

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER SETTING
BY PRAIRIEWAVE TELECOMMUNICATIONS,)	SCHEDULING ORDER
INC. AGAINST AT&T COMMUNICATIONS OF)	
THE MIDWEST, INC. REGARDING ACCESS)	CT05-007
CHARGES)	

On November 21, 2005, the Public Utilities Commission (Commission) received a complaint filed by PrairieWave Telecommunications, Inc. (Complainant) against AT&T Communications of the Midwest, Inc. (AT&T) regarding access charges.

On November 24, 2005, the complaint was faxed to AT&T. Pursuant to ARSD 20:10:01:09, AT&T was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 12, 2005. On December 19, 2005, the Commission received AT&T's Answer, Affirmative Defenses and Counterclaims. On January 3, 2006, the Commission received PrairieWave's Response to the Counterclaim made by AT&T. On April 12, 2006, the Commission received a Motion to Dismiss AT&T's Counterclaim and for Summary Judgment on PrairieWave's Complaint from PrairieWave. On May 15, 2006, the Commission received AT&T's Response to PrairieWave's Motion to Dismiss AT&T's Counterclaim and Motion for Summary Judgment on PrairieWave's Complaint. On June 20, 2006, the Commission received Staff's Response to PrairieWave's Motion to Dismiss AT&T's Counterclaim and for PrairieWave's Motion for Summary Judgment. On June 28, 2006, the Commission received PrairieWave's Reply to AT&T's Response to PrairieWave's Motion to Dismiss AT&T's Counterclaim and Motion for Summary Judgment on its Complaint. At its regularly scheduled meeting of August 8, 2006, the Commission denied PrairieWave's Motion to Dismiss AT&T's Counterclaim and for Summary Judgment on PrairieWave's Complaint.

The Commission finds that it has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1, including 49-1-9 and 49-1-11, 49-13, including 49-13-1 through 49-13-14.1, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-11, 49-31-76 and 49-31-89, and ARSD Chapters 20:10:01 and 20:10:32.

On August 9, 2006, Commission Counsel held a prehearing scheduling teleconference with counsel for PrairieWave and AT&T and Staff participating. The parties agreed to the following procedural schedule:

DATE	PROCEDURAL SCHEDULE
October 2, 2006	Direct Testimony Due.
November 1, 2006	Rebuttal Testimony Due.
November 20, 2006	Reply Testimony Due.

November 28, 2006

Hearing on Pre-Hearing Motions.

December 12 and 13, 2006

Hearing

It is therefore

ORDERED, that the procedural schedule set forth above is established and shall be followed by the parties, and all above-described documents shall be filed and served on or before the above dates unless an order modifying this schedule is approved by the Commission.

Dated at Pierre, South Dakota, this 15th day of August, 2006.

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:	<u> <i>Delaine Kaebo</i> </u>
Date:	<u> 8/15/06 </u>
(OFFICIAL SEAL.)	

BY ORDER OF THE COMMISSION:

 Robert K. Sahr
ROBERT K. SAHR, Chairman

 Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

 Gary Hanson
GARY HANSON, Commissioner