

TC97-129	Application by Telco Holdings, Inc. d/b/a Dial & Save for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/TZ) "Telco proposes to provide resold local exchange service to subscribers from all points within the state of South Dakota and, therefore, seeks statewide authorization. Specifically, Telco seeks authority to resell local exchange service in the existing service areas of US WEST.... The specific manner in which Telco will provide local exchange service depends upon the result of negotiations with the incumbent local exchange carriers currently operating within the State."	07/10/97	07/25/97
REQUEST FOR ELIGIBLE TELECOMMUNICATIONS COMPANY STATUS			
TC97-128	Brookings Municipal Utilities - Telephone Department pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Brookings Telephone is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchange profiles in South Dakota: 888, 892, 899 and 897 - serving within the corporate limits of Brookings, SD. Brookings Telephone, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified service area. (Staff: H/MS)	07/07/97	07/25/97
TC97-126	Hansen Communications d/b/a Hansen County Telephone Company pursuant to 47 U.S.C. 214(e) and 47 CFR 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Hansen is the facilities-based local exchange carrier currently providing local exchange telecommunications services in the following exchange profiles in South Dakota: 888, 892, 899 and 897 - serving within the corporate limits of Brookings, SD. Hansen, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified service area. (Staff: H/MS)	07/14/97	07/25/97

PAGE 2 OF 2

South Dakota Public Utilities Commission State Capitol 500 E. Capitol Pierre, SD 57501-5070 Phone: (800) 332-1782 Fax: (605) 773-3809		TELECOMMUNICATIONS SERVICE FILINGS These are the telecommunications service filings that the Commission has received for the period of: 07/04/97 through 07/10/97 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
REQUEST FOR CERTIFICATE OF AUTHORITY			
TC97-122	Application by Access Point, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) "Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers."	07/07/97	07/25/97
TC97-123	Application by USBG, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) "Applicant seeks authority to offer a full range of 1+ interexchange telecommunications services on a resale basis. Specifically, Applicant seeks authority to provide MTS, out-WATS, in-WATS and Calling Card services. Applicant does not intend to provide operator services, 900 or 700 services."	07/07/97	07/25/97
TC97-124	Application by Electric Lightwave, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/TZ) "Applicant seeks authority to provide 1+, business 800, business calling cards, and prepaid calling cards to the general public and to small and large business."	07/07/97	07/25/97
TC97-127	Application by Telco Holdings, Inc. d/b/a Dial & Save for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/TZ) "Petitioner proposes to provide 24-hour intrastate interexchange telecommunications services, 800 services, and postpaid debit travel card services...Telco Holdings, Inc. hereby adopts the tariff of Dial & Save which has been approved and is on file with the Commission."	07/09/97	07/25/97
TC97-128	Application by Clarify Telecom LD Network Services, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/TZ) "The specific services to be offered by Clarify include switched inbound and outbound services to employees of Clarify and switched and dedicated inbound and outbound services for commercial customers, calling cards and directory assistance services for presubscribed commercial and residential customers."	07/10/97	07/25/97

PAGE 1 OF 2



South Dakota Public Utilities Commission



State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070

October 1, 1997

Mr. Richard D. Coit
Executive Director
SDITC
P. O. Box 57
Pierre, SD 57501

RE: Eligible Telecommunications Carrier application, TC97-131
Hanson Communications Inc. d/b/a McCook Telecom

Dear Mr. Coit:

The above-referenced application has been reviewed by the staff of the Public Utilities Commission. The following additional information is needed in order for the Commission to consider this application:

1. Pursuant to 47 C.F.R. 54.101(a)(4), single-party service or its functional equivalent must be made available by an Eligible Telecommunications Carrier (ETC) to receive universal service support mechanisms. Does the above-referenced company have this service?
2. Pursuant to 47 C.F.R. 54.405 and 54.411, Lifeline and Link Up services must be made available by an ETC to qualifying low-income consumers. Does the applicant company, as referenced above, make these services available to qualifying consumers?
3. Please provide a verification by an authorized officer, under oath, to the Commission in which the applicant represents to the Commission that the facts stated in the Request for ETC Designation and the response to data request nos. 1 and 2, above, are truthful.

Please respond by October 14, 1997. Upon receipt of this information, it will be evaluated by staff and the matter will be scheduled for consideration by the Commission. Thank you for your attention to this matter.

PLEASE NOTE THAT STAFF'S POSITION IS THAT THE COMMISSION CAN ONLY MAKE AN ETC DESIGNATION FOR THOSE EXCHANGES WHICH ARE LOCATED IN SOUTH DAKOTA.

Sincerely,

Camron Hoseck
Staff Attorney

cc: Harlan Best

Capitol Office
Telephone (605)773-3281
FAX (605)773-3009

Transportation/
Warehouse Division
Telephone (605)773-5288
FAX (605)773-3225

Consumer Hotline
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Jim Berg
Chairman
Paul Nelson
Vice-Chairman
Linda Schoenfelder
Commissioner

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Jeffrey P. Lovensien
Terry Norum
Gregory A. Rislov

Tammi Stangor
Steven M. Wegman
Raylene Aults West

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILINGS BY THE) ORDER FOR AND NOTICE
FOLLOWING TELECOMMUNICATIONS) OF HEARING
COMPANIES FOR DESIGNATION AS)
ELIGIBLE TELECOMMUNICATIONS)
CARRIERS:)

VIVIAN TELEPHONE COMPANY)	TC97-068
GOLDEN WEST TELECOMMUNICATIONS)	TC97-069
COOPERATIVE, INC.)	
VALLEY CABLE & SATELLITE)	TC97-070
COMMUNICATIONS, INC.)	
VALLEY TELECOMMUNICATIONS)	TC97-071
COOPERATIVE ASSOCIATION, INC.)	
SIOUX VALLEY TELEPHONE COMPANY)	TC97-073
MOUNT RUSHMORE TELEPHONE COMPANY)	TC97-074
FORT RANDALL TELEPHONE COMPANY)	TC97-075
INTRASTATE TELEPHONE COMPANY)	TC97-077
COOPERATIVE, INC.)	
INTERSTATE TELECOMMUNICATIONS)	TC97-078
COOPERATIVE, INC.)	
WEST RIVER COOPERATIVE TELEPHONE)	TC97-080
COMPANY)	
STATELINE TELECOMMUNICATIONS, INC.)	TC97-081

TC97-083

TC97-084

TC97-085

TC97-086

TC97-087

TC97-088

TC97-089

TC97-090

TC97-092

TC97-093

TC97-094

TC97-095

TC97-096

SANBORN TELEPHONE COOPERATIVE)	TC97-097
BERESFORD MUNICIPAL TELEPHONE CO.)	TC97-098
ROBERTS COUNTY TELEPHONE)	TC97-099
COOPERATIVE ASSOCIATION)	
RC COMMUNICATIONS, INC.)	TC97-100
SPLITROCK PROPERTIES, INC.)	TC97-101
SPLITROCK TELECOM COOPERATIVE, INC.)	TC97-102
TRI-COUNTY TELECOM, INC.)	TC97-105
FAITH MUNICIPAL TELEPHONE COMPANY)	TC97-108
ARMOUR INDEPENDENT TELEPHONE)	TC97-113
COMPANY)	
BRIDGEWATER-CANISTOTA INDEPENDENT)	TC97-114
TELEPHONE COMPANY)	
UNION TELEPHONE COMPANY)	TC97-115
MCCOOK COOPERATIVE TELEPHONE)	TC97-117
COMPANY)	
KADOKA TELEPHONE COMPANY)	TC97-121

	TC97-125
	TC97-130
	TC97-154
	TC97-155
	TC97-163
	TC97-167

The Commission (hereinafter "Commission") received requests from the above captioned parties requesting designation as eligible telecommunications providers.

The Commission, in its decision on the merits and the intervention decision on the merits, dated June 27, 1997, the Commission received a request from the above captioned parties (DTS) and Dakota Telephone Company (DTC) for intervention. The Commission granted intervention to the above captioned parties. The Commission granted intervention to the above captioned parties. The Commission granted intervention to the above captioned parties.

The Commission, in its decision on the merits and the intervention decision on the merits, dated June 27, 1997, the Commission received a request from the above captioned parties (DTS) and Dakota Telephone Company (DTC) for intervention. The Commission granted intervention to the above captioned parties. The Commission granted intervention to the above captioned parties.

The Commission, in its decision on the merits and the intervention decision on the merits, dated June 27, 1997, the Commission received a request from the above captioned parties (DTS) and Dakota Telephone Company (DTC) for intervention. The Commission granted intervention to the above captioned parties. The Commission granted intervention to the above captioned parties.

A hearing shall be held at 1:30 P.M., on Wednesday, November 19, 1997, in Room 412, State Capitol, Pierre, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of this hearing, the Commission may either grant or deny the request from any of the above captioned telecommunications companies requesting designation as an eligible telecommunications carrier, and the Commission shall establish service areas for eligible telecommunications carriers. The Commission's decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held at the time and place specified above on the issues of whether the above captioned telecommunications companies should be granted designation as eligible telecommunications carriers, and the Commission shall establish service areas for eligible telecommunications carriers.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 7th day of November, 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: William Bullard, Jr.

Date: 11/7/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:
Commissioners Burg, Nelson and
Schoenfelder

William Bullard, Jr.
WILLIAM BULLARD, JR.
Executive Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE FILINGS BY THE	)	
FOLLOWING TELECOMMUNICATIONS	)	
COMPANIES FOR DESIGNATION AS	)	
ELIGIBLE TELECOMMUNICATIONS CARRIERS:	)	
VIVIAN TELEPHONE COMPANY	)	TC97-068
GOLDEN WEST TELECOMMUNICATIONS	)	TC97-069
COOPERATIVE, INC.	)	
VALLEY CABLE & SATELLITE	)	TC97-070
COMMUNICATIONS, INC.	)	
VALLEY TELECOMMUNICATIONS COOPERATIVE	)	TC97-071
ASSOCIATES, INC.	)	
SIOUX VALLEY TELEPHONE COMPANY	)	TC97-073
MOUNT RUSHMORE TELEPHONE COMPANY	)	TC97-074
FORT RANDALL TELEPHONE COMPANY	)	TC97-075
INTRASTATE TELEPHONE COMPANY	)	TC97-077
COOPERATIVE, INC.	)	
INTERSTATE TELECOMMUNICATIONS	)	TC97-078
COOPERATIVE, INC.	)	
WEST RIVER COOPERATIVE TELEPHONE	)	TC97-080
COMPANY	)	
STATELINE TELECOMMUNICATIONS, INC.	)	TC97-081
ACCENT COMMUNICATIONS, INC.	)	TC97-083
JAMES VALLEY COOPERATIVE TELEPHONE	)	TC97-084
COMPANY	)	
HEARTLAND COMMUNICATIONS, INC.	)	TC97-085
MIDSTATE TELEPHONE COMPANY, INC.	)	TC97-086
BALTIC TELECOM COOPERATIVE	)	TC97-087
EAST PLAINS TELECOM, INC.	)	TC97-088

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...	)	TC97-114
...	)	
...	)	TC97-115
...	)	TC97-117
...	)	
...	)	TC97-121
...	)	TC97-125
...	)	TC97-130

1 HANSON COUNTY TELEPHONE COMPANY)
 2 HANSON COMMUNICATIONS INC., D/B/A) **TC97-151**
 3 MCCOCK TELECOM)
 4 WEST RIVER TELECOMMUNICATIONS) TC97-154
 5 COOPERATIVE)
 6 MOBRIDGE TELECOMMUNICATIONS CO.) TC97-155
 7 U S WEST COMMUNICATIONS, INC.) TC97-163
 8 THREE RIVER TELCO) TC97-167
 9 -----)

10 HEARD BEFORE THE PUBLIC UTILITIES COMMISSION

11
 12 PROCEEDINGS: November 19, 1997
 13 1:30 P.M.
 14 Room 412, Capitol Building
 15 Pierre, South Dakota

16 PUC COMMISSION: Jim Burg, Chairman
 17 Laska Schoenfelder, Commissioner
 18 Pam Nelson, Commissioner

19 COMMISSION STAFF
 20 PRESENT: Rolayne Ailts Wiest
 21 Camron Hoseck
 22 Karen Cremer
 23 Harlan Best
 24 Bob Knadle
 25 Gregory A. Rislov
 David Jacobson

Reported by: Lori J. Grode, RMR

1 ATTORNEYS:
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 6 Denver, CO 80202
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P R O C E E D I N G S

CHAIRMAN BURG: Okay. We'll go ahead and get started. I'll begin the hearing for the dockets relating to the eligible telecommunications carriers designation. The time is approximately 1:50. The date is November 19, 1997; and the location of the hearing is Room 412, State Capitol, Pierre, South Dakota.

I am Jim Burg, Commission Chairman. Commissioners Laska Schoenfelder and Pam Nelson are also present. I'm presiding over this hearing. The hearing was noticed pursuant to the Commission's Order For and Notice of Hearing issued November 7, 1997.

The issues at this hearing shall be as follows: One, whether the requesting telecommunications company should be granted designation as eligible telecommunications carriers; and, two, what service areas shall be established by the Commission.

All parties have the right to be present and to be represented by an attorney. All persons so testifying will be sworn in and subject to cross-examination by the parties. The Commission's final decision may be appealed by the parties to the State Circuit Court and the State Supreme Court.

Rolayne Wiest will act as Commission

recommended rulings on the matters. The Commission may appeal preliminary rulings throughout the hearing. If appealed, the preliminary rulings will be heard and decided. I'll turn it over to Rolayne for the hearing.

I'll take appearances of the parties. Who can represent?

Who is here today representing all of the parties? I have here today representing all of the parties, and also Kadoka which has membership with the coalition. I have here representing some companies, and I have here for the record which

I'm here representing Valley; Golden West, including Vivian; and Sully Buttes.

Would you repeat those again?

Valley, Golden West, Vivian, Golden West, Sully Buttes and

Golden West.

Bill Measston and Tammy Wilka for the parties.

1 MS. CREMER: Karen Cremer, Commission staff.

2 MR. HOSECK: Camron Hoseck, Commission
3 staff.

4 MS. WIEST: We have had a request to take one
5 of these dockets first and that's TC97-075. Do any of
6 the parties want to make an opening statement before we
7 begin?

8 Why don't you proceed with 075 then.

9 MR. COIT: Sure, that's fine. I really don't
10 have an opening statement. There are a couple of
11 exhibits that we would like to admit. And I understand
12 there's also been some letters sent to the Commission
13 that we would like to admit into the record as evidence
14 on the ETC questions. And that would be Exhibit Number
15 1, which is the application of Fort Randall for ETC
16 designation, and Exhibit No. 2, which is the response
17 of Fort Randall to a data request from staff, dated, I
18 believe, October 1st. And there are two letters. I
19 don't know if we've marked those yet.

20 (EXHIBITS NO. 3 and 4 WERE MARKED FOR
21 IDENTIFICATION.)

22 MR. COIT: There are two other exhibits that
23 have been marked Exhibit No. 3. Kathy Marmet, is that
24 the letter of Dakota or is Exhibit 3 the letter.

25 MS. MARMET: Exhibit 3 is the letter of

1 I believe that Exhibit 3 is the letter
2 from the Commission, and Exhibit 4 is
3 the letter to the Commission.
4 What's the date of that letter,
5 Kathy?
6 November 10th.
7 Because I have one dated November
8 10th.
9 I think so. Is that right.
10 November 10th? Okay. I had a letter
11 dated November 10th, but the ones we have marked
12 are dated November 10th. I believe both the letters are
13 dated November 10th.
14 So the letter from Mr. Bradley is
15 dated November 10th.
16 Sorry about that.
17 And that's Exhibit 4.
18 I don't know why they're dated
19 November 10th. Is the one we're seeking
20 dated November 10th? Yes, they are identical so
21 they're both dated November 10th.
22 I think they're not exactly
23 dated November 10th. Could I see the
24 letter? I believe we got copies of

1 that one. (Pause.) So at this time are you offering
2 Exhibits 1, 2, 3 and 4?

3 MR. COIT: Yes, that's correct.

4 MS. WIEST: Is there any objection to those
5 exhibits being admitted? If not, 1, 2, 3 and 4 have
6 been admitted in TC97-075. Then at this time I would
7 ask if any of the parties have any questions pertaining
8 to TC97-075, including the Commissioners?

9 The only question I would have, Rich, is on
10 the response to the data request, Exhibit 2. And the
11 first question it talks about single party service. I
12 guess it's not absolutely clear that it's available to
13 all the customers the way that the statement is written
14 and answered.

15 MR. COIT: Oh, because they said does the
16 above-referenced company have this service.

17 MS. WIEST: Right.

18 MR. COIT: Yeah, I guess that is correct.
19 And I am not here today to serve as a witness.

20 MS. WIEST: No.

21 MR. COIT: If that's a concern that you feel
22 you need addressed, and I hate to say this, but I was
23 led to believe that if there were some questions on
24 applications and there was not a witness here to answer
25 that, those questions could be dealt with between now

1 and I have two witnesses here today for
2 the record. I have questions, but there is not a
3 witness here to answer respect to Fort Randall's
4 application.

5 The only other thing I would
6 like to ask the Commission could just have
7 the person who filed the affidavit from the person.
8 I would like to see if he would approve it on the
9 record.

10 The only other thing I would like to see is the
11 affidavit that was filed just
12 and I am taking affidavits from the
13 witnesses.

14 I appreciate that option.
15 Otherwise, are there any other
16 questions?

17 MR. COIT: Can we make bench decisions?
18 The staff will have something too.

19 They will have all of the cases. Does staff
20 want to go at the very end?
21 Originally we had planned to go
22 after the staff.

23 And the applicants?
24 And if these are treated
25 as close to that, then we
26 would have a case in a similar

1 manner.

2 CHAIRMAN BURG: That's fine.

3 MS. WIEST: Let's just go through them and
4 then we'll have Harlan as the witness. Let's go back
5 to TC97-068. Does anyone have any questions on
6 TC97-068?

7 CHAIRMAN BURG: Just a clarification. What
8 data request response is this?

9 MS. WIEST: Yes. That would be in that
10 packet.

11 MR. COIT: Is there a chance that we could
12 consider or deal with these en mass as Mr. Hoseck has
13 indicated or suggested?

14 MS. WIEST: I'd rather not just because on a
15 few of them I have a couple questions on some of them.

16 MR. COIT: Okay. Should I go ahead and
17 introduce the exhibits?

18 MS. WIEST: Yes.

19 MR. COIT: With respect to Docket TC97-068
20 there are two exhibits. Exhibit No. 1 is the actual
21 ETC request filed by Vivian Telephone Company. And
22 Exhibit No. 2 is the response of Vivian Telephone
23 Company to a data request from Commission staff. We
24 would move the admission of those exhibits. I do not
25 have the dates. I don't have them here with me.

1 Exhibit No. 1 is 6-1997,

2 and the response to the data request is

3 6-1997, right, not 6-19?

4 MS. WIEST: -- 6-9, excuse me.

5 CHAIRMAN BURG: Is there any objection to
6 the admission of these in 6-9? If not, they've

7 been admitted. Exhibit 2, the first

8 exhibit, is the single party service

9 request. I'll assume that means all

10 parties, is that correct?

11 MR. COIT: Yes, that's correct.

12 I would call Don Lee. Don Lee is

13 here, and he is as well as some of the other

14 parties. Do you want to take a seat?

15 MR. COIT: Yes, thank you.

16 CHAIRMAN BURG: Witness, being first duly sworn,

17 do you have any questions?

18 MR. COIT: Yes, I do.

19 CHAIRMAN BURG: EXAMINATION

20 CHAIRMAN BURG: Would you please go to Commission counsel's

21 table, and ask him to ask you a question.

22 CHAIRMAN BURG: To your question is, yes, it

23 does. Would you please provide service private line

24 service to all customers?

25 CHAIRMAN BURG: Would you please provide party to all customers?

1 It's available to all customers?

2 A. Right.

3 MS. WIEST: Thank you. That's the only
4 question I have. Does anybody else have any questions
5 for this witness for 068? If not, thank you. I did
6 admit Exhibit 1 and 2. 069.

7 MR. COIT: We would move the admission of
8 Exhibits No. 1 and 2 in 069, and that is an ETC request
9 or application dated 6-9-97 and response to a staff
10 data request dated 10-14-97.

11 MS. WIEST: Any objection? If not, they've
12 been admitted.

13 COMMISSIONER SCHOENFELDER: Excuse me, I do
14 not have the data request up here with me for some
15 reason. I'm sorry about this, but I need to go back
16 and ask Mr. Lee about the Lifeline, Link Up. I think
17 was that covered in the data request? I'm sorry to be
18 behind the eight ball, but I did not have that and so I
19 need to know whether this company is doing Lifeline,
20 Link Up now or whether you need to -- whether you
21 intend to have that implemented by 1-1?

22 A. You're referring to the Vivian Telephone
23 Company?

24 COMMISSIONER SCHOENFELDER: Yeah, Vivian is
25 what we're doing now.

1 Vivian Telephone Company does provide
2 Lifeline throughout its system with the
3 Lifeline Exchange, and they anticipate
4 Lifeline Exchange by January 1,

5 COMMISSIONER SCHOENFELDER: But anticipated
6 Lifeline Exchange. And I think I'm
7 assuming that you're either going to
8 Lifeline Exchange to ask for something from

9 COMMISSIONER SCHOENFELDER: I think that's
10 Lifeline Exchange. I think that's

11 COMMISSIONER SCHOENFELDER: I think that's
12 Lifeline Exchange. I think that's

13 COMMISSIONER SCHOENFELDER: And I think
14 Lifeline Exchange. I think that's
15 Lifeline Exchange. The answer is, yes,
16 Lifeline Exchange. I think that's

17 COMMISSIONER SCHOENFELDER: Thank you.

18 COMMISSIONER SCHOENFELDER: Just a question, a general
19 Lifeline Exchange. I think that's
20 Lifeline Exchange. I think that's
21 Lifeline Exchange. I think that's

22 COMMISSIONER SCHOENFELDER: They did actually request waivers

1 in their original applications.

2 MR. COIT: I was at the conclusion of going
3 through, I guess, the questions and so forth, I was
4 basically -- before the Commission acts on any of
5 these, going to restate the request. But if the
6 Commission has questions of Mr. Lee with respect to
7 certain aspects of providing it, I would -- yeah, I
8 would suggest you go ahead and ask it.

9 CHAIRMAN BURG: No, I don't have a problem as
10 long as we know all of them that's going to apply to.
11 In other words, if it applies to every one of them,
12 then the statement at the end saying it applies on all
13 of them is adequate for me. Or if you have some that
14 already could do the toll control, we need to know
15 that. I doubt if there are any at this time.

16 MR. COIT: No, we don't. And the waiver
17 request is included in all the applications. But just
18 to make sure it was ruled on, I was intending on
19 bringing it up again at the end.

20 CHAIRMAN BURG: Okay. That's fine with me.

21 MS. WIEST: Any other questions of this
22 witness regarding 068 and 069? If not, we will go to
23 TC97-070.

24 MR. COIT: Again, I would move for the
25 admission of two exhibits in TC97-070, and that is the

26 1. Exhibit 1, dated 6-10-97 and response
27 2. Exhibit 2, dated 10-97.

28 3. Any objection? If not, Exhibits
29 4. 1 and 2 are admitted. Are there any questions
30 5. regarding this? If not, let's go to

31 6. TC97-070. I would move for the admission of
32 7. Exhibit 3, request for ETC status dated
33 8. 10-14-97. Are there any questions regarding this request of staff dated

34 9. 10-14-97? Any objection to Exhibits 1 and
35 10. 2 and 3 being admitted. Are there any
36 11. questions regarding this? If not, we will go to
37 12. TC97-070.

38 13. I would move for the admission of
39 14. Exhibit 4, request dated 6-11-97 and Exhibit
40 15. 5, request dated 10-14-97.
41 16. Any objections to Exhibits 1 and
42 17. 2 and 3 and 4 and 5, they have been admitted.
43 18. Are there any questions regarding this?

44 19. I would note that Dennis Law, who
45 20. is the owner of Sioux Valley Telephone
46 21. Company, is one of the Commissioners have any
47 22. questions regarding this?

23 23. Any other questions? If not, we'll go

1 to TC97-074.

2 MR. COIT: We would move for the admission of
3 Exhibit No. 1, which is the ETC request dated 6-12-97
4 and Exhibit No. 2, response to staff data request dated
5 10-31-97.

6 MS. WIEST: Are there any objections? If
7 not, 1 and 2 have been admitted. Are there any
8 questions concerning 074? I have the same question on
9 this one, Rich, with respect to the data request number
10 one.

11 MR. COIT: Would an affidavit be adequate?

12 MS. WIEST: Yeah, as far as all customers.

13 MR. COIT: Okay. I will make sure that gets
14 filed.

15 MS. WIEST: Any questions on 074? If not,
16 let's go to TC97-077.

17 MR. COIT: We would move for the admission of
18 Exhibit No. 1, which is the ETC request and that's
19 dated 6-13-97. Also move for admission of Exhibit No.
20 2, which is a response to data request dated 10-9-97.
21 And there is also an Exhibit No. 3 in this docket, a
22 supplemental response to staff data request. It's
23 dated 10-28-97. We move the admission of all three
24 exhibits.

25 MS. WIEST: Any objection? If not, those

1 to TC97-074. Are there any
2 objections to those exhibits?

3 MS. WIEST: Yes, I have a question. Mr. Lee is representing
4 the customer, is that right?

5 MR. COIT: Yes, that's right.

6 MS. WIEST: Okay. Let's go to TC97-078.

7 MR. COIT: We would move for the admission of
8 Exhibit No. 1, which is the ETC request dated 6-13-97
9 and Exhibit No. 2, which is
10 a response to staff data request dated 10-9-97.

11 MS. WIEST: Are there any objections to those exhibits?

12 If not, they have been admitted. Any questions

13 concerning 078? Let's go to TC97-080.

14 MR. COIT: We would move for the admission of

15 Exhibit No. 1, which is the ETC request dated 6-16-97,
16 and Exhibit No. 2, which is a response to staff data
17 request dated 10-14-97.

18 MS. WIEST: Are there any objections to Exhibits 1 and

19 2? If not, they have been admitted. Any questions

20 concerning 080? If not, let's move to

21 TC97-082.

22 MR. COIT: We would move for the admission of ETC

23 request dated 6-16-97, which is Exhibit No. 1, and also

24 a response to staff data request, dated

25 10-14-97.

1 MS. WIEST: Are there any objections to 1 and
2 2? If not, they've been admitted. Any questions
3 regarding this docket? So, Rich, with respect to this
4 one, you will be asking at the end about the waiver for
5 the single party and all the other waivers; is that
6 right?

7 MR. COIT: Is there a waiver request in the
8 Stateline on the single party issue?

9 MS. WIEST: Yes.

10 MR. COIT: I wasn't aware of that. I
11 understood there were some companies that had purchased
12 U S West exchanges that were still in the process of
13 converting some party lines. But, yes, if they need a
14 waiver, I guess so. I'll renew that request. I don't
15 have any factual information I can provide. I don't
16 believe, Mr. Lee, are you here representing Stateline?

17 MR. LEE: I am. And in conversations with
18 Stateline management yesterday, they indicated that
19 they would likely need a waiver request until March,
20 April time frame when they can finish the construction
21 to provide all one party service.

22 MS. WIEST: And in their application they're
23 actually asking for a one-year waiver; correct?

24 MR. LEE: But they're willing to shorten it
25 up.

1 ... you probably just need a

2 ... would be adequate.

3 ... 1997

4 ... Do we need to act on the

5 ... Do you want a

6 ... We're going to talk about that. The thing

7 ... believe, are going to also need

8 ... for the one year on the toll

9 ... doing any of those motions

10 ... We have to take each of those

11 ... think, at the end for the toll

12 ... If we want to go --

13 ... could pick it up here now and

14 ... might be the easiest way.

15 ... If we get to go through each

16 ... as you go through.

17 ... easier than going back.

18 ... For 081 with respect to

19 ... 1990, concerning single

1 party service to all customers, and the second waiver
2 on toll control for one year -- one year from what
3 date, Rich?

4 MR. COIT: I think I would guess that that
5 would be from the date of the order.

6 MS. WIEST: Okay.

7 MR. COIT: On the toll control? You're
8 speaking to the toll control; correct?

9 MS. WIEST: Yes, toll control.

10 COMMISSIONER SCHOENFELDER: I have a question
11 as long as we're talking about the waivers both on toll
12 control and on the single party service. As long as
13 you're asking for waivers, let's make sure it's done
14 properly and that we're not back here in two months
15 asking for more waivers. I would hate to go through
16 this process, or would not like to go through this
17 process again. I think we need to be accurate when
18 we're doing it. I also have a question about what
19 meets the requirements of the Act? How much of a
20 waiver can we give? I don't know as I know the answer
21 to that.

