

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

IN THE MATTER OF THE PETITION OF)
MCLEODUSA TELECOMMUNICATIONS)
SERVICES, INC. FOR A DECLARATORY)
RULING ON WHETHER THE)
DISCONTINUANCE OF THE RETAIL SALE OF)
VOICE MESSAGING SERVICE BY U S WEST)
COMMUNICATIONS, INC. TO MCLEODUSA)
VIOLATES SDCL 49-31-11)

**ORDER GRANTING
INTERVENTION AND
SETTING A PROCEDURAL
SCHEDULE**

TC99-113

On December 2, 1999, the South Dakota Public Utilities Commission (Commission) received a Petition for Declaratory Ruling from McLeodUSA Telecommunications Services, Inc. (McLeod).

Notice of the filing was given in the Commission's fax filing of December 8, 1999. This matter was noticed for the Commission's December 28, 1999, regularly scheduled meeting for purposes of determining the procedural schedule. On December 27, 1999, a Petition to Intervene was filed by U S WEST Communications, Inc. (U S WEST). At its duly scheduled December 28, 1999, meeting, the Commission considered this matter. A discussion was held with counsel for the respective parties who represented that they were attempting to reach a stipulation of facts and would file briefs in the matter without the necessity of an evidentiary hearing if such a stipulation is reached. Intervention by U S WEST was also considered.

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

Based upon the representations of counsel, it is

ORDERED, that the following procedural schedule shall be followed:

A stipulation of facts shall be filed with the Commission by January 12, 2000.

McLeod shall file its brief with the Commission by January 14, 2000.

U S WEST shall file its brief with the Commission by January 28, 2000.

IT IS FURTHER ORDERED, that good cause having been shown, U S WEST's Petition for Intervention shall be granted.

Dated at Pierre, South Dakota, this 12th day of January, 2000.

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: *Alaine Kalko*

Date: 1/13/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner