

Telecommunications Orders - Issued 1997

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

IN THE MATTER OF THE APPLICATION FILED BY DAKOTA COOPERATIVE TELECOMMUNICATIONS, INC., DAKOTA TELECOM, INC., AND DAKOTA TELECOMMUNICATIONS SYSTEMS, INC. REQUESTING THE COMMISSION TO DETERMINE WHETHER IT OBJECTS TO A WAIVER BY THE FCC OF THE DEFINITION OF STUDY AREA)	ORDER ESTABLISHING A BRIEFING SCHEDULE TC97-014
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On February 10, 1997, the Public Utilities Commission (Commission) received an application from Dakota Cooperative Telecommunications, Inc., and its subsidiary companies, Dakota Telecom, Inc., and Dakota Telecommunications Systems, Inc., (collectively referred to as Dakota), requesting that the Commission determine whether it objects to a waiver by the Federal Communications Commission (FCC) of the definition of "Study Area" contained in Part 36 Appendix-Glossary of the FCC's rules to allow Dakota to expand its South Dakota study area boundaries to include the new local exchange facilities it is constructing in Viborg and Centerville. Dakota will provide service to consumers in the Centerville and Viborg exchanges through its subsidiaries, and has begun providing such services. Dakota's current study area completely surrounds the Viborg and Centerville exchanges. Dakota is building a new, state-of-the-art switching facility in Viborg, which is centrally located with respect to Dakota's service area. If the Commission does not object to such a waiver by the FCC, Dakota requests that the Commission provide Dakota with a letter to that effect. The Commission has granted interventions to the South Dakota Independent Telephone Coalition, Inc. and Fort Randall Telephone Company.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31.

On April 1, 1997, a regularly scheduled meeting, the Commission reviewed Dakota's filing and voted to establish a briefing schedule in this matter. The Commission has directed the Executive Director of the Commission to establish a briefing schedule in this matter.

The procedural schedule for briefing in this matter shall be as follows:

DATE	BRIEFING SCHEDULE
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April 14, 1997 Simultaneous Initial Briefs Due April 21, 1997 Simultaneous Reply Briefs Due

As the Commission's final decision in this matter, it is therefore ORDERED, that all parties shall follow this briefing schedule.

Dated at Pierre, South Dakota, this 7th day of April, 1997.

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 ORDER OF THE COMMISSION:

Commissioners Burg, Nelson and Schoenfelder

By: _____

Date: _____

WILLIAM BULLARD, JR.
Executive Director

(OFFICIAL SEAL)

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