22 MS. WIEST: Right. The time actually in the
23 FCC Order is not specified. But it does say in
24 paragraph 89, I believe, that the Commission must, upon
25 a finding of exceptional circumstances, you can make a

1 service for a specified period
2 toll limitation the company
3 circumstances exist and need
4 upgrade. They should have to
5 individualized hardship or
6 time to comply and that
7 public interest that is in
8 period and it should
9 exceptional circumstances
10

11 I would note that in the
12 requested a year, we've also
13 that period of time we would file
14 Commission indicating, you
15 is available. If the
16 -- and Mr. Lee, I think, can
17 on the area of toll control that
18 I'm faced with a situation today
19 just not available. If a
20 from our perspective we
21 would be available and
22 year. But if there's better
23 the time period can be
24 we really don't know when the
25 available.

1 COMMISSIONER SCHOENFELDER: I hate to belabor
2 the point, and I know everyone wants to get through
3 this, but to me it's very important that we do it
4 right. And so if it means that we need to answer the
5 question when we grant these waivers and we send these,
6 or you send them on to the FCC, we need to be sure that
7 you have spelled out why these companies -- at least
8 this is what I'm understanding -- why these companies
9 can't do toll control and why it's going to take that
10 long of a period of time to do single party service.
11 And so I think that should be in the application
12 somewhere, or at least in our motion as we approve it,
13 or we should have something on the record to support
14 where we're going.

15 MS. WIEST: They do explain the reasons in
16 their application, their original application, with
17 respect to toll control.

18 COMMISSIONER SCHOENFELDER: Okay.

19 MS. WIEST: But if there are any further
20 questions that the Commission would like to ask at this
21 time, if you need more information on that, we could do
22 that now.

23 COMMISSIONER SCHOENFELDER: I would like to
24 know -- and this probably isn't true of all companies.
25 But of the ones you're testifying for at least,

1 ... at deploying the technology
2 ... things and what kind of
3 ... because I don't want this to
4 ... it's been perceived that it
5 ...
6 ... May. I might respond to
7 ... if there are specific
8 ... to do that. But the issue of
9 ... believe under the FCC's
10 ... toll restriction and a toll
11 ... head is in the toll control,
12 ... to indicate that the end user
13 ... to control the amount of its
14 ... a restriction automatically
15 ... to the long distance
16 ... there is no switch vendor in
17 ... provides that capability
18 ... that the vendors are working
19 ... with a clear conscience
20 ... that I would expect it will
21 ... opinion, I would doubt
22 ... the general population within a
23 ... wherein is the reason I
24 ... ask for the one-year period
25 ... it being available.

1 The second or alternative to that is a
2 software provisioning of toll control. And, again, to
3 my knowledge, there is no interface between a software
4 system and a switch that has that capability.
5 Primarily because it would take real time rating of a
6 customer's usage; and because the customer control
7 switch interexchange carrier it's choosing, there are a
8 myriad of optional call plans and rate structures that
9 would be applied. And, to my knowledge, there just is
10 no technology, nor software, available to carry out
11 that program.

12 COMMISSIONER SCHOENFELDER: And if I recall
13 right, it doesn't -- it's not permissive, one or the
14 other. You really to need to do all of the above.

15 MR. LEE: It includes both, that's correct.

16 COMMISSIONER SCHOENFELDER: I believe some
17 companies have asked the FCC for clarification, that
18 sort of thing. And as far as I know, you might have
19 better information than I do that that decision has not
20 been handed down by the FCC.

21 MR. LEE: A, I doubt I have better
22 information; and, B, I agree it has not been handed
23 down, to my knowledge. There is that clarification
24 procedure request in front of the FCC.

25 COMMISSIONER SCHOENFELDER: Okay.

1 To my knowledge, everybody
2 knows that's right. From what we've had
3 in the past.
4 I would like to refine as toll
5 control, instead of toll limitation, yes.
6 Toll blocking is what I
7 mean. Is that what?

8 To my knowledge, that's a true
9 statement.

10 I think so. And I guess my position is to
11 not see it. I don't see, you know, since
12 you're not seeing it, I can't see then implying
13 it's not a problem here. I think it satisfies
14 all the requirements as problem giving the full
15 rate through FCC, which at
16 that time was a problem. So I don't see this
17 being a problem. I don't see a shorter limit because I
18 don't see a problem with the ETC
19 action.

20 I would agree with that and then
21 make sure the regulations the companies have
22 implemented will investigate and will work with
23 them when it does become
24 available to implement it. I think
25 that's the way we feel that once it becomes

1 available, it is in the public interest and would be
2 very supportive of that concept.

3 CHAIRMAN BURG: With that I'll move that we
4 grant the one-year waiver on toll -- what is it
5 called? Toll limitation? Toll control?

6 COMMISSIONER NELSON: I'd second.

7 COMMISSIONER SCHOENFELDER: I'm going to
8 concur with that as long as the motion is understood
9 that there will be some formal way to limit toll for
10 these customers just so that everybody understands the
11 motion.

12 CHAIRMAN BURG: I think in every application
13 you agreed that you can do toll restriction --

14 MR. LEE: Right.

15 CHAIRMAN BURG: -- if I remember reading the
16 applications, and that to me is satisfactory.

17 MR. LEE: Thank you.

18 CHAIRMAN BURG: Do you want them as a
19 separate motion? Okay. I'll also move -- which one do
20 we need on this one?

21 MS. WIEST: The single party service until
22 June 1st.

23 CHAIRMAN BURG: I'll move that we grant a
24 waiver in TC97-081 in the single party requirement
25 until June 1, 1998.

1 COMMISSIONER NELSON: I'd second.

2 COMMISSIONER SCHOENFELDER: Concur.

3 CHAIRMAN BURG: Any other questions in 081? Do
4 you want to go back to 068?

5 COMMISSIONER NELSON: It might be easier to go back

6 to 068.

7 CHAIRMAN BURG: Okay.

8 CHAIRMAN BURG: We'll go back to 068, and the
9 motion is to grant the one-year waiver on toll

10 limitation.

11 CHAIRMAN BURG: I'll move that we grant the
12 waiver in TC97-075.

13 COMMISSIONER NELSON: I'd second.

14 COMMISSIONER SCHOENFELDER: Concur.

15 CHAIRMAN BURG: Okay.

16 CHAIRMAN BURG: I'll move we grant the toll

17 restriction and grant the waiver for toll

18 limitation.

19 CHAIRMAN BURG: Toll control. I'm sorry, we have
20 an issue with the FCC did is they call it

21 toll blocking as toll

22 limitation.

23 CHAIRMAN BURG: I'll move we grant the waiver
24 for TC97-080.

25 COMMISSIONER NELSON: Seconded.

1 COMMISSIONER SCHOENFELDER: Concur.

2 MS. WIEST: For one year?

3 CHAIRMAN BURG: Yes.

4 MS. WIEST: 069.

5 CHAIRMAN BURG: I'll keep making them. I'll
6 move we grant the toll control waiver in TC97-069 for
7 one year.

8 COMMISSIONER NELSON: Seconded.

9 COMMISSIONER SCHOENFELDER: Concur.

10 MS. WIEST: 070.

11 CHAIRMAN BURG: I'll move that we grant toll
12 control in TC97-070 for one year, the waiver for one
13 year.

14 COMMISSIONER NELSON: Second it.

15 COMMISSIONER SCHOENFELDER: Concur.

16 MS. WIEST: 171.

17 CHAIRMAN BURG: I'll move that we grant toll
18 control, the waiver for toll control, in TC97-071 for
19 one year.

20 COMMISSIONER NELSON: Seconded.

21 COMMISSIONER SCHOENFELDER: Concur.

22 MS. WIEST: 073.

23 CHAIRMAN BURG: I'll move we grant the waiver
24 for toll control in TC97-073 for one year.

25 COMMISSIONER NELSON: Seconded.

1 COMMISSIONER SCHOENFELDER: Concur.

2 MS. WIEST:

3 I'll move we grant the waiver
4 for one year.

5 COMMISSIONER NELSON: Seconded.

6 COMMISSIONER SCHOENFELDER: Concur.

7 MS. WIEST:

8 I'll move we grant the waiver
9 for one year.

10 COMMISSIONER NELSON: Seconded.

11 COMMISSIONER SCHOENFELDER: Concur.

12 MS. WIEST:

13 I'll move we grant the waiver
14 for one year.

15 COMMISSIONER NELSON: Seconded.

16 COMMISSIONER SCHOENFELDER: Concur.

17 MS. WIEST:

18 I'll move we grant the
19 waiver for TC97-080 for one year.

20 COMMISSIONER NELSON: Seconded.

21 COMMISSIONER SCHOENFELDER: Concur.

22 MS. WIEST:

23 We did 81; right, and we are
24 asking for further questions on 081?

25 MS. WIEST: Yes.

1 MR. COIT: We would move for the admission of
2 the ETC request filed by Accent, dated 6-17-97, and
3 Exhibit No. 2, the response to staff data request which
4 is dated 10-8-97.

5 MS. WIEST: Any objection? If not, 1 and 2
6 have been admitted. Any questions regarding 083?

7 CHAIRMAN BURG: I'll move we grant the toll,
8 the waiver for toll control in TC97-083 for one year.

9 COMMISSIONER NELSON: Seconded.

10 COMMISSIONER SCHOENFELDER: Concur.

11 MS. WIEST: TC97-084.

12 MR. COIT: We move for the admission of the
13 ETC request dated 6-17-97, which is marked Exhibit No.
14 1, and we move for the admission of Exhibit No. 2, the
15 response to staff data request dated 10-8-97.

16 MS. WIEST: Are there any objections? If
17 not, they've been admitted.

18 CHAIRMAN BURG: I'll move we grant the waiver
19 for toll control in TC97-084 for one year.

20 COMMISSIONER NELSON: Seconded.

21 COMMISSIONER SCHOENFELDER: I'll concur.

22 Does this have a single party question on this one?

23 MS. WIEST: No. They said in their original
24 application that they are offering single party service
25 to all consumers.

1 ~~Commissioner Nelson~~: I got a sticky on
2 ~~the record~~ right?

3 ~~Commissioner Nelson~~: Believe in their -- okay.

4 ~~Commissioner Nelson~~: And the reason he had

5 ~~the sticky~~ is in the original

6 ~~document~~ at the original

7 ~~document~~ under question number three.

8 ~~Commissioner Nelson~~: Provide single party service to

9 ~~all consumers~~ service area. Number four down

10 ~~Commissioner Nelson~~: Okay.

11 ~~Commissioner Nelson~~: Okay. Let's go to

12 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

13 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

14 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

15 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

16 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

17 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

18 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

19 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

20 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

21 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

22 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

23 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

24 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

25 ~~Commissioner Nelson~~: Thank you. Okay. Let's go to

1 MS. WIEST: Single party was offered to all
2 customers? Any other questions concerning this
3 docket? Is there a motion?

4 CHAIRMAN BURG: I'll move that we grant the
5 waiver for toll control to TC97-089 for one year.

6 COMMISSIONER NELSON: I'd second it.

7 COMMISSIONER SCHOENFELDER: Concur.

8 MS. WIEST: 085, I believe.

9 CHAIRMAN BURG: Excuse me, 85.

10 MS. WIEST: TC97-086.

11 MR. COIT: We move for the admission of ETC
12 request, Exhibit No. 1, dated 6-17-97, and response to
13 staff data requests, Exhibit No. 2, which is dated
14 10-10-97.

15 MS. WIEST: Any objections? If not, they
16 have been admitted. Same question, can you answer
17 that, Mr. Lee?

18 MR. LEE: I'm sorry, I don't have the
19 associated companies with the exhibit numbers. Which
20 company are we referring to?

21 MR. COIT: Midstate.

22 MR. LEE: They are currently all private line
23 services.

24 MR. COIT: Single party; correct?

25 MS. WIEST: Single party to all customers?

1 MS. WIEST: Single party to all customers?
2 Any other questions in this

3 docket? I'll move we grant the toll
4 waiver for one year.

5 COMMISSIONER NELSON: I'd second it.

6 COMMISSIONER SCHOENFELDER: Concur.

7 MS. WIEST: 087.

8 CHAIRMAN BURG: I'll move for the admission of
9 request, Exhibit No. 1, dated 6-17-97, and Exhibit
10 No. 2, dated 10-16-97, and response to staff data request, dated 10-16-97.

11 Any objections? If not, Exhibits
12 1 and 2 are admitted.

13 I'll move we grant toll
14 waiver for one year.

15 COMMISSIONER NELSON: I'd second it.

16 COMMISSIONER SCHOENFELDER: Concur.

17 MS. WIEST: 088. I'd have a question on
18 Exhibit No. 1.

19 Who is representing Baltic as
20 a single party?

21 They are currently all private

22 line services. I should use the right
23 term.

24 MS. WIEST: Single party to all customers?

MS. WIEST: Thank you. TC97-088.

MR. COIT: We move for the admission of Exhibit No. 1, ETC request dated 6-17-97, and response to staff data request, which is Exhibit No. 2, which is dated 10-17-97.

MS. WIEST: Any objections? If not, Exhibits 1 and 2 have been admitted.

CHAIRMAN BURG: I'll move we grant a waiver on toll control in TC97-088 for one year.

COMMISSIONER NELSON: I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: Can you answer my question on this one, Mr. Lee?

MR. LEE: Company name, please?

MS. WIEST: East Plains.

MR. LEE: Currently is all single party service.

MS. WIEST: Thank you.

MS. WIEST: TC97-089.

MR. COIT: We move for the admission of Exhibit No. 1, which is the ETC request dated 6-17-97, and the admission of Exhibit No. 2, which is a response to staff data request, dated 10-21-97.

MS. WIEST: Any objections? If not, they've

Q Did you believe that Mr. Lee is
A very busy. What did they say in

Q Did you say Western Telephone
 A Yes, Western Telephone. My question is do they
 Q Do they have a record?

Q Now you do a late-filed on that?

10 [REDACTED] can do an affidavit on that

[illegible]

14 NIELSEN: I'd second it.

15 [REDACTED] VERONFELDER: Concur.

16 © 1997 by TC97-090. Let's go on to TC97-090.

17. [REDACTED] for the admission of
18. [REDACTED] the NYC request dated 6-17-97,
19. [REDACTED] is the response to staff data

21 any objection? If not, they've
22 any questions concerning this docket?

23 I'll move that we grant a
24 \$1000 grant to 68-107-690 for one year.

25 I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: TC97-092.

MR. COIT: We move for the admission of Exhibit No. 1, which is the ETC request of Kennebec Telephone Company dated 6-18-97, and move for the admission of Exhibit No. 2, which is the response to staff data request dated 10-10-97. And I would note that Mr. Rod Bauer is here to respond to any questions that the Commissioners or staff may have concerning their request.

MS. WIEST: Any questions concerning this docket? If not, do you have a motion?

CHAIRMAN BURG: Did we admit both those?

MS. WIEST: I'm sorry, I did not. I will admit Exhibit Numbers 1 and 2.

CHAIRMAN BURG: I'll move that we grant a waiver on toll control in TC97-092 for one year.

COMMISSIONER NELSON: I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: TC97-093.

MR. COIT: We would move for the admission of Exhibit No. 1, which is the ETC request of Jefferson Telephone Company, dated 6-18-97, and move also for the admission of Exhibit No. 2, response to staff data request, which is dated 10-10-97. And I would note

1. I would like to have available to answer any

2. questions that may arise from the staff request.

3. I would like to have objection to the exhibits?

4. I would like to have any questions

5. I would like to have any questions

6. I would like to have any questions

7. I would like to have any questions

8. I would like to have any questions

9. I would like to have any questions

10. I would like to have any questions

11. I would like to have any questions

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16. I would like to have any questions

17. I would like to have any questions

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19. I would like to have any questions

20. I would like to have any questions

21. I would like to have any questions

22. I would like to have any questions

23. I would like to have any questions

24. I would like to have any questions

25. I would like to have any questions

26. I would like to have any questions

1 in the past?

2 A. Currently Sully Buttes Telephone has no
3 multi-line. The fact is all single party service. I
4 think they added that language such that if there were
5 a disaster that they had to respond to, they wanted to
6 reserve the right to offer party line under the
7 emergency basis only. But they have for a number of
8 years been all single party service.

9 MS. WIEST: Any other questions?

10 CHAIRMAN BURG: I'll move we grant a waiver
11 on toll control for TC97-094 for one year.

12 COMMISSIONER NELSON: I'd second it.

13 COMMISSIONER SCHOENFELDER: Well, I'll
14 concur.

15 MS. WIEST: TC97-095.

16 MR. COIT: We would move for the admission of
17 ETC, Exhibit No. 1, dated 6-19-97, and admission of
18 Exhibit No. 2, response to data request dated
19 10-15-97. I would point out that I believe that there
20 might be an issue with respect to single party service
21 waiver in this case as well.

22 MS. WIEST: Right. At this time are there
23 any objections to Exhibit 1 and 2? If not, they've
24 been admitted. Yes. And it would appear they would
25 need a waiver. And my question for apparently they

1 and they plan to
2 during the 1998
3 my question is
4 asked for a waiver. Are you
5

6 we would on their behalf.
7 be able to respond to
8 so anyway.

9 But that would be correct,
10 the same June 1 date would be
11

12 June 1, okay.

13 I'll move we grant a waiver
14 in TC97-095, to June 1, 1998, in TC97-095.

15 COMMISSIONER NELSON: I would second that.

16 COMMISSIONER SCHOENFELDER: Sure, I'll

17
18 And I'll also move that we
19 grant toll control on TC97-095 for one
20 year.

21 COMMISSIONER NELSON: I'd second it.

22 COMMISSIONER SCHOENFELDER: Concur.

23 TC97-096.

24 We would move for the admission of ETC
25 Exhibit No. 1, dated 6-19-97, and move for the

1 admission of Exhibit No. 2, response to data request
2 dated 10-10-97.

3 MS. WIEST: Any objections? If not, they've
4 been admitted. Any questions concerning this docket?

5 CHAIRMAN BURG: I'll move we grant a waiver
6 on toll control in TC97-096 for one year.

7 COMMISSIONER NELSON: I'd second it.

8 COMMISSIONER SCHOENFELDER: Concur.

9 MS. WIEST: TC97-097.

10 MR. COIT: We move for the admission of
11 Exhibit No. 1, ETC request, dated 6-19-97, and Exhibit
12 No. 2, response to data request dated 10-10-97.

13 MS. WIEST: Any objections? If not, they've
14 been admitted. Does anybody have any questions
15 concerning this docket?

16 CHAIRMAN BURG: I'll move we grant a waiver
17 for toll control in TC97-097 for one year.

18 COMMISSIONER NELSON: I'd second it.

19 COMMISSIONER SCHOENFELDER: Concur.

20 MS. WIEST: TC97-098.

21 MR. COIT: We move for the admission of ETC
22 request dated 6-19-97, which is marked Exhibit No. 1,
23 and admission of Exhibit No. 2, which is the response
24 to data request dated 10-14-97.

25 MS. WIEST: Any objection to Exhibits 1 and

1 been admitted. Are there any
2 objections to this docket?

3 CHAIRMAN BURG: I'll move that we grant a
4 waiver on toll control in TC97-098 for one year.

5 COMMISSIONER NELSON: I'd second it.

6 COMMISSIONER SCHOENFELDER: Concur.

7 MS. WIEST: TC97-099.

8 MR. COIT: We move for the admission of
9 Exhibit No. 1, ETC request, dated 6-19-97, and
10 Exhibit No. 2, which is the response to
11 data request dated 10-14-97.

12 MS. WIEST: Any objection? If not, they've
13 been admitted. Does anybody have any questions
14 concerning this docket?
15 MS. WIEST: Any objections? If not, they've

16 been admitted. Does anybody have any questions
17 concerning this docket?

18 MS. WIEST: Any objections? If not, they've
19 been admitted. Does anybody have any questions
20 concerning this docket?

21 MS. WIEST: Any objections? If not, they've
22 been admitted. Does anybody have any questions
23 concerning this docket?
24 MS. WIEST: Any objections? If not, they've
25 been admitted. Does anybody have any questions
concerning this docket?

1 than this that as manager of the South Dakota
2 Association of Telephone Co-ops and the daily requests
3 we've had there that they do, in fact, provide all
4 single party service throughout Roberts County Co-op,
5 if that will suffice for your information here.

6 MS. WIEST: Is that sufficient?

7 MS. CREMER: That's sufficient.

8 MS. WIEST: Okay.

9 CHAIRMAN BURG: I'll move we grant a waiver
10 for toll control in TC97-099 for one year.

11 COMMISSIONER NELSON: I'd second it.

12 COMMISSIONER SCHOENFELDER: Concur.

13 MS. WIEST: TC97-100.

14 MR. COIT: We move for the admission of
15 Exhibit No. 1, which is the ETC request dated 6-19-97,
16 and admission of Exhibit No. 2, response to data
17 request dated 10-9-97.

18 MS. WIEST: Any objection? If not, they've
19 been admitted. Same question on this one.

20 MR. LEE: I don't know the answer.

21 MR. COIT: There is -- Mr. Lee is not here
22 representing RC Communications today, so I suspect
23 we'll have to deal with that with a late-filed exhibit
24 if that's okay.

25 MS. WIEST: Okay.

1 I'll move we grant a waiver
2 for toll control in TC97-099 for one year.

3 COMMISSIONER NELSON: I'd second it.

4 COMMISSIONER SCHOENFELDER: Concur.

5 MS. WIEST: TC97-101.

6 I'll move for the admission of
7 Exhibit No. 1, which is the ETC request dated 6-19-97,
8 and admission of Exhibit No. 2, response to staff data request dated
9 10-9-97.

10 MS. WIEST: Any objection? If not, they've
11 been admitted. Same questions concerning this docket?

12 MR. LEE: I don't know the answer. I'll move we grant waiver for
13 Exhibit No. 1, which is the ETC request dated 6-19-97, for one year.

14 COMMISSIONER NELSON: I'd second it.

15 COMMISSIONER SCHOENFELDER: Concur.

16 MS. WIEST: TC97-102.

17 I'll move for the admission of
18 Exhibit No. 1, which is the ETC dated 6-19-97, and
19 admission of Exhibit No. 2, response to data request
20 dated 10-9-97.

21 MS. WIEST: Any objections? If not, 1 and 2
22 have been admitted. Same questions concerning this

23 docket?
24 MR. LEE: I don't know the answer. I'll move we grant a waiver
25 for toll control in TC97-099 for one year.

COMMISSIONER NELSON: I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: TC97-105.

MR. COIT: We move for the admission of ETC request, Exhibit No. 1, dated 6-19-97, and admission of Exhibit No. 2, response to data request dated 10-14-97.

MS. WIEST: Any objection? If not, Exhibits 1 and 2 have been admitted. Any questions concerning this docket?

CHAIRMAN BURG: I'll move we grant a waiver for toll control in TC97-105 for one year.

COMMISSIONER NELSON: I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: TC97-108.

MR. COIT: We move for the admission of ETC request, Exhibit No. 1, dated 6-23-97, and the admission of Exhibit No. 2, response to staff data request dated 10-14-97.

MS. WIEST: Any objection? If not, Exhibits 1 and 2 have been admitted. Same question. Can you, Mr. Lee, answer that one? Is that single party service available for --

MR. COIT: For Faith.

MR. LEE: I do not represent them, I'm sorry.

MR. COIT: We would request permission to

1 I'll move we grant a waiver
2 for toll control in TC97-105 for one year.
3 I'll move we grant a waiver
4 for toll control in TC97-105 for one year.

5 COMMISSIONER NELSON: I'd second it.

6 COMMISSIONER SCHOENFELDER: Concur.

7 MS. WIEST: TC97-111.

8 MR. COIT: We move for the admission of
9 Exhibit No. 1, dated 6-25-97, and Exhibit
10 No. 2, response to staff data request dated 10-9-97.

11 MS. WIEST: Any objection? If not, they've
12 been admitted. Same question on this one.
13 Bill Haugen can
14 respond to that.

15 MR. HAUGEN: Yes, I can answer that.

16 MR. HAUGEN: Yes, I can answer that.

17 MR. HAUGEN: Yes, I can answer that.
18 MR. HAUGEN: Yes, I can answer that.
19 MR. HAUGEN: Yes, I can answer that.

20 MR. HAUGEN: Yes, I can answer that.

21 MR. HAUGEN: Yes, I can answer that.

22 MR. HAUGEN: Yes, I can answer that.
23 MR. HAUGEN: Yes, I can answer that.
24 MR. HAUGEN: Yes, I can answer that.

25 MR. HAUGEN: Yes, I can answer that.
26 MR. HAUGEN: Yes, I can answer that.
27 MR. HAUGEN: Yes, I can answer that.

1 Telephone Company service area. It has been since the
2 late seventies.

3 MS. WIEST: Are there any others questions of
4 this witness? Thank you.

5 CHAIRMAN BURG: I'll move we grant a waiver
6 for toll control in TC97-113 for one year.

7 COMMISSIONER NELSON: I'd second.

8 COMMISSIONER SCHOENFELDER: Concur.

9 MS. WIEST: TC97-114.

10 MR. COIT: We move for the admission of ETC
11 request of the Bridgewater-Canistota Telephone Company,
12 which is dated 6-25-97, that's Exhibit No. 1. And also
13 move for the admission of Exhibit No. 2, which is
14 response to data requests of staff dated 10-9-97. And
15 Mr. Haugen is here as well to respond to any questions
16 in this docket.

17 MS. WIEST: First of all, any objection to
18 Exhibits 1 and 2? If not, they've been admitted. And
19 I would ask the same question.

20 MR. HAUGEN: Single party service is
21 available to all the customers in the
22 Bridgewater-Canistota Exchanges.

23 MS. WIEST: Thank you. Any other questions
24 of this witness?

25 CHAIRMAN BURG: I'll move we grant a waiver

1 for the admission of TC97-115 for one year.

2 COMMISSIONER NELSON: I'd second it.

3 COMMISSIONER SCHOENFELDER: Concur.

4 MS. WIEST: TC97-116.

5 CHAIRMAN BURG: I would move the admission of
6 Exhibit No. 3, request of Union Telephone
7 Company, dated 6-30-97, and Exhibit No. 2, response to
8 data requests of staff dated 10-9-97.

9 MS. WIEST: Any objection? If not, Exhibits
10 1, 2, and 3 are admitted. And I would ask the same
11 question.

12 MR. HAUGEN: Single party service is
13 available to all customers in the Union Telephone
14 Company, including Hartford and Wall Lake Exchanges,
15 and since the late seventies.

16 MS. WIEST: Thank you. Any other questions
17 of this witness?

18 CHAIRMAN BURG: I'll move we grant a waiver
19 for the admission of TC97-115 for one year.

20 COMMISSIONER NELSON: I'd second it.

21 COMMISSIONER SCHOENFELDER: Concur.

22 MS. WIEST: Thank you. TC97-117.

23 CHAIRMAN BURG: I would move for the admission of
24 Exhibit No. 4, request dated 6-30-97, and Exhibit
25 No. 3, request dated 10-14-97.

1 MS. WIEST: Any objection? If not, Exhibits
2 1 and 2 have been admitted. Any questions concerning
3 this docket?

4 CHAIRMAN BURG: I'll move we grant a waiver
5 for toll control in TC97-117 for one year.

6 COMMISSIONER NELSON: I'd second it.

7 COMMISSIONER SCHOENFELDER: Concur.

8 MS. WIEST: TC97-121.

9 MR. COIT: We move for the admission of
10 Exhibit No. 1, the ETC request of Kadoka, dated 7-3-97,
11 and the admission of Exhibit No. 2, response to data
12 requests dated 10-28-97.

13 MS. WIEST: Any objections to Exhibits 1 and
14 2? If not, they've been admitted. Any questions
15 concerning this docket?

16 CHAIRMAN BURG: I'll move we grant a waiver
17 for toll control in TC97-121 for one year.

18 COMMISSIONER NELSON: I'll second it.

19 COMMISSIONER SCHOENFELDER: Concur.

20 MS. WIEST: TC97-125.

21 MR. COIT: We'd move for the admission of ETC
22 request, Exhibit No. 1, dated 7-7-97, and Exhibit No.
23 2, response to data request of staff, which is dated
24 10-29-97.

25 MS. WIEST: Any objection to Exhibits 1 and

1 MS. WIEST: Any objection? Any questions

2 MS. WIEST: TC97-125.

3 CHAIRMAN BURG: I'll move we grant a waiver
4 for toll control in TC97-125 for one year.

5 COMMISSIONER NELSON: I'd second it.

6 COMMISSIONER SCHOENFELDER: Concur.

7 MS. WIEST: TC97-126.

8 MR. COIT: We'd move for the admission of
9 ETC request, Exhibit No. 1, dated 7-10-97, and
10 Exhibit No. 2, response to data request dated
11 10-14-97.

12 MS. WIEST: Any objection to Exhibits 1 and
13 2? If not, they've been admitted. Any questions
14 concerning this docket?

15 CHAIRMAN BURG: I'll move we grant a waiver
16 for toll control in TC97-126 for one year.

17 COMMISSIONER NELSON: I would second it.

18 COMMISSIONER SCHOENFELDER: Concur.

19 MS. WIEST: TC97-131.

20 MR. COIT: We'd move the admission of ETC
21 request, Exhibit No. 1, which is dated 7-10-97, and
22 Exhibit No. 2, response to data request dated 10-14-97.

