

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

IN THE MATTER OF THE INVESTIGATION OF LOCAL COMPETITION ISSUES)	PROCEDURAL SCHEDULE; ORDER FOR AND NOTICE OF HEARING
)	TC96-153
)	

On June 24, 1996, the Public Utilities Commission (Commission) voted to open a docket concerning local competition issues. The docket would investigate what rules should be implemented or actions taken by the Commission to govern local competition. On November 12, 1996, at an ad hoc meeting, the Commission rescinded its oral decision to establish prices for U S WEST's network elements and interconnection and to establish the wholesale rates for U S WEST's retail services pursuant to the Federal Communication Commission's pricing rules. The Commission further decided to receive comments concerning the regulation of local competition and slamming. In order to accomplish this, the following procedural schedule shall be followed:

Interested parties shall file comments by January 14, 1997.

A public hearing shall be held on January 23 and 24, 1997, beginning at 9:00 A.M. at the Conference Room of the Governor's Inn, 700 West Sioux Avenue, Pierre, South Dakota.

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 issues at the hearing will be to resolve whether the Commission shall adopt rules or issue a declaratory ruling concerning local telephone service in South Dakota and regulate such practices known as slamming.

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 decide whether to open a rulemaking docket for the purpose of adopting rules or issue a declaratory ruling concerning local competition and slamming. 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 January 23 and 24, 1997. The hearing will begin on January 23, 1997, at 9:00 A.M., at the Conference Room of the Governor's Inn, 700 West Sioux Avenue, 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 2nd day of January, 1997.

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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