

Telecommunications Orders - Issued 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE REQUEST FROM NORTHERN)	
HILLS COMMUNITY DEVELOPMENT, INC. TO AVAIL)	ORDER FOR AND NOTICE OF
EXTENDED AREA SERVICE AMONG AND BETWEEN)	HEARING
NORTHERN BLACK HILLS COMMUNITIES AND RAPID)	
CITY, AND AMONG AND BETWEEN RAPID CITY AND)	TC95-034
EXCHANGES WITHIN APPROXIMATELY A 60 MILE)	
RADIUS OF RAPID CITY)	

On March 17, 1995, the Public Utilities Commission (Commission) received a letter from Northern Hills Community Development, Inc. requesting the Commission's assistance in gathering information regarding the feasibility of Extended Area Service (EAS) among and between Northern Black Hills communities and Rapid City.

A regularly scheduled May 2, 1995, meeting, the Commission opened a docket and found that it had jurisdiction in this matter pursuant to SDCL Chapter 49-31-3, 49-31-4, 49-31-5, 49-31-7, and 49-31-7.1. The Commission held public hearings in Spearfish on October 25, 1995, and in Rapid City on October 26, 1995. A regularly scheduled November 2, 1995, meeting, the Commission voted to direct Staff to work with U S WEST and Northern Hills Community Development, Inc. to provide answers to a series of questions posed by the Commission. On April 2, 1996, the Commission directed the executive director to set a procedural schedule for the submission of proposed rate designs. All final proposals by the parties were to be filed on or before May 15, 1996.

The Commission will reopen the hearing record at a hearing to be held in Room 412 of the State Capitol Building, Pierre, South Dakota, at 2:00 p.m., on June 13, 1996.

The purpose of the hearing will be to allow the parties an opportunity to submit their respective answers, filed pursuant to the Commission's Procedural Schedule issued on May 1, 1996, into the official hearing record on this matter. At the hearing, parties may offer testimony in support of their respective filings. The issue at the hearings is whether the Commission shall order US WEST to offer Extended Area Service among and between the exchanges of Rapid City, Belle Fourche, Spearfish, Lead, Deadwood, Sturgis, Whitewood, and Hill City. These exchanges include the following prefixes: 269, 341, 342, 343, 347, 348, 381, 385, 388, 390, 393, 394, 399, 574, 578, 584, 641, 642, 645, 787, 892, 896, 923.

The hearing is an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to attend and represent themselves or be represented by an attorney. However, such rights and other due process rights shall be forfeited if not exercised at the hearing. The Final Decision will be based solely on the testimony and evidence provided during this hearing and the prior hearings or a Final Decision may be issued by default pursuant to SDCL 1-26-20.

The Commission, after examining the evidence and hearing the testimony presented by the parties, shall make Findings of Fact, Conclusions of Law, and a Final Decision. As a result of these hearings the Commission may either render a final decision at this time or they may order that the issue of EAS be voted upon by the telephone subscribers of the above listed exchanges. The Final Decision made by the Commission may be appealed by the parties to the Circuit Court and the South Dakota Supreme Court as provided by law. It is therefore:

ORDERED that a hearing shall be held in Room LCR-1 of the State Capitol Building, Pierre, South Dakota, at 2:00 p.m., on June 13, 1996.

Pursuant to the Americans with Disabilities Act, these hearings are being held in physically accessible locations. Please contact the Public Utilities Commission at 1-800-332-1782 before the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 4th day of June, 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: Delaine Kolbo
Date: May 4, 1996

BY ORDER OF THE COMMISSION:

Commissioners Stofferahn, Burg, Schoenfelder

WILLIAM BULLARD, JR.
Executive Director

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