

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

<b>IN THE MATTER OF THE APPLICATION OF SPRINT COMMUNICATIONS COMPANY L.P. FOR AN AMENDED CERTIFICATE OF AUTHORITY TO PROVIDE LOCAL EXCHANGE ACCESS TELECOMMUNICATIONS SERVICES IN SOUTH DAKOTA</b>	) ) )	<b>ORDER FOR AND NOTICE OF HEARING AND PROCEDURAL SCHEDULE</b>  <b>TC96-156</b>
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On August 23, 1996, the South Dakota Public Utilities Commission (Commission) received an application from Sprint Communications Company L.P. (Sprint) for an Amended Certificate of Authority to provide local exchange and exchange access services within the State of South Dakota. Sprint intends to provide local exchange service that will meet all of the currently lawful requirements for such service, including switched-based custom calling and class features such as call waiting, call forwarding, three-way calling, speed calling, call hold and Caller ID - name and number. Basic business exchange service offerings will include local exchange service lines, PBX trunk lines, direct inward dialing lines/trunks, ISDN lines, Centrex lines and private lines. Business custom calling and class features include hunting, call hold, variable call forwarding, call waiting, Caller ID - name and number, three way calling and speed calling. Sprint currently has a Certificate of Authority to provide resold intrastate long distance service.

On August 29, 1996, the Commission electronically transmitted notice of the filing and the intervention deadline of September 13, 1996, to interested individuals and entities. Intervention in this docket has been granted to U S WEST Communications, Inc. (U S WEST), the South Dakota Independent Telephone Coalition, Inc. (SDITC), and Dakota Cooperative Telecommunications, Inc. (DCT).

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and 49-31, and ARSD Chapter 20:10:01. The Commission may rely upon any or all of these or other laws of this state in making its determination.

The issue at the hearing is whether Sprint's application for a Certificate of Authority to provide local exchange services within the state of South Dakota should be approved.

The procedural schedule for the hearing on this matter shall be as follows:

The hearing on Sprint's application will begin at 9:00 a.m., in Pierre, South Dakota, on December 12, 1996, at the State Capitol, Room LCR-1.

The public is invited to participate by testifying at the hearing. All persons so testifying will be subject to cross-examination by the parties. The order of the proceeding will be in the following sequence: (1)

Applicant; (2) Staff; and (3) Intervenors.

The hearing is an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to attend and represent themselves or be represented by an attorney. However, such rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20.

The Commission, after examining the evidence and hearing testimony presented by the parties, shall make Findings of Fact, Conclusions of Law, and a Final Decision. As a result of the hearing the Commission may either approve or reject the application for an amended certificate of authority. The Final Decision made by the Commission may be appealed by the parties to the Circuit Court and the South Dakota Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held on Sprint's application for an Amended Certificate of Authority to provide local exchange services within the state of South Dakota at the time and place specified above. It is further

ORDERED that prefiled testimony shall be filed pursuant to the following schedule:

Applicants will file initial testimony on or before November 13, 1996.

Intervenors and Commission Staff shall file reply testimony on or before November 27, 1996.

Applicants may file re al testimony on or before December 9, 1996.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 29th day of October, 1996.

**CERTIFICATE OF SERVICE**

BY ORDER OF THE  
COMMISSION:

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.

Commissioners Stofferahn, Burg,  
Schoenfelder

By: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

WILLIAM BULLARD, JR.

(OFFICIAL SEAL)

Executive Director

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