

Telecommunications Orders - Issued 1996

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

**IN THE MATTER OF THE FILING BY U S WEST) PROCEDURAL SCHEDULE;
COMMUNICATIONS, INC. FOR APPROVAL OF ITS) ORDER FOR AND NOTICE
STATEMENT OF GENERALLY AVAILABLE TERMS.) OF HEARING

) TC96-179**

On October 30, 1996, the Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST) for approval of its Statement of Generally Available Terms. The filing includes information classified as proprietary by U S WEST. On November 7, 1996, U S WEST filed with the Commission a request for confidential treatment of certain information.

On October 31, 1996, the Commission electronically transmitted notice of the filing and the intervention deadline of November 8, 1996, to interested individuals and entities. Intervention in this docket has been granted to Dakota Cooperative Telecommunications, Inc. (DCT), MCI Telecommunications Corporation (MCI), AT&T Communications of the Midwest, Inc. (AT&T), Midco Communications (Midco), Telecommunications Action Group (TAG), Sprint Communications, L.P. (Sprint), and the South Dakota Independent Telephone Coalition (SDITC).

The procedural schedule in this matter shall be as follows:

Prefiled testimony by U S WEST shall be filed on or before November 15, 1996;

Intervenors shall file their prefiled testimony on or before December 6, 1996;

A hearing shall be held on this matter December 16-19, 1996. The hearing will begin at 10:00 a.m. on December 16, 1996, and will be held in Room LCR-1 on December 16, and in Room 412 each day thereafter in the State Capitol, Pierre, South Dakota;

The parties shall file briefs, proposed Findings of Fact and Conclusions of Law on or before December 24, 1996;

The Commission will announce its oral decision on January 2, 1997;

The Commission will issue a written decision on or before January 6, 1997.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and the Telecommunications Act of 1996. 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 the Commission shall approve the Statement of Generally Available Terms filed by U S WEST in accordance with 47 U.S.C. § 252(f).

The hearing is an adversary proceeding conducted pursuant to SDCL Chapters 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 its final decision. As a result of the hearing, the Commission shall resolve any open issues. The final decision made by the Commission may be appealed by the parties. It is therefore

ORDERED, that all parties shall follow the procedural schedule as set forth above; and it is

FURTHER ORDERED, that the hearing shall be held on this matter December 16-20, 1996. The hearing will begin on December 16, 1996, at 10:00 a.m., in Room LCR-1, and in Room 412 each day thereafter in the State Capitol, Pierre, South Dakota.

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 12th day of November, 1996.

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: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE
COMMISSION:

Commissioners Stofferahn, Burg,
Schoenfelder

WILLIAM BULLARD, JR.

Executive Director

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