23 MS. WIEST: Any objection to Exhibits 1 and
24 2? If not, they've been admitted. Any questions
25 concerning this docket?

CHAIRMAN BURG: I'll move we grant a waiver for toll control in TC97-131 for one year.

COMMISSIONER NELSON: I'd second it.

COMMISSIONER SCHOENFELDER: Concur.

MS. WIEST: TC97-154.

MR. COIT: We would move into the record Exhibit No. 1, the ETC request, dated 9-10-97, and also Exhibit No. 2, the response to data request dated 10-16-97.

MS. WIEST: Any objection to Exhibit 1 and 2? If not, they have been admitted. Let's see, on this one this was one of a couple that no time period was requested for the waiver. I assume you still want the one year?

MR. COIT: Mr. Barfield is here. He could respond. He's Mr. Bob Barfield, manager for West River.

MS. WIEST: They request a waiver but this is one of the few ones that didn't ask for one year, as far as I can see, or any time period. So I was wondering if there was any different time period that was being requested.

BOB BARFIELD,

called as a witness, being first duly sworn,
was examined and testified as follows:

EXAMINATION

Q In response to your question, A Yes, we would have a date, as far as we know, we would have this, that's the reason we would have this time period on the waiver. Q And you will need a time period. A Yes, we would be willing to accept the time period that is being granted to other toll control. Q And you would be sure would. A Yes, we would.

Q And I think the thought A Yes, I think the thought is, if it isn't any solution, then it wouldn't be a request. With that, I'll move that we grant the toll control in TC97-154 for one year.

COMMISSIONER NELSON: I would second it.

COMMISSIONER SCHOENFELDER: Concur.

CHAIRMAN BURG: We'll go to TC97-155.

MR. COIT: We would request admission of Exhibit No. 1, the ETC request of Nobridge dated 9-10-97, and also Exhibit No. 2, the response to data request dated 10-16-97. Q Any objection? If not, Exhibits 1 and 2 are admitted. And I would have the same

1 question with respect to the length of the waiver.

2 MR. BARFIELD: And the response would be the
3 same. We would ask for a year on the waiver.

4 MS. WIEST: Thank you. Any other questions?

5 CHAIRMAN BURG: With that I'll move that we
6 grant a waiver on toll control in TC97-155 for one
7 year.

8 COMMISSIONER NELSON: I'd second it.

9 COMMISSIONER SCHOENFELDER: I concur.

10 MS. WIEST: Thank you. Let's skip to
11 TC97-167.

12 MR. COIT: I would just note that Three River
13 Telco is not an SDITC member company, so I'm not really
14 here today to represent Three River Telco.

15 MS. WIEST: Nobody is here?

16 CHAIRMAN BURG: Do we have any questions on
17 it, or do we have to have representation?

18 MS. WIEST: Somebody needs to move it in.

19 MR. COIT: Well, if you're looking for a
20 body, I guess I can serve as the body.

21 MS. CREMER: Otherwise, I can move to admit
22 the two exhibits, Number 1, 10-10-97, the request for
23 ETC, and 11-7-97, the amended -- oh, I'm sorry, that's
24 U S West. Let me try that again. 10-16 of '97 is the
25 request and 11-13-97 is the amended request, and I

3 question with respect to the length of the waiver.

4 MR. BARFIELD: And the response would be the
5 same. We would ask for a year on the waiver.

6 MS. WIEST: Thank you. Any other questions concerning this

7 application does

8 their application does

9 their application does

10 their application does

11 their application does

12 their application does

13 their application does

14 their application does

15 their application does

16 their application does

17 their application does

18 their application does

19 their application does

20 their application does

21 their application does

22 their application does

23 their application does

24 their application does

25 their application does

26 their application does

27 their application does

28 their application does

29 their application does

30 their application does

1 please.

2 A. Harlan Best.

3 Q. And what is your job?

4 A. I am deputy director of fixed utilities for
5 the Public Utilities Commission, South Dakota.

6 Q. And have you been present in the hearing room
7 this afternoon for the hearing on these applications?

8 A. Yes.

9 Q. And have you had the opportunity to review
10 the caption in the notice of this hearing which lists
11 the cases which are before the Commission on this date?

12 A. Yes.

13 Q. And are you familiar with the applications in
14 each of these cases?

15 A. Yes.

16 Q. As a part of your job, have you reviewed
17 those applications?

18 A. Yes, I have.

19 Q. You have before you an exhibit numbered
20 Staff's No. 1; is that correct?

21 A. Yes.

22 Q. And is that an exhibit that you prepared in
23 the course of your duties?

24 A. Yes, it is.

25 Q. Just briefly explain to the Commission,

1 the details.

2 The caption on this exhibit is across
3 the top of the page. The companies requesting
4 common carrier status, the
5 staff counsel that is
6 on the left side, and the staff counsel that is
7 on the right side. Down the side, the
8 requirements that are set forth
9 within the column is the
10 names of the companies that have been admitted
11 within the column.

12 Q. Are there any changes or corrections to
13 this exhibit that you would like to make at this time?

14 A. No, the case of is under Vivian

15 Teller, under the Lifeline and Link

16 up to 1-1-97. It

17 should be available 1-1-97. It

18 should be available 1-1-97. It

19 Q. Are there any changes or corrections to

20 this exhibit that you would like to make at this time?

21 A. No, the case of is under Vivian

22 Teller, under the Lifeline and Link

23 up to 1-1-97. It

24 should be available 1-1-97. It

25 should be available 1-1-97. It

MS. WIEST: Is there any objection?

MR. COIT: My comment would be that I just received this so I haven't had an opportunity to go through to make sure this is all accurate. I guess I can take Mr. Best's word that it is accurate and I'll have to do that, I guess. Other than that, I don't have any comment.

MS. WIEST: Do you want an opportunity to look it over?

MR. COIT: Well, it might take me a while, so I don't have any objection.

MS. WIEST: Okay. Then Staff Exhibit No. 1 will be admitted into all of the dockets that we have gone through so far.

MR. HOSECK: Okay. Thank you.

Q. Based on the review of these dockets that you have done and relying to whatever extent you may on Staff's Exhibit No. 1, did the applicant companies meet the requirements of becoming an eligible telecommunications carrier?

A. Yes, they have, with the noted late-filed affidavits that will be done in a number of the dockets.

Q. And with regard to advertising services exchange-wide, do you have a recommendation to the

board to be included in an order recommending that these proceedings?

MS. WIEST: I have a recommendation for advertising rates. I would like to know whether or not those companies that are required to advertise rates should be required to advertise rates if they have any rate changes. I would like to know when it should be advertised when it

MS. WIEST: Now, do you have an opinion as to whether or not the applicants contained on Exhibit

1. Staff Exhibit No. 1, which has not had its requirements, whether or not those companies are eligible as an eligible telecommunications carrier?

MS. WIEST: Now, the review that has been undertaken, does it meet the requirements for ETC status.

MS. WIEST: I have no further questions of the board.

MS. WIEST: Now, are there any questions of this board?

20. RECOMMENDATION

MS. WIEST: Now, you talked about advertising rates. I would like to know whether or not those companies that are required to advertise rates just for the rates that are supported by universal

1 A. Yes.

2 MR. COIT: No further questions.

3 MS. WIEST: Ms. Rogers?

4 MS. ROGERS: No, no questions.

5 MS. WIEST: Mr. Heaston?

6 MR. HEASTON: No.

7 CHAIRMAN BURG: The only question I'd have is
8 there any -- is advertising identified in any way? Is
9 there any criteria for what advertising means in the
10 context of this? Is the methods in the FCC Order as
11 well?

12 MS. WIEST: I'm sorry, what was the
13 question?

14 CHAIRMAN BURG: The question I had for Harlan
15 or anybody else is, is there a meaning, is there a
16 description, definition for advertising, what that
17 constitutes?

18 MS. WIEST: Under the statute itself
19 214(e)(1)(B) they must advertise the availability of
20 such services and if you're referring to the services
21 that are supported by federal universal service and the
22 charges therefore using media of general distribution.

23 CHAIRMAN BURG: Okay. I think that satisfies
24 me.

25 COMMISSIONER NELSON: Does that mean for

1 have to advertise this

2 would be under staff's

3 would be under staff's

4 would be under staff's

5 would be under staff's

6 would be under staff's

7 would be under staff's. Well, frankly, I don't

8 would be under staff's. Well, frankly, I don't

9 would be under staff's. Well, frankly, I don't

10 would be under staff's. Well, frankly, I don't

11 would be under staff's. Well, frankly, I don't

12 would be under staff's. Well, frankly, I don't

13 would be under staff's. Well, frankly, I don't

14 would be under staff's. Well, frankly, I don't

15 would be under staff's. Well, frankly, I don't

16 would be under staff's. Well, frankly, I don't

17 would be under staff's. Well, frankly, I don't

18 would be under staff's. Well, frankly, I don't

19 would be under staff's. Well, frankly, I don't

20 would be under staff's. Well, frankly, I don't

21 would be under staff's. Well, frankly, I don't

22 would be under staff's. Well, frankly, I don't

23 would be under staff's. Well, frankly, I don't

24 would be under staff's. Well, frankly, I don't

25 would be under staff's. Well, frankly, I don't

1 A. Yes. They would do it originally, and once a
2 year after.

3 MS. WIEST: How would they advertise?
4 Where?

5 A. Where would they advertise?

6 MS. WIEST: Yes.

7 A. Whatever general distribution it meets
8 according, I assume, it means newspapers and those
9 types of publications.

10 MS. WIEST: So it could be any type of
11 general distribution media once a year?

12 A. Whatever is available within their given
13 exchanges that they serve.

14 MS. WIEST: And it would only be for those
15 services supported right now by federal universal
16 service?

17 A. Yes.

18 MS. WIEST: And every time they changed a
19 rate for one of those services, then that would have to
20 be re-advertised at that time?

21 A. Yes.

22 MS. WIEST: Are there any other questions of
23 this witness? If not, thank you. Actually, I do.
24 Could you retake the stand, Harlan? I guess we have a
25 question for you. Could you look at your exhibit for

2 1000-0887

3 4. The answer to number four,

4 5. I would grant then a waiver

5 6. I do not have single party service

6 7. I would grant then a waiver

7 8. I would grant then a waiver

8 9. I would grant then a waiver

9 10. I would grant then a waiver

10 11. I would grant then a waiver

11 12. I would grant then a waiver

12 13. I would grant then a waiver

13 14. I would grant then a waiver

14 15. I would grant then a waiver

15 16. I would grant then a waiver

16 17. I would grant then a waiver

17 18. I would grant then a waiver

18 19. I would grant then a waiver

19 20. I would grant then a waiver

20 21. I would grant then a waiver

21 22. I would grant then a waiver

22 23. I would grant then a waiver

23 24. I would grant then a waiver

24 25. I would grant then a waiver

25 26. I would grant then a waiver

26 27. I would grant then a waiver

27 28. I would grant then a waiver

28 29. I would grant then a waiver

29 30. I would grant then a waiver

1 Exhibit 1, which is the request, and Exhibit 2, which
2 is the amended request, and Exhibit 3, which is the
3 service territory map. That's Exhibit 1, 2 and 3
4 respectively in the docket.

5 MS. WIEST: Any objection to Exhibits 1, 2
6 and 3? Do you have a copy of the service territory
7 map? Are there any objections to Exhibits 1, 2 and 3?
8 If not, they've been admitted. You may proceed,
9 Mr. Heaston.

10 MR. HEASTON: We would also join in the
11 motion on the toll control. The reason we did not seek
12 a waiver in the initial application is because as I
13 read Paragraph 388 of the Order in the DA 97-157
14 indicated that toll blocking would be sufficient in the
15 meantime and it was dependent upon when you upgraded
16 switches. And so we do not feel we need a waiver of
17 toll control, but the common wisdom seems to be there
18 needs to be a waiver, so we will follow the herd here
19 and request the toll control waiver also.

20 And we are also one of the parties to the
21 request of the FCC to reconsider the toll limitation,
22 that this includes both toll blocking and toll
23 control. And I guess we would also point out that with
24 the implementation of number portability that is going
25 to impact toll control somewhat significantly. And so

1 and I think Mr. Sheffield in his observation
2 that it's going to happen,
3 that we want a time limit on it, but we
4 want it to be one year with the
5 understanding that there is not the ability to
6 have a waiver if the quality is too expensive to
7 have a waiver to be able to come back to this
8 subject. I think a waiver of that, of
9 that kind, is consistent with part of the essential
10 regulatory obligation.

11 MR. HEASTON: Would the Commissioners --
12 MR. WILSON: Did we admit the exhibits?
13 MR. HEASTON: Yes.

14 MR. HEASTON: I'll move that we waive toll
15 control for one year.

16 MR. WILSON: Well, I'm going to
17 recommend an expansion of what we've been
18 waiving. We're giving them one year with the
19 understanding that they want it. And the reason I was
20 recommending it is because technology is not out
21 there that requires that it be there and it
22 didn't cost how much it cost. So I
23 didn't want to know one of the reasons we were
24 waiving it was because that it might be
25 that we were waiving it because technology wasn't

1 there. I can understand why technology wasn't there,
2 but I didn't -- I wasn't in Congress when they voted
3 that was part of the Act.

4 MR. HEASTON: It's not part of the Act. I
5 guess that's the first thing. It's an FCC --

6 COMMISSIONER NELSON: It's a rule.

7 MR. HEASTON: It's an FCC dictate.

8 COMMISSIONER NELSON: But it has the same
9 weight as the rules and statute unless it's changed in
10 court; right?

11 MR. HEASTON: That's true. But unless the
12 FCC changes, as we've urged them to do.

13 COMMISSIONER NELSON: Right. So I'm
14 seconding your motion with the understanding it's
15 exactly as we had stated it originally; is that
16 correct?

17 CHAIRMAN BURG: I mean the motion was for one
18 year.

19 COMMISSIONER SCHOENFELDER: I believe the
20 motion was for one year, a waiver for one year, and I
21 didn't know that the motion had anything more than
22 that, than just a waiver from toll control for one
23 year.

24 CHAIRMAN BURG: It doesn't.

25 COMMISSIONER SCHOENFELDER: Then I'll concur.

1 COMMISSIONER SCHOENFELDER: All I'm saying, though,
2 that there will be a record that I
3 voted for it was the
4 And that's a lot
5 it's cost prohibitive.

