

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

IN THE MATTER OF THE APPLICATION OF)	SCHEDULING ORDER
MCC TELEPHONY OF THE MIDWEST, INC.)	
D/B/A MEDIACOM FOR A CERTIFICATE OF)	TC06-188
AUTHORITY TO PROVIDE LOCAL EXCHANGE)	
SERVICES IN THE BROOKINGS EXCHANGE)	

On November 6, 2006, the Public Utilities Commission (Commission) received an Application for Certificate of Authority from MCC Telephony of the Midwest, Inc. d/b/a Mediacom (MCC) to provide facilities-based and resold basic local exchange services. The services proposed will include non-switched, switched local services and special access services in the Brookings rural exchange area.

On November 9, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of November 27, 2006, to interested individuals and entities. Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel) filed to intervene on November 21, 2006. South Dakota Telecommunications Association (SDTA) filed to intervene on November 22, 2006. Swiftel and SDTA were granted intervention. 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 29, 2007. On May 21, 2007, the Commission received a Joint Motion for Delay of Hearing.

At its May 22, 2007, 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 August 3, 2007, the Commission received a Joint Motion for Delay of Hearing.

At its August 7, 2007, 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 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 parties have agreed to pre-file testimony according to the following schedule:

<u>Event</u>	<u>Date</u>
Simultaneous Direct Testimony Due	July 9, 2008
Simultaneous Reply Testimony Due	August 4, 2008

The Parties agree Swiftel may present new arguments that are connected to discovery it obtains through a Motion to Compel, or is otherwise produced late, in its Reply Testimony due August 4, 2008.

The Parties also agree MCC may then reply specifically to the new Swiftel arguments by August 13, 2008.

Pursuant to an Order for and Notice of Hearing dated May 28, 2008, the hearing in this matter has been scheduled to begin 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 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. It is therefore

ORDERED, that the parties shall follow the scheduling order as set forth above.

Dated at Pierre, South Dakota, this 27th day of June, 2008.

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, electronically.
By: <u><i>Arlaine Kalbo</i></u>
Date: <u>6/27/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner