

## Telecommunications Orders - Issued 1996

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

<b>IN THE MATTER OF THE PETITION FOR ARBITRATION ON BEHALF OF DAKOTA TELECOM, INC AND DAKOTA TELECOMMUNICATIONS SYSTEMS, INC. WITH U S WEST COMMUNICATIONS, INC.</b>	) ) )	<b>ORDER DENYING MOTION TO DISMISS  TC96-159</b>
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On August 27, 1996, the Public Utilities Commission (Commission) received a Petition from Dakota Telecom, Inc. (DTI) and Dakota Telecommunications Systems, Inc. (DTS) requesting that the Commission arbitrate negotiations for interconnection between DTI and U S WEST Communications, Inc. (US WEST) and to mediate negotiations for interconnection between DTS and U S WEST. DTS has petitioned to combine the arbitration proceedings of DTI and DTS. U S WEST moved to dismiss the petition for arbitration for failure to comply with Section 252(b)(2)(A) of Title 47 of the United States Code and for additional time to respond.

At an ad hoc meeting of October 3, 1996, the Commission considered the arguments of the respective parties as well as the recommendation of its staff.

The Commission having jurisdiction in this matter and having considered the positions of the respective parties hereby

ORDERS that the motion by U S WEST to dismiss the petition for arbitration is denied and further

ORDERS that U S WEST's request for additional time to respond is denied and that matter may be addressed at the prehearing conference scheduled in this docket on October 7, 1996, where the procedural schedule will be set

Dated at Pierre, South Dakota, this 10th day of October, 1996.

### 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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

BY ORDER OF THE COMMISSION:

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KENNETH STOFFERAHN, Chairman

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JAMES A. BURG, Commissioner

Date: \_\_\_\_\_

(OFFICIAL SEAL)

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LASKA SCHOENFELDER,  
Commissioner

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