6 COMMISSIONER SCHOENFELDER: I think --

7 COMMISSIONER NELSON: Not that that wouldn't
8 that you could debate. I don't
9 supporting something for a
10 I did.

11 Just a comment that I'd make
12 on the technology, I really
13 as filings just for an
14 way we could certify there

15 as we come up towards
16 that solution rather than go
17 any of them. I, personally, in
18 a solution when we're going to

19 is number portability. It
20 that's even going to happen
21 with any kind of toll

22 when we come up to the
23 going to have a solution, and I'm
24 all of you -- I mean
25 that to file that many

1 pieces of paper. So if we can find a way to
2 consolidate it at that time, I would welcome any
3 suggestions. That's all I have.

4 MR. HEASTON: I have Mr. Lehner available
5 here, and we do have a couple questions to ask him.

6 JON LEHNER,

7 called as a witness, being first duly sworn,
8 was examined and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. HEASTON:

11 Q. Mr. Lehner, in our application we described
12 the issue of eliminating multi-party services and going
13 to single party service throughout U S West service
14 areas. Can you update the Commission on the status of
15 that consistent with what we've already put in the
16 application?

17 A. Yes. As of October 31 of this year the
18 number of multi-party or two- and four-party customers
19 in U S West's territory is 612. 612.

20 CHAIRMAN BURG: What was the date on that,
21 Jon?

22 A. As of 10-31-97.

23 Q. And what can you tell the Commission about
24 our continuing effort to eliminate the multi-party
25 service?

1 The way we are going to eliminate all of
2 the multi-party services. And the time frame
3 is the end of the second quarter,
4 which would be put for a date of 6-30 of
5 next year. These will be completed by 6-30
6 of next year.

7 Q. What about the remaining 52?

8 A. Those 52 are extremely high cost
9 customers. We are looking at other means
10 of eliminating them. There are no plans right now. We
11 have no plans right now with those 52.

12 Q. You still believe that it is
13 appropriate to still believe the waiver is
14 appropriate? Is that correct?

15 A. Yes, I still believe that.

16 Q. That's all the questions I

17 have.

18 A. Thank you, Mr. Heaton.

19 CROSS EXAMINATION

20 BY MR. HEASTON:

21 Q. Where are those 52 located? Are
22 they in a specific area, or are they in a specific area,
23 or are they scattered?
24 A. They are scattered. There's about
25 a dozen in each area. I could give you a late-filed

1 exhibit. Let me just read them off. Arlington is
2 four; Belle Fourche, six; De Smet, four; Huron, three;
3 Lake Preston, one.

4 COMMISSIONER NELSON: Do you want to start
5 over?

6 A. Arlington, four; Belle Fourche, six; De Smet,
7 four; Huron, three; Lake Preston, one; Madison, two;
8 Milbank, four; Pierre, two; Redfield, two; Sisseton,
9 six; Spearfish, two; Volga, five; Watertown, ten;
10 Yankton, one.

11 Q. Is there a particular reason? Is it like
12 Anaconda line or something?

13 A. It's a combination of many factors, but you
14 mean as far as the 52 are concerned?

15 Q. Yes.

16 A. It's a combination of many factors. We're
17 talking about feeder distribution, we're talking about
18 in some cases a PAIR GAIN systems like Anaconda that
19 would need to be replaced.

20 MS. CREMER: Okay. That's all the questions
21 I have.

22 CHAIRMAN BURG: Have you investigated any
23 other technical solutions other than to a single party
24 other than line extension?

25 A. You mean in order to provide a single party

1 I don't know.

2 I don't know. The.

3 I don't know. The answer is we are constantly
4 trying to do this because in some
5 cases we're talking about over \$100,000
6 in some cases, and it just doesn't make
7 sense. The answer would seem to lie
8 in the wireless, but so far the
9 wireless is either than satellite or fixed
10 is very expensive. I see that as
11 far as the wireless, to some of these.

12 I'm going to move to grant
13 the motion.

14 I'm going to ask a second. Do the

15 Commission have any other questions? As opposed to
16 the Commission having to ask you some
17 questions that were in the application
18 submitted by Mr. Heaston. It wasn't
19 signed as an affidavit, as all the
20 other ones were for a second.

21 I don't know if he signed his signature either.

22 I don't know. What does U S West provide
23 to the public switched network to
24 the public?

25

MS. WIEST: And does it provide local usage?

A. Yes.

MS. WIEST: Do you provide dual tone multi-frequency signalling or its functional equivalent?

A. Yes.

MS. WIEST: Do you provide access to your emergency services?

A. Yes.

MS. WIEST: Do you provide access to operator services?

A. Yes.

MS. WIEST: Do you provide access to interexchange service?

A. Yes.

MS. WIEST: And do you provide access to directory assistance?

A. Yes.

MS. WIEST: And you've already talked about toll control and the waiver. Do you provide or are you able to provide toll blocking?

A. Yes.

MS. WIEST: Then getting back to your request for the waiver on single party service, I know in your application you talked about the ones that you have no

1 service, and the one that I'm getting at is that
2 the one that I'm getting at is that I don't
3 have a business exception within the
4 single party service. Have
5 you ever had this type of de minimus
6 exception? do you know, in any of
7 your applications?

8 A. Yes. And what I'm getting at is that
9 I'm getting at the FCC rules -- and I'm
10 getting at the fact that in order to grant any
11 single party service network upgrades for single
12 party service, there is a toll limitation, that the
13 company has to set a time period for
14 network upgrades. Is your
15 company doing that?

16 A. Yes. I know that contention. I'm going
17 to talk to you about that.

18 A. Yes. Well, then, I do have a couple
19 questions. The first question is on service
20 areas. Is there a requirement of the state
21 that you have to serve areas as opposed to
22 serving only the telecommunications companies.
23 I know that you are a nonrural
24 telecommunications company.

1 A. Yes.

2 MS. WIEST: And in the FCC's public notice
3 96-45 issued 9-29-97, it does state that we must send
4 to USAC the names of the ETC's and the designated
5 service areas for nonrural carriers no later than
6 December 31st, 1997. And I know you made some
7 reference to these things in your application, but I
8 don't think you really told us what you want your
9 service area to be. Because the FCC has told us that
10 we better not adopt your study area as your service
11 area for large ILEC's. Do you have service areas for
12 your company that you want the Commission to adopt at
13 this time?

14 A. Well, I suppose that -- and, Bill, jump in
15 here, I guess, to help me with this. But I suppose
16 that our service area ought to be our exchanges in the
17 state of South Dakota. Now, the study area is a
18 different issue and that has not been determined yet.
19 But I would think that our service area would be our
20 exchanges that we serve in the state of South Dakota.

21 MR. HEASTON: If I may from a legal
22 standpoint, there is no definition yet; and certainly
23 our service area would be those areas within which we
24 are authorized to provide the supported services.

25 MS. WIEST: Right. And that's my question.

1 from a general perspective, I
2 what we're looking for is what you
3 would not be anything
4 authorized or certified to
5 come to where the areas are
6 where the services would be
7 service fund, whether it's
8 libraries or whatever it
9 that's an area that's
10 depending upon which proxy cost
11 adopted. And so that's why we
12 have to have this because what this
13 has and nor has the FCC come out
14 what it is as to what model it is going to
15 we were required to take a look at
16 it from the standpoint of
17 the law. If that's what
18 with the FCC requirement.
19 I would look at it as an area,
20 exchange area, which we would
21 as an exchange area. And we
22 that.
23 how many exchanges do you
24 on the list we submitted.
25

1 A. I can't answer that exactly. It's
2 approximately 35.

3 MS. WIEST: It would be attached?

4 MR. HEASTON: It's on our exhibit to our
5 application.

6 MS. WIEST: So however many with the
7 amendment the three that were missed. That's how many
8 service areas you would like the Commission to
9 designate for U S West at this time?

10 A. I guess I'm not sure whether we would want to
11 designate each exchange.

12 MS. WIEST: My problem is we are supposed to
13 tell the FCC by December 31st what your designated
14 service area is.

15 A. Then I suppose we ought to do it exchange by
16 exchange.

17 MS. WIEST: If you want more time to think
18 about it --

19 MR. HEASTON: Yes, I think I would. I mean
20 this is not something that's come up in the other two
21 states that I've done this in, and I had the same basic
22 application. I will have to -- I will do a late-filed
23 exhibit on that if I could with an affidavit from Jon.

24 MS. WIEST: Okay.

25 MR. HEASTON: What are you relying on again,

1 usually what as far as the FCC's
2 order is concerned, docket 95-45 DA 97-1892 issued

3 1992.

4 And I'm also relying on
5 the FCC's universal service

6 order, 189, 175.

7 189, 175 --

8 189, 192.

9 That's the docket number for the FCC

10 Not the docket number but the
11 order number.

12 Okay. I was looking at 185, 192

13 I get those. Was it FCC

14 187, right. And the other thing

15 is in paragraph 185, for

16 a state PUC adopts its existing

17 service areas, their study area, this

18 would be the barriers to entry. We are also

19 designating service areas that

1 require an ILEC to serve areas other than they have not
2 traditionally served.

3 MR. HEASTON: Yes. And, see, this -- what
4 the problem this causes is where you have not
5 considered and have left to the FCC to determine how
6 that's going to be modeled from a proxy standpoint.
7 And, yes, we are advocating smaller geographic elements
8 than the wire center for universal high cost support
9 but I do not have a South Dakota specific look because
10 this Commission decided not to do their own earlier
11 this -- a couple months ago, as opposed to Wyoming and
12 North Dakota where I do have that because those two are
13 looking at doing their own, or suggesting their own
14 cost study. So I do have the small grids, as we call
15 it, and I could identify that for you. I cannot
16 identify anything smaller than right now than a wire
17 center.

18 MS. WIEST: Okay.

19 MR. COIT: Excuse me, may I comment briefly
20 on this? And I understand that I'm not a party but I
21 do believe it was my understanding today that the whole
22 issue of disaggregated service areas for U S West or
23 any other company may come up. But I would like to say
24 we certainly have an interest in the issue. And I
25 think that the FCC rules indicate that -- the orders

1 -- before changing an existing
2 -- Commission at the state level
3 -- consistent with universal
4 -- I think it's a really
5 -- more than the review of
6 -- service obligations. You're
7 -- in a U S West service area
8 -- change the level of support it
9 -- universal universal service fund.
10 -- service area disaggregation and
11 -- impact rural telephone
12 -- I guess going into this
13 -- understanding that there are
14 -- LEC service areas, and we
15 -- that we -- that the issue
16 -- any of the other ones would
17 -- aggregating service areas.
18 -- not talking about
19 -- And I think you have to
20 -- that was made between
21 -- with respect to service
22 -- or doing anything to rural
23 -- disaggregation, we have to
24 -- FCC. That's all I'm talking
25 -- why I only brought up this

1 issue with respect to U S West. And it's just my
2 understanding the Commission does have to do the
3 service area in order for U S West to get your
4 universal service money.

5 MR. HEASTON: If I could have until whatever
6 date was suggested earlier on getting the additional
7 affidavits in, I'll have a recommendation for you from
8 U S West on that.

9 MS. WIEST: Okay. Are there any other
10 questions of this witness? One more question.
11 Mr. Lehner. Do you have any observation to what
12 Mr. Best suggested as advertising requirements for your
13 company?

14 A. I'm not sure that I understood exactly what
15 he was requiring. If the requirement is to advertise
16 it once a year in the newspaper, I don't think we have
17 a problem with that.

18 MS. WIEST: And getting back to single party
19 service is high cost, the only barrier is to provide
20 single party service to those 52 customers?

21 A. Yes.

22 MS. WIEST: Is it also U S West's position
23 that the settlement agreement that you've stated is
24 suspended concerning single party service no longer
25 applies where I believe you stated you would have

1 all customers by the year 2000?
2 If the universal service program continued, I
3 think we would be looking to the staff and to
4 the customers as we honed down to
5 the minimum of these exchanges, it
6 would be a lot less -- this is foolish to
7 continue with the current technology.
8 I think that's all I have.

9 That's all I have. Mr. Heaston,
10 you would like to address the question of whether
11 the Commission has authority to provide any de
12 minimus service to a single party without putting
13 the burden on the customer.

14 A. I don't know that de minimus is
15 the issue. I think that you could put a time
16 limit on it. It is reasonable that we would have to
17 come up with a rule that would allow you to do
18 it. It is on a regularly-scheduled
19 basis, semi-annually, to update
20 the rules. We are technologywise in taking
21 care of it. That would be my position on
22 this. I would like a time limit on it and it makes it
23 easier to manage and the affordability of it.
24 Any other questions?

25 MR. LEHNER: I have a question

1 of Mr. Lehner. And the reason I have a question is
2 because in your amended application you might have
3 addressed it, however, I don't have a copy of that and
4 I apologize. But you addressed in here and you have an
5 exhibit on your original application that regards
6 Lifeline, Link Up. And basically what it is it's your
7 tariff, or a page that looks like a tariff page to me.
8 Now, U S West really intends to comply with the
9 Commission order in Lifeline, Link Up?

10 A. Absolutely.

11 COMMISSIONER SCHOENFELDER: I need to know
12 that.

13 A. And that page doesn't apply any more.

14 COMMISSIONER SCHOENFELDER: Thank you.

15 MS. WIEST: Any other questions? Thank you.

16 COMMISSIONER NELSON: I guess I have a
17 question. You know, you -- when you were talking about
18 why you shouldn't have to provide this single party
19 systems for these areas that you listed like Spearfish
20 and Pierre and all the list that you went through --

21 A. Yes.

22 COMMISSIONER NELSON: Why would it -- it just
23 seems weird to me that it would be that expensive to
24 provide those services in some areas. Like Pierre and
25 Huron, those are pretty -- I mean can you explain that

1 I find that a little odd.
2 we're talking about in many
3 cases, we're talking about
4 probably back in the
5 single party service with no
6 multi-party service. So we're
7 talking about miles of distribution
8 and miles of distribution, 11 pair, maybe even greater
9 pair, and now having to replace
10 that with 30 pair or a hundred pair
11 cable. And we're talking about many cases where
12 at the end of the line we have to extend what some
13 people call, what I call a pair of wires,
14 single wire. And in order to provide
15 single wire, well, I take that back in that
16 case, that will be okay. I was
17 thinking of more than one line. But we're
18 talking about cable, we're talking about
19 systems in some cases about PAIR GAIN
20 systems. I'm talking about
21 systems like Anasconda that are going
22 to be very expensive.
23 I guess in my mind it
24 seems like I didn't exactly
25 explain it just explaining to me

1 because I was thinking maybe these lines had to be run
 2 out miles and miles and miles and there's nobody out
 3 there or something. But if this is in a fairly
 4 populated area, and it doesn't seem to me that these
 5 people should have to live with just two party
 6 telephone system when most of the world doesn't, as we
 7 know it in South Dakota, doesn't have to do that
 8 because the lines are all filled up. I mean I'm
 9 looking for some reason why that's acceptable,
 10 especially when some of those little companies are
 11 saying that they got maybe three or four people left
 12 that they don't have that service for and they've made
 13 every effort to say, well, we want a waiver but we will
 14 do it by the end of the year or whatever.

15 A. I think that most of the companies you've
 16 been listening to up until now -- and I obviously can't
 17 speak for them, but I think you're talking about
 18 engineering that was done probably 15, 20 years ago in
 19 most of these companies' cases where they at the time
 20 spent the money to do that. We did not do that. We
 21 provided distribution systems that were literally
 22 designed not to provide single party service. There
 23 are different funding mechanisms and different
 24 requirements that we've had. They've had the ability
 25 to spend that kind of money and recover it. Now, I can

26 recover it, but it's not on \$5,000, whatever it is,
 27 it's on the lines that has to be recovered and
 28 it's not recovered from a customer. That
 29 is the way it's done for that.

30 Q. Now, Commissioner, it seems to me this
 31 is the way that the governor's bill said last
 32 year that we were talking making available high
 33 speed lines in South Dakota. Basically
 34 that's the way it was. And we're talking here some
 35 money that's going to have single party
 36 service in this state.

37 A. Well, all I can tell you is what the
 38 law says. That's -- I think that's, unless
 39 there's some legislation, it would make no sense to
 40 have that money. And I certainly wouldn't
 41 have that money.

42 Q. Now, Commissioner, the question I have in the
 43 mind is when these kind of situations once
 44 in a while happen, is there a provider that is closer that
 45 can take the case to any of these?
 46 And is there a possible solution ever?

47 A. Well, Commissioner, if there
 48 is a provider that would like to serve
 49 and we're happy to negotiate.

50 Q. Now, Commissioner, I think maybe when we're down

1 to 52, we ought to get a list of those names and see if
 2 we could work it out. I share what Counsel has said.
 3 I'm not sure we can make the exception. I know that
 4 U S West's counsel has given us what I call a short
 5 term one, that in other words, we could give the waiver
 6 for a limited period of time, but I don't know that's
 7 an indefinite solution and we probably ought to work --
 8 look at working together to meet and find the solution
 9 to meet the FCC rules I think if we can. But so many
 10 -- maybe, I guess, what I would like to request is the
 11 actual name and location of those 52 filed at some
 12 time. I don't care whether it's part of this docket or
 13 not.

14 A. I think that can be provided.

15 MS. WIEST: Any other questions? If not,
 16 thank you.

17 CHAIRMAN BURG: I suppose we do need some
 18 type of waiver in order to grant them an ETC status.

19 MS. WIEST: Sorry, for which now?

20 CHAIRMAN BURG: For single party.

21 MS. WIEST: At this time staff has a witness
 22 on this case first.

23 MS. CREMER: Staff would call Harlan Best.

24 HARLAN BEST,

25 called as a witness, being previously sworn,

1 I am now sworn and testified as follows:

2 **STATEMENT OF HARLAN BEST**

3 I, Harlan Best, am the analyst assigned to
 4 the U S West application?
 5 I am sworn to tell the truth.

6 I have reviewed that application by U S
 7 West.

8 I agree with Mr. Lehner when he
 9 says that they met all the requirements of
 10 the rules.

11 I have not those?

12 I have not those?
 13 I have not those?
 14 I have not those?

15 I have not those?
 16 I have not those?
 17 I have not those?

18 I have not those?
 19 I have not those?
 20 I have not those?

21 I have not those?
 22 I have not those?

23 I have not those?
 24 I have not those?

25 I have not those?

MS. WIEST: Any questions, Ms. Wilka?

MS. WILKA: No questions.

MS. WIEST: Commissioners?

CHAIRMAN BURG: The question I'd have is based on that, should we not -- I mean is this -- what do I call it? Is this a document that is filed in these hearings?

MS. CREMER: Yes.

CHAIRMAN BURG: I guess I think we ought to correct that exhibit to put no on each of those that we've made a waiver for on the single party because I believe the answer is no and we've made a waiver to satisfy that.

MS. CREMER: Okay.

CHAIRMAN BURG: Since that's filed.

COMMISSIONER SCHOENFELDER: We have not moved for a waiver in that area, have we?

CHAIRMAN BURG: Yes, for six months on one other company.

MS. WIEST: We have two single party waivers so far, but U S West we haven't moved yet; right?

CHAIRMAN BURG: But if we do and for any we do, since he's a witness on the stand and this is his document, I think that this document should be corrected to reflect, no, they do not meet that to

any of the other three given.

CHAIRMAN BURG: Okay.

MS. WIEST: I guess I don't know. What is the correction that correction is made?

CHAIRMAN BURG: I believe there are three companies that at this time provide single party

service. What we would have to do is change that to include, for example, Venture, and U S West;

and the testimony on the stand. How do we accomplish that?

MS. WIEST: Yes.

CHAIRMAN BURG: Okay. That's all I

have to say. So how many wire centers does U S West have?

MS. WIEST: I don't know. Thank you. Any other questions?

CHAIRMAN BURG: Would you like to admit this is the only one of this docket? Before I only

had one other docket. Actually I wasn't going to move it because the people testified to it, so I

1 didn't really need it in mine. But I can certainly
2 move it.

3 MS. WIEST: It's up to you.

4 MS. CREMER: We don't need it in this docket.

5 MS. WIEST: Any other questions of this
6 witness? Thank you. Anything else from any of the
7 parties? At this time I believe the Commission will
8 take these matters under advisement. We are waiting
9 for some late-filed exhibits in some dockets, and it
10 will be possible that perhaps the Commission will make
11 the decisions either at a Commission meeting or at the
12 December 2nd hearing on some other related ETC
13 dockets. Are there any questions from anybody or any
14 comments?

15 MR. COIT: I would just, for the record, like
16 to formally request that the Commission designate each
17 of the -- based upon the record, the affidavits yet to
18 be submitted, that the Commission designate each of the
19 rural telephone companies, SDITC member companies, as
20 ETC's and that their study areas be designated as their
21 service area. That's all I have.

22 MS. WIEST: Thank you. That will close the
23 hearing.

24 (THE HEARING CONCLUDED AT 3:50 P.M.)

25

1 I, _____, Notary Public, in and
2 for the State of South Dakota, do hereby certify that
3 the foregoing was read through 89, inclusive, was
4 sworn to by me and reduced to
5 writing.

6 I hereby certify that the foregoing
7 statement is a true and correct
8 transcription of the notes at the time and
9 place of the hearing.

10 I hereby certify that I am not a relative or
11 connected with any of the parties,
12 nor am I an attorney or counsel,
13 nor have I been directly or indirectly in
14 contact with any of the parties.

15 In witness whereof, I have hereunto set my
16 hand and the seal of my office at Pierre, South Dakota, this
17 _____ day of _____, 19____.

18 _____, Notary Public, State of South Dakota

19 _____, Notary Public, State of South Dakota

20 _____, Notary Public, State of South Dakota

21 _____, Notary Public, State of South Dakota

22 _____, Notary Public, State of South Dakota

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

Eligible Telecommunications Carrier Request	Carrier Name	Carrier Type	Carrier Code	Carrier Address	Carrier City	Carrier State	Carrier Zip	Carrier Phone	Carrier Fax	Carrier Email	Carrier Website	Carrier Description	Carrier Services	Carrier Equipment	Carrier Software	Carrier Other	Carrier Notes
1. carrier name	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
2. carrier address	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
3. carrier city	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
4. carrier state	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
5. carrier zip	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
6. carrier phone	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
7. carrier fax	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
8. carrier email	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
9. carrier website	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
10. carrier other	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon
11. carrier notes	Verizon	Telecommunications Company	TCR 008	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon	Verizon

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

[illegible]

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

[illegible]

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

[illegible]

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

U.S. WEST TCR-143 NO.	Third Party Terms TCR-147 NO.
47 C.F.R. 64.402 and 64.411 1. Does the carrier have a license to provide service to the public? Yes 2. Does the carrier have a license to provide service to the public? Yes 3. Does the carrier have a license to provide service to the public? Yes 4. Does the carrier have a license to provide service to the public? Yes 5. Does the carrier have a license to provide service to the public? Yes 6. Does the carrier have a license to provide service to the public? Yes 7. Does the carrier have a license to provide service to the public? Yes 8. Does the carrier have a license to provide service to the public? Yes 9. Does the carrier have a license to provide service to the public? Yes 10. Does the carrier have a license to provide service to the public? Yes	11. Does the carrier have a license to provide service to the public? Yes 12. Does the carrier have a license to provide service to the public? Yes 13. Does the carrier have a license to provide service to the public? Yes 14. Does the carrier have a license to provide service to the public? Yes 15. Does the carrier have a license to provide service to the public? Yes 16. Does the carrier have a license to provide service to the public? Yes 17. Does the carrier have a license to provide service to the public? Yes 18. Does the carrier have a license to provide service to the public? Yes 19. Does the carrier have a license to provide service to the public? Yes 20. Does the carrier have a license to provide service to the public? Yes
47 U.S.C. 214(b)(3) 21. Does the carrier have a license to provide service to the public? Yes	22. Does the carrier have a license to provide service to the public? Yes
47 U.S.C. 214(b)(3) 23. Does the carrier have a license to provide service to the public? Yes	24. Does the carrier have a license to provide service to the public? Yes

TC97-131

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

RECEIVED

JUL 18 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

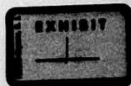
IN THE MATTER OF THE REQUEST	)	
OF HANSON COMMUNICATIONS INC.	)	REQUEST FOR ETC
D/B/A MCCOOK TELECOM FOR	)	DESIGNATION
DESIGNATION AS AN ELIGIBLE	)	DOCKET TC97-
TELECOMMUNICATIONS CARRIER	)	

Hanson Communications Inc. d/b/a McCook Telecom ("McCook Telecom") pursuant to 47 United States Code Section 214(e) and 47 Code of Federal Regulations Section 54.201 hereby seeks from the Public Utilities Commission ("Commission") designation as an "eligible telecommunications carrier" within the local exchange areas that constitute its service area in South Dakota. In support of this request, McCook Telecom offers the following:

1. Pursuant to 47 U.S.C. § 214(e) it is the Commission's responsibility to designate local exchange carriers ("LECs") as "eligible telecommunications carriers" ("ETCs"), or in other words, to determine which LECs have assumed universal service obligations consistent with the federal law and should be deemed eligible to receive federal universal service support. At least one eligible telecommunications carrier is to be designated by the Commission for each service area in the State. However, in the case of areas served by "rural telephone companies", the Commission may not designate more than one LEC as an ETC without first finding that such additional designation would be in the public interest. Under 47 CFR § 54.201, beginning January 1, 1998, only telecommunications carriers that have received designation from the Commission to serve as an eligible telecommunications carrier within their service area will be eligible to receive federal universal service support.

2. McCook Telecom is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges in South Dakota:

Salem 605-425



McCook Telecom to its knowledge is the only carrier today providing local exchange telecommunications services in the above identified exchange area.

3. McCook Telecom in accord with 47 CFR § 54.101 offers the following local exchange telecommunications services to all consumers throughout its service area:

- Voice grade access to the public switched network;
- Local exchange service including an amount of local usage free of per minute charges under a flat rated local service package and as part of a measured local service offering;
- Dual tone multi-frequency signaling;
- Access to emergency services such as 911 or enhanced 911 public service;
- Access to operator services;
- Access to interexchange service;
- Access to directory assistance; and
- Toll blocking service to qualified low-income consumers.

As noted above, McCook Telecom does provide toll limitation service in the form of toll blocking to qualifying consumers, however, the additional toll limitation service of "toll control" as defined in the new FCC universal service rules (47 CFR § 54.400(3)) is not provided. McCook Telecom is not aware that any local exchange carrier in South Dakota has a current capability to provide such service. The FCC gave no indication prior to the release of its universal service order (FCC 97-157) that toll control would be imposed as an ETC service requirement and, to our information and belief, as a result, LECs nationwide are not positioned to make the service immediately available. In order for McCook Telecom to provide the service, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. At minimum, the service requires a switching software upgrade and at this time McCook Telecom is investigating and attempting to determine whether the necessary software has been developed and when it might become available.

According, McCook Telecom is faced with exceptional circumstances concerning its ability to make the toll control service available as set forth in the FCC's universal service rules and must request a waiver from the requirement to provide such service. At this time, a waiver for a period of one year is requested. Prior to the end of the one year period, McCook Telecom will report back to the Commission with specific information indicating when the necessary network upgrades can be made and the service can be made available to assist low income customers. The Commission may properly grant a waiver from the "toll control" requirement pursuant to 47 CFR 54.101(c).

4. McCook Telecom has previously and will continue to advertise the availability of its local exchange services in media of general distribution throughout the exchange areas served. Prior to this filing, McCook Telecom has not generally advertised the prices charged for all of the above-identified services. It will do so going forward in accord with any specific advertising standards that the Commission may develop.

5. Based on the foregoing, McCook Telecom respectfully requests that the Commission:

- (a) grant a temporary waiver of the requirement to provide "toll control" service; and
- (b) grant an ETC designation to McCook Telecom covering all of the local exchange areas that constitute its present service area in the State.

Dated this 30th day of June, 1997

Hanson Communications Inc. d/b/a
McCook Telecom

Lanford Johnson by Don Lee
Lanford Johnson, Manager

H
C
I**Hanson Communications, Inc.**

Larry Johnson, CEO
P.O. Box 630 Salem, S.D. 57058
Telephone (605) 425-2238 FAX: (605) 425-2712

October 13, 1997

RECEIVED

OCT 14 1997

Mr. Camron Hoseck
Staff Attorney
Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

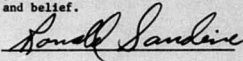
**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

RE: Eligible Telecommunications Carrier Application, TC97-131
Hanson Communications Inc d/b/a McCook Telecom

Dear Mr. Hoseck:

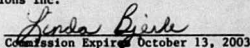
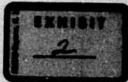
Listed below is the additional information requested for our
ETC Docket TC97-131:

1. Hanson Communications Inc d/b/a McCook Telecom offers single-party service to all subscribers.
2. Hanson Communications Inc d/b/a McCook Telecom currently offers Lifeline and Link Up local service discounts within its exchange. Beginning January 1, 1998, the programs will be offered under new terms in accord with the FCC rules, 47 C.F.R. 54.400 - 54.417, and any PUC decisions concerning implementation of the expanded programs.
3. I, Ronald Sandine, being first duly sworn, state that I am the President for the responding party, that I have read the initial ETC application and the foregoing, and the same are true to my own best knowledge, information and belief.



