

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

**IN THE MATTER OF THE COMPLAINT FILED)
BY MIDCONTINENT COMMUNICATIONS,)
KNOLOGY OF THE PLAINS, INC., AND)
KNOLOGY OF THE BLACK HILLS, LLC,)
AGAINST MCI COMMUNICATIONS SERVICES,)
D/B/A VERIZON BUSINESS SERVICES FOR)
UNPAID ACCESS CHARGES)
)**

**ORDER CANCELING
HEARING
TC10-096**

On October 27, 2010, the Public Utilities Commission (Commission) received a complaint from Midcontinent Communications, Knology of the Plains, Inc., and Knology of the Black Hills, LCC (Complainants) against MCI Communications Services, Inc. d/b/a Verizon Business Services (Verizon) for unpaid access charges. The Complainants allege that Verizon has failed to pay invoices pursuant to state tariffs for the provision of intrastate switched access services. The Complainants believe Verizon withheld payment based on Verizon's argument the unpaid amounts are linked to IP-originated and IP-terminated traffic and that this traffic is not subject to switched access tariff charges. The Complainants disagree, arguing the traffic is subject to switched access charges. On November 18, 2010, Verizon filed an Answer to Complaint, Request for Stay to Permit Settlement Negotiations, Or, in the Alternative, Request for Hearing on Threshold Factual Issues Related to Jurisdiction.

On December 8, 2010, the Complainants filed their Opposition to Verizon's Request for Stay or Alternative, Request for Hearing on Threshold Factual Issues. On December 13, 2010, Verizon filed a reply to Complainants' Brief in Support of Opposition to Verizon's Request for Stay or Alternative Request for Hearing on Threshold Factual Issues. On December 21, 2010, Complainants filed a Request for Interim Relief. On December 27, 2010, Complainants filed a Request for Procedural Schedule. On December 30, 2010, Verizon filed a Reply to Complainants' Request for Interim Relief. On December 30, 2010, Verizon filed a Reply to Complainants' Request for Procedural Schedule. On January 3, 2011, Complainants filed a Reply to Verizon's Response to Request for Interim Relief.

At its January 4, 2011, meeting, the Commission denied the Complainants' request for interim relief (Hanson dissenting). The Commission denied the Complainants' alternative request to cease providing intrastate switched access services to Verizon.

An amended procedural schedule was issued on March 22, 2011, with the hearing set for August 3-5, 2011. The Commission has been advised the issues have been settled and a hearing is no longer necessary. It is therefore

ORDERED, the procedural schedule, including the hearing, is cancelled.

Dated at Pierre, South Dakota, this 19th day of July, 2011.

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: _____

[Handwritten Signature]

Date: _____

7-19-11

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Handwritten Signature]

GARY HANSON, Chairman

[Handwritten Signature]

CHRIS NELSON, Vice Chairman