

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

**IN THE MATTER OF THE REQUEST FOR ) ORDER OPENING DOCKET  
PUBLIC COMMENTS ON PUBLIC INTEREST ) TC98-109  
PAYPHONES )**

At its April 22, 1998, regularly scheduled meeting, the Public Utilities Commission (Commission) voted to open a docket concerning the Federal Communications Commission's (FCC) Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996 Report and Order (Report and Order) of September 20, 1996, which required the Commission to establish a policy on public interest payphones by September 20, 1998. The FCC concluded that the primary responsibility for administering and funding of public interest payphone programs should be left to the states. The FCC's definition of a "public interest telephone" is a payphone which (1) fulfills a public policy objective in health, safety, or public welfare, (2) is not provided for a location provider with an existing contract for the provision of a payphone, and (3) would not otherwise exist as a result of the operation of the competitive marketplace. Report and Order, FCC 96-388, ¶ 282.

To initiate this procedure, the Commission is requesting written comments from telecommunications companies and other interested persons and entities on whether the Commission needs to take any measures to ensure that payphones serving important public interests will continue to exist in light of the elimination of subsidies and other competitive provisions established pursuant to Section 276 of the 1996 Act. Written comments shall be filed with the Commission on or before June 19, 1998. Following the filing of comments, the Commission will determine what action, if any, needs to be taken.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and the federal Telecommunications Act of 1996. It is therefore

ORDERED that any individual or entity may file comments in this matter with the Commission on or before the 19th day of June, 1998.

Dated at Pierre, South Dakota, this 1st day of June, 1998.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align:center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner

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LASKA SCHOENFELDER, Commissioner

