSIONER

COMMISSION STAFF

- Rolayne Ailts Wiest
- John Smith
- Karen Cremer
- Greg Rislov
- Harlan Best
- Keith Senger
- Dave Jacobson
- Michele Farris
- Jim Mehlhaff
- Tina Douglas
- Heather Forney
- Pam Bonrud

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Reported By Cheri McComsey Wittler, RPR

PRECISION REPORTING
L I M I T E D

APPEARANCES BY TELEPHONE

- Rachel Torrence
- Mark Meierhenry
- Karen Huizenga
- Mark Rodvolt
- Marv Truhe
- Larry Hettinger
- Talbot Wieczorek
- Jeff Carmen
- Marlene Bennett
- Mark Ayotte
- Jim Blundell
- Doug Eidahl
- Wendy Harper
- Chris Clark
- Mary Lohnes
- Tom Burns
- Pat Mastel
- Gene Ward
- Jeff Heig
- Dan Larson
- James Cremer

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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 17th day of August 2004,
 commencing at 9:30 a.m.

CHAIRMAN SAHR: TC04-077, In the
 Matter of the Petition of James Valley Cooperative
 Telephone Company for Suspension of Intermodal Local

1 Number Portability Obligations.

2 And the question today is shall the
3 Commission approve the stipulation and enter a decision
4 incorporating its terms, and if this matter is
5 resolved, shall the Commission close the Docket.

6 Mr. Cremer.

7 MR. CREMER: Thank you,
8 Mr. Chairman and Commissioners. As you may recall, we
9 submitted a stipulation which was signed by the
10 Interveners in James Valley which would resolve these
11 disputes. We've provided the Commission with a copy of
12 the unsigned stipulation at the last hearing on this
13 that was the end of July. The signed stipulation was
14 filed on August 2. We believe it resolved all disputes
15 between these parties, and we would ask the Commission
16 to enter an order approving that stipulation.

17 CHAIRMAN SAHR: Thank you. Western
18 Wireless.

19 MR. WIECZOREK: We'd just concur in
20 the Commission approving the stipulation.

21 CHAIRMAN SAHR: Thank you.
22 Midcontinent.

23 MR. GERDES: Dave Gerdes,
24 representing Midcontinent, and I concur in the
25 concurrence.

1 CHAIRMAN SAHR: Thank you. Is there
2 anyone else on the line or in Pierre that would
3 like to comment on the proposed stipulation?

4 MR. SMITH: Mr. Coit, were you a
5 party to this?

6 MR. COIT: Yes. We have no
7 objection.

8 CHAIRMAN SAHR: Please note SDTA has
9 no objection.

10 Staff.

11 MS. AILTS WIEST: Staff would
12 recommend approval.

13 CHAIRMAN SAHR: Thank you. Any
14 questions from advisers or Commissioners?

15 Maybe just for my sake, Mr. Cremer, how does
16 this apply to subsequent parties that might come in
17 and want to be under the same terms?

18 MR. CREMER: There's a specific
19 provision that says any non-Intervener would be
20 subject to the same terms. Or I should put it the
21 other way that James Valley would offer the same
22 terms to any non-Intervener. If the non-Intervener
23 does not want to accept those terms, they could
24 petition the Commission for a hearing to determine
25 what the appropriate terms with respect to them

1 would be.

2 CHAIRMAN SAHR: Thank you. I
3 remember that was an issue that came up at hearing.
4 I appreciate you addressing that. The only other
5 question I had is what happens at the end of the
6 three years? What would you anticipate happening?
7 Would you be doing another agreement, or where do
8 you think we'll be at then?

9 MR. CREMER: I would anticipate that
10 we would be negotiating with Western Wireless and
11 Midco at that time.

12 CHAIRMAN SAHR: Thank you. Any
13 other questions or comments?

14 Seeing none, then I will move that we approve
15 the stipulation and enter a decision incorporating
16 its terms and also that we shall close the Docket.

17 VICE CHAIR HANSON: Second.

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STATE OF SOUTH DAKOTA)

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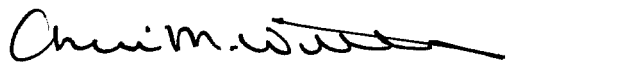
CERTIFICATE

COUNTY OF HUGHES)

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

DO HEREBY CERTIFY that as the duly-appointed shorthand reporter, I took in shorthand the proceedings had in the above-entitled matter on the 17th day of August 2004, and that the attached is a true and correct transcription of the proceedings so taken.

Dated at Pierre, South Dakota this 7th day of September 2004.



Cheri McComsey Wittler,
Notary Public and
Registered Professional Reporter