

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER FOR AND NOTICE</b>
<b>SPRINT COMMUNICATIONS COMPANY L.P. )</b>	<b>OF HEARING</b>
<b>FOR AUTHORITY TO PROVIDE LOCAL )</b>	
<b>EXCHANGE SERVICES IN CERTAIN RURAL )</b>	<b>TC06-178</b>
<b>AREAS SERVED BY BROOKINGS MUNICIPAL )</b>	
<b>UTILITIES D/B/A SWIFTEL COMMUNICATIONS )</b>	

On October 20, 2006, the Public Utilities Commission (Commission) received an Application from Sprint Communications Company L.P. (Sprint) for authority to provide local exchange services in certain rural areas served by Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel).

On October 26, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of November 10, 2006, to interested individuals and entities. South Dakota Telecommunications Association (SDTA) filed to intervene on November 7, 2006. Swiftel filed to intervene on November 9, 2006. Swiftel was granted intervention. SDTA was granted intervention subject to certain restrictions. On March 30, 2007, the Commission issued an Order Setting Procedural Schedule; Order for and Notice of Hearing scheduling the hearing to be held on June 28, 2007. On May 4, 2007, the Commission received a Joint Motion for Delay of Hearing. At its regularly scheduled meeting of May 22, 2007, the Commission unanimously voted to grant the Joint Motion for Delay of Hearing. On July 5, 2007, the Commission received a Joint Motion for Delay of Hearing. At its meeting on July 11, 2007, the Commission granted the Joint Motion for Delay of Hearing. On January 11, 2008, the Commission received a Joint Motion for Delay of Hearing.

At its January 29, 2008, meeting, the Commission considered the Joint Motion for Delay of Hearing. Commission Staff recommended approval. The Commission unanimously voted to grant the Joint Motion for Delay of Hearing. On May 13, 2008, the Commission received a Motion to Request the Commission Enter a Protective Order.

At its May 20, 2008, meeting, the Commission considered the Motion to Request the Commission Enter a Protective Order. All parties agreed to entry of the Order. Commission Staff recommended approval. The Commission unanimously voted to grant the Motion to Request the Commission Enter a Protective Order.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, specifically SDCL 49-31-69 through 49-31-75, inclusive. The Commission may rely upon any or all of these or other laws of this state in making its determination.

A hearing will be held on this matter beginning at 9:00 A.M. on August 20, 2008, and continuing at 8:00 A.M. on August 21-22, 2008, in the Visitors Center, 650 East Capitol, Pierre, South Dakota.

The issue to be determined by the Commission is whether Sprint will be granted authority to provide local exchange services in certain rural areas served by Swiftel.

The hearing will be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All persons testifying will be subject to cross-examination by the parties. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights may be

forfeited if not exercised at the hearing. If a party or its representative fails 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 the hearing, the Commission will determine whether to grant Sprint authority to provide local exchange services in certain rural areas served by Swiftel. The Commission's Final Decision may be appealed by the parties as provided by law.

It is therefore

ORDERED, that a hearing shall be held at the times and place specified above on the issue set forth above.

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 28<sup>th</sup> day of May, 2008.

<b>CERTIFICATE OF SERVICE</b>	
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, electronically.	
By:	<u>Helaine Kolbo</u>
Date:	<u>5/30/08</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Steve Kolbeck  
STEVE KOLBECK, Commissioner

Dustin Johnson  
DUSTIN M. JOHNSON, Commissioner