

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

<b>IN THE MATTER OF U S WEST ) COMMUNICATIONS, INC.'S CLASSIFICATION ) OF CERTAIN SERVICES )</b>	<b>ORDER GRANTING INTERVENTION; ORDER SETTING PROCEDURAL SCHEDULE TC00-091</b>
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On March 27, 2000, U S WEST Communications, Inc. (U S WEST) filed with the Public Utilities Commission (Commission) for approval of certain pages from its Exchange and Network Services Tariff. U S WEST stated the changes were to clarify the terms and conditions relating to customer payment options and application of the charge for a payment returned to U S WEST for insufficient funds or a closed account. The application was filed as Docket TC00-059.

On April 10, 2000, Commission Staff filed a motion requesting that the Commission issue an order requiring U S WEST to provide information regarding its actions with respect to one of the tariff pages U S WEST was requesting be approved in Docket TC00-059. Staff stated that the tariff page in question, Exchange and Network Services Tariff, Section 1, page 13, Release 5, had been changed earlier without Commission approval. Specifically, Staff noted that the last release approved for Section 1, Page 13 was release 3, and that U S WEST had not filed for approval of Section 1, Page 13, Release 4. Staff requested that U S WEST be ordered to appear before the Commission, produce the necessary documentation, and further explain its actions and demonstrate to the Commission why U S WEST should not have statutory penalties imposed against it for violation of SDCL 49-31-12.

On May 12, 2000, U S WEST filed its response to Staff's Motion. U S WEST stated that it had made the changes to that tariff page without Commission approval because it removed a toll restriction service from its subject index. U S WEST asserted this change did not need Commission approval because the Commission reclassified toll services as fully competitive in Docket TC99-099. U S WEST also attached pages for other services that it considered to be toll related services.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 49-13 and 49-31. At its May 17, 2000, meeting, the Commission considered this matter. After listening to arguments from Staff and representatives of U S WEST, the Commission voted to consider the issues raised by Staff's motion and U S WEST's response in this docket. The Commission determined that the issue in this docket will be whether the services that U S WEST referenced in its response are fully competitive services. Specifically, the services in question are: Pay Per Call Restriction; Billed Number Screening; Toll Restriction; and Blocking for 10XXX1+/10XXX011+. The Commission requests that U S WEST explain why it believes that these services have already been classified as fully competitive services in Docket TC99-099. The Commission is interested in knowing whether these services are currently being provided by interexchange carriers.

On June 26, 2000, the Commission received a Petition for Leave to Intervene of the Association of Communications Enterprises (ASCENT). At its July 13, 2000, meeting, the Commission voted unanimously to grant the petition to intervene. The Commission further voted to set a procedural schedule to allow the parties to file written comments on the issues presented by this docket. The Commission sets the following procedural schedule:

U S WEST shall file written comments on or before August 3, 2000;

Any intervenor or Commission staff may file reply comments on or before August 17, 2000; and

U S WEST may file rebuttal comments on or before August 28, 2000.

It is therefore

ORDERED, that ASCENT's petition to intervene is granted; and it is

FURTHER ORDERED, that the parties shall follow the procedural schedule as set forth above.

Dated at Pierre, South Dakota, this 19<sup>th</sup> day of July, 2000.

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:	<u>Delaine Kalbo</u>
Date:	<u>7/19/00</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner