

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

IN THE MATTER OF THE COMPLAINT FILED)	SCHEDULING ORDER
BY ORBITCOM, INC. AGAINST GLOBAL)	
CROSSING TELECOMMUNICATIONS, INC.)	TC08-005
REGARDING SWITCHED ACCESS SERVICES)	

On February 6, 2008, the Public Utilities Commission (Commission) received a Complaint filed by OrbitCom, Inc. (OrbitCom), against Global Crossing Telecommunications, Inc. (Global Crossing) alleging that Global Crossing had failed to pay OrbitCom for intrastate switched access services provided by OrbitCom. On February 22, 2008, the Commission received a Motion to Dismiss from Global Crossing. On May 20, 2008, the Commission received OrbitCom's Response to Global Crossing's Motion to Dismiss. On June 2, 2008, the Commission received Global Crossing's Reply in Support of its Motion to Dismiss. On July 2, 2008, the Commission issued its Order Denying Motion to Dismiss. On July 28, 2008, Global Crossing filed its Answer, Affirmative Defenses and Counterclaims.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14.1, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-11, 49-31-18 and 49-31-19, and ARSD Chapters 20:10:01, 20:10:27, 20:10:28 and 20:10:29.

On August 7, 2008, a pre-hearing scheduling conference was held among counsel for OrbitCom, Global Crossing and Staff with Commission Counsel presiding. The parties agreed on the following procedural schedule and related provisions, with the referenced pleadings and motions to be served and filed, and discovery requests and responses to be served, on or before the stated dates in conformity with the Commission's electronic filing and service rules:

OrbitCom's Answer to Counterclaims and Reply to Answer and Affirmative Defenses	August 28, 2008
OrbitCom's and Global Crossing's Initial Discovery Requests	September 5, 2008
Responses to Initial Discovery Requests	October 10, 2008
OrbitCom's and Global Crossing's second round Discovery Requests and Staff Discovery Requests	October 24, 2008
All outstanding Discovery Responses due. All discovery, including depositions, completed by parties and Staff	November 14, 2008
Pre-Hearing Motions filed and served	December 19, 2008

OrbitCom and Global Crossing further agreed that because the matter is largely a private dispute between them, Staff could participate in discovery at the second round without having submitted discovery requests in the first round and that all discovery requests and responses would be served on Staff in accordance with the above schedule.

It is therefore

ORDERED, that the procedural schedule and provisions regarding Staff's participation in discovery set forth above are approved and shall be complied with by the parties except as otherwise ordered by the Commission.

Dated at Pierre, South Dakota, this 21st day of August, 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>Aulsine Kolbo</i></u>
Date: <u>8/21/08</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