

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

IN THE MATTER OF THE ANALYSIS OF)		ORDER AMENDING
QWEST CORPORATION'S COMPLIANCE)		BRIEFING SCHEDULE
WITH SECTION 271(c) OF THE)		
TELECOMMUNICATIONS ACT OF 1996)		TC01-165

On October 25, 2001, Qwest Corporation (Qwest) filed with the Commission a Petition for Commission Recommendation that the Federal Communications Commission Grant Qwest Corporation Entry into the In-Region InterLATA Market Under Section 271 of the Telecommunications Act Of 1996. Specifically, Qwest requests that this Commission find, based upon the record presented, that Qwest has met the competitive checklist and other requirements of 47 U.S.C. section 271, which prescribe the mechanism by which Qwest may be found eligible to provide in-region interLATA services and rely upon that finding to provide a favorable recommendation to the Federal Communications Commission (FCC). In support of its petition, Qwest submitted 25 affidavits, a revised Statement of Generally Available Terms, and seven Reports submitted in the Seven-State Process.

On November 1, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of November 16, 2001, to interested individuals and entities. A Petition for Leave to Intervene was received from Black Hills FiberCom, L.L.C. (Black Hills) on November 7, 2001, a Petition to Intervene was received from Midcontinent Communications (Midcontinent) on November 9, 2001, and a Petition for Leave to Intervene was received from AT&T Communications of the Midwest, Inc. (AT&T) on November 15, 2001. At its November 27, 2001, meeting, the Commission granted the interventions. The Commission also requested that the parties submit proposed procedural schedules by December 7, 2001. The Commission received proposed procedural schedules from all of the parties.

At its December 12, 2001, meeting, the Commission considered the proposed procedural schedules. The Commission set the following procedural schedule:

January 18, 2002 - Intervenors and Staff identify disputed issues (except for issues relating to the final OSS report which has not been issued yet);

February 7, 2002 - A prehearing conference will be held beginning at 2:30 p.m., in Room 468, State Capitol Building, Pierre, South Dakota;

March 18, 2002 - Staff and Intervenors' testimony is due;

April 2, 2002 - Qwest may file rebuttal testimony; and

April 22-26, 2002 - A hearing will be held beginning at 9:00 a.m. on April 22, 2002 and continuing through April 26, 2002, in Room 412, State Capitol Building, Pierre, South Dakota.

The hearing was held as scheduled, beginning on April 22, 2002 and ending on April 30, 2002. At the conclusion of the hearing, the Commission set a post-hearing briefing schedule.

At its May 30, 2002, meeting, the Commission listened to comments from the parties on how to proceed with consideration of the Regional Oversight Committee (ROC) Operational Support Systems (OSS) test. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-

31, specifically 49-31-81 and 47 U.S.C. section 271. The Commission set the following procedural schedule to consider the ROC OSS test:

July 3, 2002 - Parties may file comments on the ROC OSS test. These comments are optional. A party may present testimony at the hearing without filing comments;

July 11, 2002 - A hearing will be held beginning at 8:30 a.m. on July 11, 2002, in Room 412, State Capitol Building, Pierre, South Dakota. The ROC OSS vendors will present testimony on the ROC OSS test. The following vendors will be giving presentations: MTG - Denise Anderson and Marie Bakunas; KPMG - Mike Weeks and Joe Dellatorre; and HP - Geoff May, Liz Gragert, and Don Petry. All parties will be allowed an opportunity for cross-examination. Following that testimony, all parties will be allowed the opportunity to present additional testimony, which will also be subject to cross-examination. The Commission is scheduling only one day for this hearing. If necessary, the hearing may extend into the evening hours;

July 22, 2002 - Qwest may file a post-hearing brief concerning issues related to the ROC OSS test;

August 5, 2002 - Staff and Intervenors may file a post-hearing brief concerning issues related to the ROC OSS test; and

August 12, 2002 - Qwest may file a rebuttal brief.

On June 25, 2002, the Commission received Qwest's Motion to Amend the Scheduling Order for Review of the ROC OSS Test. Qwest stated that it did not anticipate a need to file a post-hearing brief and requested that Staff and Intervenors file any post-hearing briefs on or before July 22, 2002, and allow Qwest the option of filing a rebuttal brief on or before July 29, 2002. The Commission contacted all of the parties and none of the parties objected to the amendment of the procedural schedule. It is therefore

ORDERED, that Staff and Intervenors may file a post-hearing brief concerning issues related to the ROC OSS test on or before July 22, 2002, and Qwest may file a rebuttal brief on or before July 29, 2002.

Dated at Pierre, South Dakota, this 27th day of June, 2002.

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>Melanie Kaebo</u>
Date:	<u>6/28/02</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner