

TC97-042

TC97-042

DOCKET NO.

In the Matter of

IN THE MATTER OF THE PETITION OF  
INDEPENDENT TELEPHONE  
COMPANIES THAT HAVE PURCHASED  
U S WEST EXCHANGE AREAS FOR  
EXTENSION OF WAIVER OF  
SWITCHED ACCESS RULES

Public Utilities Commission of the State of South Dakota

DATE

MEMORANDA

4/15/97 Filed and docketed;  
4/17/97 TC For Filing;  
4/30/97 Motion for leave to Intervene by U.S. West,  
5/21/97 Order Denying Intervention;  
6/23/97 Order with 12 Non-Disputing Attorneys (Shelton & Wadsworth);  
7/29/97 Order Denying Extension of Waiver of Switched Access Rules;  
7/29/97 Docket Closed

TC97-042

**Meyer & Rogers**

ATTORNEYS AT LAW

P.O. BOX 89 • ONIDA, SOUTH DAKOTA 57564 • TELEPHONE 605/258-2654

BRIAN B. MEYER  
DARLA POLLMAN ROGERS

April 14, 1997

Camron Hoseck  
PUBLIC UTILITIES COMMISSION  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Re: Petition for Extension of Waiver of Switched Access Rules

Dear Camron:

Please find enclosed herein original and ten copies of the Petition for Extension of Waiver of Switched Access Rules that is being filed on behalf of the independent telephone companies that have purchased US WEST exchanges.

Very truly yours,



Brian B. Meyer  
Attorney at Law

BBM:ph

Enclosures

RECEIVED

APR 15 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

---

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF SOUTH DAKOTA

---

IN THE MATTER OF THE  
SWITCHED ACCESS RATES IN  
ACQUIRED US WEST  
EXCHANGE AREAS

Docket Number TC97-\_\_\_\_

PETITION FOR  
EXTENSION OF WAIVER OF  
SWITCHED ACCESS RULES

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COME NOW the independent telephone companies that have purchased US WEST exchange areas (hereinafter referred to as "Companies," listed in Exhibit A attached hereto and incorporated herein by this reference), by and through their attorney of record, Brian B. Meyer, and petition the South Dakota Public Utilities Commission (hereinafter referred to as Commission) to grant Companies an extension of the waiver of the switched access rules which the Commission granted as part of its final Order approving the sale of US WEST exchanges.

This Petition for Extension of Waiver is based upon the following:

1. As part of its process of reviewing each of the US WEST exchange sales to Companies, the Commission addressed the issue of what switched access rate(s) should be charged in the sold exchanges upon their actual transfer. In each case, the Commission approved a composite switched access rate of 7 cents per minute of use. The rate, which was stipulated to within the purchase agreements between US WEST and Companies, was accepted by the Commission and approved as a reasonable interim rate in recognition of the fact that no rate could be established pursuant to the Commission's switched access rules (ARSD Chapters 20:10:27 to 20:10:29) until each of the purchasing companies had operated the transferred exchange areas for at least a one-year time period.

2. In approving the stipulated switched access rate, the Commission entered the following findings and conclusions:

Pursuant to ARSD 20:10:27:14, switched access rates are determined by the adoption of a historical test year. There will not be a historical test period upon which to base a cost study for intrastate switched access rate purposes pursuant to the Commission's regulations until after a period of 12 months.

0142-46-3

The US WEST cost-based switched access rate in the areas to be sold, pursuant to ARSD 20:10:27 to 20:10:29, inclusive, would be 6.7394 cents per minute as determined in Docket TC93-108, In the Matter of the Establishment of Switched Access Rates for U.S. WEST. In that docket, US WEST was allowed to charge an interim rate of 3.14 cents per minute as a phased-in rate pursuant to ARSD 20:10:27:20.

The current intrastate switched access rates charged by some of the Buyers exceeds 10 cents per minute, which rates have been approved by the Commission in separate proceedings.

The Commission finds that an intrastate switched access rate of 7 cents per minute is a reasonable interim rate until May 1, 1997, and finds good cause to waive its switched access rules pursuant to 20:10:17:02.

The interexchange carriers who have objected to an intrastate switched access rate of 7 cents per minute which will be charged to them by the Buyer have failed to show that state-wide averaged toll rates will increase if the sale is approved. Thus the 7 cents per minute intrastate switched access rate to be charged until May 1, 1997, should not adversely affect the public.

Based upon the evidence presented at the hearing, the interim rate of 7 cents per minute for originating and terminating intrastate access rates sought to be charged by the Buyer to interexchange carriers is consistent with the rate currently charged by local exchange companies pursuant to the Commission's rules and regulations regarding switched access rates. If any interexchange carrier believes that such rate is not fair and reasonable and consistent with such regulations of the Commission regarding switched access, then that interexchange carrier may file a complaint with the Commission.

3. Because Companies have not yet operated the acquired exchanges for one year, it is necessary to request from the Commission an extension of the waiver previously granted in the exchange sale dockets. Based on the following, the Companies request an extension of the waiver until such time that cost studies based on 1997 calendar year operations can be provided.

- a) On July 31, 1995, when the Commission issued orders approving most of the sales, all parties felt that the purchasing companies would receive possession of the former US WEST exchanges soon, and certainly before year-end 1995. It was originally thought that the Companies would receive possession of the exchanges prior to January 1, 1996, and that the Companies would have 12 months of historical cost study data by December 31, 1996. The Companies would have then had the required 12 months of historical data needed to prepare a 1996 cost study. However, as a result of various problems encountered at the FCC and other difficulties, the Companies did not actually receive possession of the initial 55 US WEST exchanges sold until June 22, 1996. The possession date, the date on which the Companies gained control of the US WEST exchanges, was almost a full year after the Commission issued its orders approving the sales. Because of the delayed possession date, the Companies do not currently have 12 months of operations data which will allow them to comply with the historical test year requirement of ARSD 20:10:27:14.
- b) Moreover, the methods and facilities used in operating the acquired exchanges for the first six to nine months are in the process of undergoing substantial changes. At the time that the Companies acquired the exchanges, the vast majority of the exchanges were operated via remote switches connected to a US WEST host switch. Beginning in the last few months, the Companies have begun upgrading and rehosting the switched access traffic of these acquired exchanges to the purchasing Company's host and/or tandem switch. In many cases, these upgrades involve expending additional funds for new fiber transport and switching facilities.
- c) Almost all of the Companies have either already completed or are in the process of adding new switching equipment and/or fiber optic facilities in order to incorporate the purchased exchange areas into their own networks. The estimated total amount that will be expended by the Companies for these upgrades during 1996 and 1997 is in excess of \$20 million.
- d) If the Companies were required to submit cost studies for switched access purposes that were based primarily on historical data from July 1996 through June 1997, it would be necessary for the filing Companies to make substantial "known and measurable change" adjustments to the studies. Adjustments would be needed to account for differences between prior year and current operating expenses and to reflect new facility and equipment investments already made or planned within the 1997 calendar year. Furthermore, these 1996/1997 cost studies would probably not be available until as late as fourth quarter 1997 due to the time required to prepare the studies. Rather than filing cost studies later this year and being faced with essentially having to make another "corrective" filing six months later, all parties would benefit if the Companies submit cost studies after year-end 1997. Submitting 1997 calendar year cost studies will allow Companies

to reflect additional investment costs more directly and accurately as historical test year costs.

- e) Filing 1997 calendar year studies would also be consistent with the fiscal year used by the Companies for accounting purposes and consistent with the switched access studies filed by independent companies that are members of LECA. Making the historical test year period consistent between cost studies pertaining to acquired exchanges and those that are filed by LECA members would generate efficiencies for the Commission and the Companies.
- f) Allowing the Companies to prepare 1997 calendar year cost studies will also allow the Commission to incorporate into its process of reviewing new proposed rates any changes that may be necessary as a result of access reform proceedings that are now pending with the FCC. Although the current FCC access reform proceeding is directed primarily to making changes in its Part 69 cost allocation rules for application to incumbent LECs subject to price-cap regulation, certain changes under review may also be applied to non-price-cap or rate-of-return LECs (changes relating to the recovery of universal service support in access rates, the transport rate structure and common line rate structure). FCC Docket No. 96-262, *In the Matter of Access Charge Reform*, FCC 96-488, pp. 29, 30 (1997). The FCC has also stated that it intends to "initiate a separate proceeding in 1997 to undertake a comprehensive review of (its) regulation of rate-of-return incumbent LECs. That inquiry will take up the issue of whether substantial changes in (its) Part 69 cost allocation rules for the development of access charges for rate-of-return carriers are needed." FCC 96-488, p. 29. Rate-of-return regulated LECs, as referenced by the FCC, include all of South Dakota's independently owned, cooperative and municipal telephone companies.
- g) When access reform is completed by the FCC, changes in state access rules may be necessary to comply with federal law. In light of the pending federal reforms, if the Companies were required to file access cost studies this year, they would probably be faced with having to make a revised filing within a very short period of time. The amount of time and expense that goes into preparing cost studies and obtaining approval for access rate charges through the formal administrative process, as the Commission well knows, is substantial. The Companies and the Commission should avoid the unnecessary expenses associated with access cost study and rate filings that, under the circumstances, are likely to be used for only a brief time period.

4. In addition to the above, it should be noted that US WEST has indicated its support for an extension of the access rule waiver previously granted by the Commission and continuance of the current access rate until the Companies provide cost studies based on 1997 historical test year data. The purchase agreements entered into between US WEST and the Companies provided for the establishment of a 7 cents per minute rate until May 1, 1997, or such other later date as mutually agreed to by the par-

8142.46.6  
ties. US WEST, consistent with this provision, has agreed to an extension of the current access rate until such time that calendar year 1997 cost studies can be provided.

THEREFORE, Companies request the Commission to grant their petition for an extension of the waiver of the switched access rules until such time that calendar year 1997 cost studies can be provided.

Respectfully submitted this eleventh day of April, 1997.

INDEPENDENT PURCHASING TELEPHONE COMPANIES:

Brian B. Meyer

Brian B. Meyer  
Meyer & Rogers  
P. O. Box 89  
Onida, South Dakota 57564

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Exhibit A

INDEPENDENT TELEPHONE COMPANIES  
THAT HAVE PURCHASED US WEST EXCHANGE AREAS

ACCENT COMMUNICATIONS, INC.

BRIDGEWATER-CANISTOTA INDEPENDENT TELEPHONE COMPANY

EAST PLAINS TELECOM, INC.

FORT RANDALL TELEPHONE COMPANY

G.W.S., INC.

HANSON COMMUNICATIONS, INC.

HEARTLAND COMMUNICATIONS, INC.

INTRASTATE TELEPHONE COMPANY, INC.

KENNEBEC TELEPHONE CO., INC.

MOBRIDGE TELECOMMUNICATIONS CO.

RC COMMUNICATIONS, INC.

SANCOM, INC.

SPLITROCK PROPERTIES, INC.

STATELINE TELECOMMUNICATIONS, INC.

STOCKHOLM-STRANDBURG TELEPHONE COMPANY

VALLEY CABLE & SATELLITE COMMUNICATIONS, INC.

VENTURE COMMUNICATIONS, INC.

VIVIAN TELEPHONE COMPANY

WESTERN TELEPHONE COMPANY



|   |  |          |          |
|---|--|----------|----------|
| TC97-041  | Application by One Step Billing, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "Applicant seeks authority to offer a full range of 1+ interexchange telecommunications services on a resale basis. Specifically, Applicant seeks authority to provide WTS, but WATS, in-WATS, and calling card services. Applicant does not intend to provide operator services, 900 or 700 services."   | 04/15/97 | 05/02/97 |
| TC97-043  | Application by Association Administrators, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through resale of telephone services provided by facilities-based interexchange carriers."  | 04/17/97 | 05/02/97 |
| <b>LOCAL EXCHANGE COMPANY COMPLIANCE WITH FCC PAYPHONE ORDERS</b> |  |          |          |
| TC97-039  | Petition of MCI and AT&T to Certify all LECs as to Compliance With FCC Payphone Orders. MCI and AT&T hereby file this petition to investigate compliance of all certificated local exchange companies (LECs) with the Federal Communications Commission (FCC) orders on payphone reclassification. Specifically, MCI and AT&T request that the Commission determine and certify whether all certificated LECs have met all state-specific requirements identified in the FCC's orders.   | 04/14/97 | 05/02/97 |
| <b>WAIVER OF SWITCHED ACCESS RULES</b>                            |  |          |          |
| TC97-042  | Petition of the independent telephone companies that have purchased U.S. WEST exchange areas for an extension of the waiver of the switched access rules which the Commission granted as part of its final Order approving the sale of U.S. WEST exchanges. The Commission approved a composite switched access rate of 7 cents per minute of use. "The rate, which was stipulated to within the purchase agreements between U.S. WEST and the purchasing companies, was accepted by the Commission, and approved as a reasonable interim rate in recognition of the fact that no rate could be established pursuant to the Commission's switched access rules (ARSD Chapters 20.10.27 to 20.10.29) until each of the purchasing companies have not operated the transferred exchange areas for at least a one-year time period. Because the purchasing companies have not yet operated the acquired exchanges for one year, it is necessary to request from the Commission an extension of the waiver previously granted in the exchange sale dockets. Based on the following, the [purchasing] companies request an extension of the waiver until such time that cost studies based on 1997 calendar year operations can be provided." | 04/15/97 | 05/02/97 |

Important Notice: This communication is exempted from the Freedom of Information Act. If you have an interest in this communication, please contact the Commission by telephoning (605) 773-3829 or by writing to the Commission at the address below. Please do not include the address of the Commission in your correspondence.

PAGE 2 OF 2

| South Dakota<br>Public Utilities Commission<br>State Capitol 500 E. Capitol<br>Pierre, SD 57501-5272<br>Phone: (605) 332-1782<br>Fax: (605) 773-3829 |  | <b>TELECOMMUNICATIONS SERVICE FILINGS</b><br>These are the telecommunications service filings that the Commission has received for the period of<br><b>04/11/97 through 04/17/97</b><br>If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing. |                       |
|--|--|---|-----------------------|
| DOCKET NUMBER  | TITLE/STAFF/SYNOPSIS   | DATE FILED  | INTERVENTION DEADLINE |
| <b>REQUEST FOR CERTIFICATE OF AUTHORITY</b>  |  |   |                       |
| TC97-036   | Application by DT Corporation for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, travel card, and prepaid calling card service through the resale of telephone services provided by facilities-based interexchange carriers."   | 04/11/97  | 05/02/97              |
| TC97-037   | Application by America's Tele-Net/Corp. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) "Intrastate interLATA and where permitted intralATA telecommunication services will be offered to the public on a resale basis. The Company provides service to commercial enterprises and residential customers. This application does not seek authority at this time to provide any form of operator services nor any service to pay phones."  | 04/11/97  | 05/02/97              |
| TC97-038   | Application by LDM Systems Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DU/CH) "Applicant respectfully seeks to amend its Certificate of Authority to permit it to provide resold local exchange services in the state of South Dakota. The specific manner in which Applicant will provide local exchange service depends upon the result of negotiations with the incumbent local exchange carriers currently operating within the State. Applicant seeks authority to resell local exchange service in the existing service areas of U.S. WEST and any other relevant carriers. Applicant is unable to file a proposed tariff. As soon as such rates are available, and prior to the commencement of service, Applicant shall file a proposed tariff (containing its rates, terms and conditions of service) with the Commission for its review." | 04/14/97  | 05/02/97              |
| TC97-040   | Application by Tel-Save, Inc. d.b.a. The Phone Company for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DU/CH) "Applicant is a reseller which intends to offer all local services provided by the incumbent LECs. Tel-Save seeks authority to resell local exchange services throughout the state of South Dakota in the areas served by any LECs in South Dakota that are not eligible for a small or rural carrier exemption pursuant to Section 251(f)(1) of the Federal Act. Tel-Save does not seek to provide resold services to customers in those small or rural territories at this time. Applicant will file a copy of its proposed tariff upon completion of negotiations for interconnection."   | 04/15/97  | 05/02/97              |

PAGE 1 OF 2

U S WEST, Inc.  
1801 California Street, Suite 5150  
Denver, Colorado 80202  
303.672.2810  
Facsimile 303.295-1569

William P. Heaston  
Senior Attorney

USWEST

VIA OVERNIGHT DELIVERY

April 29, 1997

RECEIVED

APR 30 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Mr. William Bullard, Jr.  
Executive Director  
South Dakota Public Utilities Commission  
State of South Dakota  
500 East Capitol Avenue  
Pierre, South Dakota 57501

**Re: In Re: Petition of Independent  
Telephone Companies Regarding  
A Waiver of Switched Access Rules  
Docket No. TC 97-042**

Dear Mr. Bullard:

Enclosed for filing in the above-referenced docket is an original and ten (10) copies of U S WEST's Petition for Leave to Intervene.

Please file stamp the extra copy enclosed and return to me in the enclosed self-addressed stamped envelope. Thank you.

Yours truly,

*William P. Heaston*  
William P. Heaston

WPH:mb  
Enclosures

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN RE: PETITION OF INDEPENDENT )  
TELEPHONE COMPANIES REGARDING ) DOCKET NO. TC 97-042  
A WAIVER OF SWITCHED ACCESS RULES )

PETITION FOR LEAVE TO INTERVENE

Pursuant to SDCL 1-26-17.1 and ARSD 20:10-01-15.02, US WEST Communications, Inc. ("USWC"), by and through its attorney, hereby petitions for an Order allowing it to intervene in this docket, and as grounds therefor states:

1. On or about April 15, 1997, a petition was filed by independent telephone companies that have purchased US WEST exchange areas for an extension of the waiver of the switched access rules which the Commission granted as part of its final Order approving the sale of US WEST exchanges.

2. USWC believes its intervention should be granted because USWC has a pecuniary interest in this filing.

Accordingly, USWC respectfully requests that this petition be granted.

DATED this 24<sup>th</sup> day of April, 1997

Respectfully submitted,

U S WEST COMMUNICATIONS, INC.

By: 

William P. Heaston  
1801 California Street, Suite 5100  
Denver, Colorado 80202  
Telephone: (303) 672-2810

**CERTIFICATE OF SERVICE**

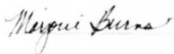
The undersigned certifies that on this 29 day of April, 1997, an original and ten (10) copies of the foregoing PETITION FOR LEAVE TO INTERVENE of U.S. WEST Communications, Inc. was sent via overnight mail to the following:

Mr. William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
State of South Dakota  
500 East Capitol  
Pierre, South Dakota 57501

and a true and correct copy was deposited into the United States mail, postage prepaid, addressed to the following:

Brian B. Meyer  
Meyer & Rogers  
P.O. Box 89  
Onida, SD 57564

U.S. WEST Communications, Inc.



LAW OFFICES  
OLINGER, LOVALD, ROBBENOLT & MCCAHHEN, P.C.  
117 EAST CAPITOL  
P.O. BOX 66  
PIERRE, SOUTH DAKOTA 57501-0066

RONALD D. OLINGER  
JOHN S. LOVALD  
JAMES ROBBENOLT  
LEE C. "KIT" MCCAHHEN  
WADE A. REIMERS

Telephone (605)224-8651  
Facsimile (605)224-8269

April 29, 1997

RECEIVED

MAY 01 1997

William Bullard, Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol  
Pierre, SD 57501

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: In the Matter of the Petition of Independent Telephone Companies That Have Purchased  
U S WEST Exchange Areas for Extension of Switched Access Rules - Docket TC97-042

Dear Mr. Bullard:

I am writing to you on behalf of my client, AT&T Communications of the Midwest, Inc. ("AT&T") to advise that AT&T is not going to file to intervene with respect to the request filed with the Commission by the independent companies that have purchased the U S WEST exchanges to extend the previous waiver of the Commission's switched access rules.

Our understanding is that this is the only request made to the Commission in Docket TC97-042 and, as we do not object to the extension, we will not be seeking intervention.

Yours very truly,



JOHN S. LOVALD  
Attorney at Law

JSL/le

cc: Rick Wolters  
Brian B. Meyer

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

|   |  |
|---|--|
| IN THE MATTER OF THE PETITION OF )<br>INDEPENDENT TELEPHONE COMPANIES )<br>THAT HAVE PURCHASED U S WEST )<br>EXCHANGE AREAS FOR EXTENSION OF )<br>WAIVER OF SWITCHED ACCESS RULES ) | ORDER GRANTING<br>INTERVENTION<br><br>TC97-042 |
|---|--|

On April 15, 1997, the South Dakota Public Utilities Commission (Commission) received a petition of the independent telephone companies that have purchased U S WEST exchange areas for an extension of the waiver of the switched access rules which the Commission granted as part of its final Order approving the sale of U S WEST exchanges. The Commission approved a composite switched access rate of 7 cents per minute of use. "The rate, which was stipulated to within the purchase agreements between U S WEST and [the purchasing] companies, was accepted by the Commission and approved as a reasonable interim rate in recognition of the fact that no rate could be established pursuant to the Commission's switched access rules (ARSD Chapters 20 10 27 to 20 10 29) until each of the purchasing companies had operated the transferred exchange areas for at least a one-year time period. It is necessary to request from the Commission an extension of the waiver previously granted in the exchange sale dockets. The [purchasing] companies request an extension of the waiver until such time that cost studies based on 1997 calendar year operations can be provided."

On April 17, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 2, 1997, to interested individuals and entities.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically 1-26-17 1, 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-12, 49-34A-13 1 and ARSD 20 10 01 15 02 and 03.

On April 30, 1997, the Commission received a Petition to Intervene from U S WEST Communications, Inc., requesting that the Commission grant it full party status in this matter. On May 13, 1997, at its regularly scheduled meeting, the Commission considered the Petition to Intervene. The Commission finds that pursuant to its authority under SDCL 1-26-17 1 and ARSD 20 10 01 15 02 and 03, the petition of U S WEST was timely filed and demonstrates good cause to grant intervention. It is therefore

ORDERED that U S WEST shall be granted intervention and shall be considered a party in this matter.

Dated at Pierre, South Dakota, this 21<sup>st</sup> day of May, 1997.

|   |
|---|
| <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, by facsimile or by first class mail in properly addressed envelopes, with charges prepaid thereon. |
| By: <u><i>Richard K. Kelso</i></u>  |
| Date: <u>5/13/97</u>  |
| (OFFICIAL SEAL)   |

BY ORDER OF THE COMMISSION

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

U S WEST, Inc.  
1801 California Street, Suite 5100  
Denver, Colorado 80202  
303 472-2810  
Facsimile 303 295-7069

William P. Heaston  
Senior Attorney

VIA OVER-NIGHT DELIVERY

**USWEST**

RECEIVED

JUN 21 1997

June 20, 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Mr. William Bullard, Jr.  
Executive Director  
South Dakota Public Utilities Commission  
State of South Dakota  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Re: In Re: Petition of Independent Telephone Companies Regarding a  
Waiver of Switched Access Rules  
Docket No. **TC97-042**

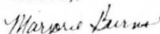
In Re: Petition of MCI Communications Corporation and AT&T  
Communications, Inc. to Certify LECS as to Compliance with FCC  
Payphone Orders  
Docket No. **TC97-039**

Dear Mr. Bullard:

Enclosed for filing in the above-referenced dockets is an original and one copy of  
an Order Admitting Non-Resident Attorney allowing Mr. William P. Heaston to represent  
U S WEST Communications, Inc. in these matters.

Please file stamp an extra copy of each order, enclosed, and return to me in the  
enclosed self-addressed stamped envelope. Thank you.

Yours truly,

  
Marjorie Burns  
Legal Secretary

Enclosures

RECEIVED

JUN 23 1997

STATE OF SOUTH DAKOTA )

IN CIRCUIT COURT, SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

COUNTY OF HUGHES )

SIXTH JUDICIAL CIRCUIT

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN RE: PETITION OF INDEPENDENT  
TELEPHONE COMPANIES REGARDING  
A WAIVER OF SWITCHED ACCESS RULES

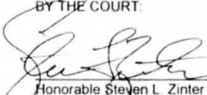
) DOCKET NO. 97-042  
) ORDER ADMITTING  
) NON-RESIDENT ATTORNEY

It is hereby

ORDERED that the Motion for Admission for William P. Heaston, a non-resident attorney, to appear on behalf of U S WEST Communications, Inc., before the Public Utilities Commission and this Court relating to this matter is granted

Dated: June 18, 1997.

BY THE COURT:

  
Honorable Steven L. Zinter  
Circuit Court Judge  
Sixth Judicial Circuit

ATTEST

Mary L. Erickson  
Clerk of Courts

BY

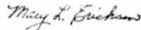
  
Deputy

(SEAL)

STATE OF SOUTH DAKOTA  
CIRCUIT COURT, HUGHES CC

FILED

JUN 18 1997

 CLERK  
By \_\_\_\_\_ Deputy



|                                    |                        |
|------------------------------------|------------------------|
| IN THE MATTER OF THE PETITION OF ) | ORDER GRANTING         |
| INDEPENDENT TELEPHONE COMPANIES )  | EXTENSION OF WAIVER OF |
| THAT HAVE PURCHASED U S WEST )     | SWITCHED ACCESS RULES  |
| EXCHANGE AREAS FOR EXTENSION OF )  |                        |
| WAIVER )                           | TC97-042               |

Dated at Pierre, South Dakota, this 29<sup>th</sup> day of July, 1997

LASKA SCHOENFELDER Commissioner

# SDITC

South Dakota Independent  
Telephone Coalition, Inc.

Richard D. Coit  
Executive Director

Bette Dozier  
Administrative Assistant

August 4, 1997

Harlan Best  
Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

RECEIVED  
AUG 05 1997  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Re: Docket TC97-042

Dear Harlan:

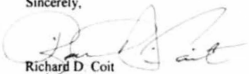
As indicated during our discussion the other day, those independent companies that petitioned the Commission in the above referenced Docket and received a continuation of the waiver from the current switched access rules so that they may submit a 1997 calendar year switched access cost study do intend to file their studies as quickly as possible in 1997 after the necessary data becomes available in a form that is suitable to prepare such studies.

The companies believe their cost study information covering purchased US WEST exchange properties can be filed with the Commission by April 30, 1998.

If filing the study information by that date is not acceptable, please advise.

Thank you for your cooperation in this matter.

Sincerely,



Richard D. Coit  
Executive Director and General Counsel

RDC:bd