

## Telecommunications Orders - Issued 1997

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

<b>IN THE MATTER OF THE FILING BY HEARTLAND TELECOMMUNICATIONS COMPANY OF IOWA DBA HICKORY TECH CORPORATION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER</b>	)	<b>ORDER FOR AND NOTICE OF HEARING</b>
	)	<b>TC97-195</b>
	)	

On December 17, 1997, the South Dakota Public Utilities Commission (Commission) received a request from Heartland Telecommunications Company of Iowa dba Hickory Tech Corporation requesting designation as an eligible telecommunications carrier.

On December 18, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of December 26, 1997, to interested individuals and entities.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31, including 1-26-18, 1-26-19, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, and 47 U.S.C. § 214(e)(1) through (5).

The issues at the hearing shall be as follows: (1) whether the above captioned telecommunications company should be granted designation as an eligible telecommunications carrier, and (2) what service areas shall be established by the Commission.

A hearing shall be held at 10:00 A.M., on Tuesday, December 23, 1997, in the Public Utilities Commission Cactus Conference Room, State Capitol, Pierre, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These 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 the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of this hearing, the Commission may either grant or deny the request of the above captioned telecommunications company requesting designation as an eligible telecommunications carrier, and the Commission shall establish service areas for an eligible telecommunications carrier. The Commission's decision may be appealed to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held at the time and place specified above on the issues of whether

the above captioned telecommunications company should be granted designation as an eligible telecommunications carrier, and the Commission shall establish service areas for an eligible telecommunications carrier.

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 22nd day of December, 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 Burg, Nelson and  
Schoenfelder

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

\_\_\_\_\_

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

WILLIAM BULLARD, JR.

(OFFICIAL SEAL)

Executive Director

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