STATE OF SOUTH DAKOTA
COUNTY OF McCOOK

On the 13th day of October, 1997, before me Linda Bjerke, a notary public, personally appeared Ronald Sandine, known to me to be the President of Hanson Communications Inc.


Commission Expires October 13, 2003

Please contact our office in need of any further information.

Sincerely,
HANSON COMMUNICATIONS INC

A handwritten signature in dark ink, appearing to read 'Lanny Johnson', with a long, sweeping horizontal stroke extending to the right.

Lanny Johnson, CEO

LJJ/lb

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

IN THE MATTER OF THE FILING BY HANSON	)
COMMUNICATIONS, INC. D/B/A MCCOOK	)
TELECOM FOR DESIGNATION AS AN	)
ELIGIBLE TELECOMMUNICATIONS CARRIER	)
	)
	FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER AND NOTICE OF ENTRY OF ORDER TC97-131

On July 10, 1997, the Public Utilities Commission (Commission) received a request for designation as an eligible telecommunications carrier (ETC) from Hanson Communications, Inc. d/b/a McCook Telecom (McCook Telecom). McCook Telecom requested designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area.

The Commission electronically transmitted notice of the filing and the intervention deadline to interested individuals and entities. No person or entity filed to intervene. By order dated November 7, 1997, the Commission set the hearing for this matter for 1:30 p.m. on November 19, 1997, in Room 412, State Capitol, Pierre, South Dakota.

The hearing was held as scheduled. At the hearing, the Commission granted McCook Telecom a one year waiver of the requirement to provide toll control service within its service area. At its December 11, 1997, meeting, the Commission granted ETC designation to McCook Telecom and designated its study area as its service area.

Based on the evidence of record, the Commission enters the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

I

On July 10, 1997, the Commission received a request for designation as an ETC from McCook Telecom. McCook Telecom requested designation as an ETC within the local exchange areas that constitute its service area. McCook Telecom serves the following exchange: Salem (425). Exhibit 1.

II

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

III

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

IV

The Federal Communications Commission (FCC) has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

V

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

VI

McCook Telecom offers voice grade access to the public switched network to all consumers throughout its service area. Exhibit 1.

VII

McCook Telecom offers local exchange service including an amount of local usage free of per minute charges to all consumers throughout its service area. *Id.*

VIII

McCook Telecom offers dual tone multi-frequency signaling to all consumers throughout its service area. *Id.*

IX

McCook Telecom offers single party service to all consumers throughout its service area. Exhibit 2.

X

McCook Telecom offers access to emergency services to all consumers throughout its service area. Exhibit 1.

XI

McCook Telecom offers access to operator services to all consumers throughout its service area. *Id.*

XII

McCook Telecom offers access to interexchange services to all consumers throughout its service area. *Id.*

XIII

McCook Telecom offers access to directory assistance to all consumers throughout its service area. *Id.*

XIV

One of the services required to be provided by an ETC to qualifying low-income consumers is toll limitation. 47 C.F.R. § 54.101(a)(9). Toll limitation consists of both toll blocking and toll control. 47 C.F.R. § 54.400(d). Toll control is a service that allows consumers to specify a certain amount of toll usage that may be incurred per month or per billing cycle. 47 C.F.R. § 54.400(c). Toll blocking is a service that lets consumers elect not to allow the completion of outgoing toll calls. 47 C.F.R. § 54.400(b).

XV

McCook Telecom offers toll blocking to all consumers throughout its service area. Exhibit 1.

XVI

McCook Telecom currently does not offer toll control. Id. In order for McCook Telecom to provide toll control, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. McCook Telecom is attempting to determine whether the necessary software has been developed and when it might become available. Id.

XVII

McCook Telecom stated that it is faced with exceptional circumstances concerning its ability to make toll control service available and requested a one year waiver from the requirement to provide such service. Id. Prior to the end of the one year period, McCook Telecom will report back to the Commission with specific information indicating when the network upgrades can be made in order to provide toll control. Id.

XVIII

With respect to the obligation to advertise the availability of services supported by the federal universal service support mechanism and the charges for those services using media of general distribution, McCook Telecom stated that it advertises the availability of its local exchange services in media of general distribution throughout its service area. However, McCook Telecom has not generally advertised the prices for these services. Id. McCook Telecom stated its intention to comply with any advertising standards developed by the Commission. Id.

XIX

McCook Telecom currently offers Lifeline and Link Up service discounts in its exchanges. Exhibit 2. McCook Telecom will offer the Lifeline and Link Up service discounts in all of its service area beginning January 1, 1998, in accordance with 47 C.F.R. §§ 54.400 to 54.417, inclusive, and any Commission imposed requirements. Exhibit 2.

XX

The Commission finds that McCook Telecom currently provides and will continue to provide the following services or functionalities throughout its service area: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling; (4) single-party service; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll blocking for qualifying low-income consumers.

XXI

The Commission finds that pursuant to 47 C.F.R. § 54.101(c) it will grant McCook Telecom a waiver of the requirement to offer toll control services until December 31, 1998. The Commission finds that exceptional circumstances prevent McCook Telecom from providing toll control at this time due to the difficulty in obtaining the necessary software upgrades to provide the service.

XXII

The Commission finds that McCook Telecom intends to provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

XXIII

The Commission finds that McCook Telecom shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor throughout its service area using media of general distribution once each year. The Commission further finds that if the rate for any of the services supported by the federal universal service support mechanism changes, the new rate must be advertised using media of general distribution.

XXIV

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates McCook Telecom's current study area as its service area.

CONCLUSIONS OF LAW

I

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 214.

II

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

III

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

IV

The FCC has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator

services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

V

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

VI

McCook Telecom has met the requirements of 47 C.F.R. § 54.101(a) with the exception of the ability to offer toll control. Pursuant to 47 C.F.R. § 54.101(c), the Commission concludes that McCook Telecom has demonstrated exceptional circumstances that justify granting it a waiver of the requirement to offer toll control until December 31, 1998.

VII

McCook Telecom shall provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

VIII

McCook Telecom shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor using media of general distribution once each year. If the rate for any of the services supported by the federal universal service support mechanism changes, the new rate shall be advertised using media of general distribution.

IX

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates McCook Telecom's current study area as its service area.

X

The Commission designates McCook Telecom as an eligible telecommunications carrier for its service area.

It is therefore

ORDERED, that McCook Telecom's current study area is designated as its service area; and it is

FURTHER ORDERED, that McCook Telecom shall be granted a waiver of the requirement to offer toll control services until December 31, 1998; and it is

FURTHER ORDERED, that McCook Telecom shall follow the advertising requirements as listed above; and it is

FURTHER ORDERED, that McCook Telecom is designated as an eligible telecommunications carrier for its service area.

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that this Order was duly entered on the 17th day of December, 1997. Pursuant to SDCL 1-26-32, this Order will take effect 10 days after the date of receipt or failure to accept delivery of the decision by the parties.

Dated at Pierre, South Dakota, this 17th day of December, 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

Date

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

McCook Telecom

TC97-131

Lanny Johnson, Manager

Telephone (605) 425-2238
FAX (605) 425-2712

December 22, 1997

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DEC 23 1997

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Bill Bullard
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol
Perre, SD 57501

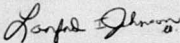
Dear Mr. Bullard,

I am enclosing the Lifeline and Link-Up Plan for Hanson Communications, Inc. d/b/a McCook Telecom. Also attached is "Exhibit A" (PUC Order issued in Docket TC97-150) and Tariff pages regarding Lifeline and Link-Up.

Hanson Communications, Inc. d/b/a McCook Telecom is a subsidiary of McCook Cooperative Telephone Company.

If you have any questions, please feel free to contact us.

Sincerely,



Lanford I. Johnson
Manager

LJJ/lb

Enclosures

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DEC 23 1997

LIFELINE AND LINK UP PLAN
OF HANSON COMMUNICATIONS, INC. D/B/A MCCOOK TELECOM

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

The *Hanson Communications, Inc. d/b/a McCook Telecom* submits this plan pursuant to 47 CFR § 54.401(d). *Hanson Communications, Inc. d/b/a McCook Telecom* has been designated as an eligible telecommunications carrier by the South Dakota Public Utilities Commission ("SDPUC") and, as such, must make Lifeline and Link Up service available to qualifying low-income consumers as set forth in the Commission's *Final Order and Decision; Notice of Entry of Decision* dated November 18, 1997, issued in Docket TC97-150 (In the Matter of the Investigation into the Lifeline and Link Up Programs), which is attached as Exhibit A, and consistent with the criteria established under 47 CFR §§ 54.400 to 54.417, inclusive.

A. General

1. The Lifeline and Link Up programs assist qualified low-income consumers by providing for reduced monthly charges and reduced connection charges for local telephone service. The assistance applies to a single telephone line at a qualified consumer's principal place of residence.

2. A qualified low-income consumer is a telephone subscriber who participates in at least one of the following public assistance programs:

- a. Medicaid
- b. Food Stamps
- c. Supplemental Security Income (SSI)
- d. Federal Public Housing Assistance
- e. Low-Income Home Energy Assistance Program (LHEAP)

3. A qualified low-income consumer is eligible to receive either or both Lifeline and Link Up assistance.

4. *Hanson Communications, Inc. d/b/a McCook Telecom* will advertise the availability of Lifeline and Link Up services and the charges therefore using media of general distribution and in accord with any rules that may be developed by the SDPUC for application to eligible telecommunications carriers.

5. In addition, *Hanson Communications, Inc. d/b/a McCook Telecom*, as required by the *Final Order and Decision; Notice of Entry of Decision* of the SDPUC (Exhibit A), will indicate in its annual report to the SDPUC the number of subscribers within its service area receiving Lifeline and/or Link Up assistance. In addition, this information will be provided to the Universal Service Administrative Company ("USAC").

6. Information as to the number of consumers qualifying for Lifeline and/or Link Up assistance cannot currently be provided by *Hanson Communications, Inc. d/b/a McCook*

Telecom because it has no access to the government information necessary to determine how many of its telephone subscribers are participating in the above referenced public assistance programs. Without this information, *Hanson Communications, Inc. d/b/a McCook Telecom* cannot provide, at this time, even a reasonable estimate of the number of its subscribers who, after January 1, 1998, will be receiving Lifeline and/or Link Up service. Information as to the number of its low-income subscribers qualifying for Lifeline and/or Link Up can be provided after applications for Lifeline and Link Up assistance have been received by *Hanson Communications, Inc. d/b/a McCook Telecom*.

7. In accord with the SDPUC's *Final Order and Decision; Notice of Entry of Decision*, *Hanson Communications, Inc. d/b/a McCook Telecom* will make application forms available to all of its existing residential customers, to all new customers when they apply for residential local telephone service, and to other persons or entities upon their request.

B. Lifeline

1. Lifeline service means a retail local service offering for which qualified low-income consumers pay reduced charges.

2. Lifeline service includes voice grade access to the public switched network, local usage, dual tone multi-frequency signaling or its functional equivalent, single-party service or its functional equivalent, access to emergency services, access to operator services, access to interexchange service, access to directory assistance, and toll limitation.

3. Qualified low-income subscribers are required to submit an application form in order to receive Lifeline service. In applying for Lifeline assistance, the subscriber must certify under penalty of perjury that they are currently participating in at least one of the qualifying public assistance programs listed in Section A.2, above. In addition, the subscriber must agree to notify *Hanson Communications, Inc. d/b/a McCook Telecom* when they cease participating in the qualifying public assistance program(s).

4. The total monthly Lifeline credit available to qualified consumers is \$5.25. *Hanson Communications, Inc. d/b/a McCook Telecom* shall provide the credit to qualified consumers by applying the federal baseline support amount of \$3.50 to waive the consumer's federal End-User Common Line charge and applying the additional authorized federal support amount of \$1.75 as a credit to the consumer's intrastate local service rate. The federal baseline support amount and additional support available, totaling \$5.25, shall reduce *Hanson Communications, Inc. d/b/a McCook Telecom's* lowest tariffed (or otherwise generally available) residential rate for the services listed above in Section B.3. Per the attached SDPUC *Final Order and Decision; Notice of Entry of Decision*, the SDPUC has authorized intrastate rate reductions for eligible telecommunications carriers making the additional federal support amount of \$1.75 available. The SDPUC did not establish a state Lifeline program to fund any further rate

reductions. (Exhibit A, Findings of Fact VII and VIII; and Conclusions of Law II and III).

5. *Hanson Communications, Inc. d/b/a McCook Telecom* will not disconnect subscribers from their Lifeline service for non-payment of toll charges unless the SDPUC, pursuant to 47 CFR § 54.401(b)(1), has granted the company a waiver from the non-disconnect requirement.

6. Except to the extent that *Hanson Communications, Inc. d/b/a McCook Telecom* has obtained a waiver from the SDPUC pursuant to 47 CFR § 54.101(c), the company shall offer toll limitation to all qualifying low-income consumers when they subscribe to Lifeline service. If the subscriber elects to receive toll limitation, that service shall become part of that subscriber's Lifeline service.

7. *Hanson Communications, Inc. d/b/a McCook Telecom* will not collect a service deposit in order to initiate Lifeline service if the qualifying low-income consumer voluntarily elects toll blocking on their telephone line. However, one month's local service charges may be required as an advance payment.

C. Link Up

1. Link Up means:

(a) A reduction in the customary charge for commencing telecommunications service for a single telecommunications connection at a consumer's principal place of residence. The reductions shall be 50 percent of the customary charge or \$30.00, whichever is less; and

(b) A deferred schedule for payment of the charges assessed for commencing service, for which the consumer does not pay interest. The interest charges not assessed to the consumer shall be for connection charges of up to \$200.00 that are deferred to a period not to exceed one year.

2. Charges assessed for commencing service include any charges that are customarily assessed for connecting subscribers to the network. These charges do not include any permissible security deposit requirements.

3. The Link Up program shall allow a consumer to receive the benefit of the Link Up program for a second or subsequent time only for a principal place of residence with an address different from the residence address at which the Link Up assistance was provided previously.

Hanson Communications, Inc. d/b/a McCook Telecom
PO Box 630
Salem, SD 57058
605-427-2238

By Lance Johnson Manager
Name Position

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

IN THE MATTER OF THE INVESTIGATION)	FINAL ORDER AND
INTO THE LIFELINE AND LINK UP)	DECISION; NOTICE OF
PROGRAMS)	ENTRY OF DECISION
)	TC97-150

At its August 18, 1997, regularly scheduled meeting, the Public Utilities Commission (Commission) voted to open a docket concerning the Federal Communications Commission's (FCC's) Report and Order on Universal Service regarding the Lifeline and Link Up programs. In its Report and Order, the FCC ~~decided that it would~~ provide for additional federal support in the amount of \$1.75, above the current \$3.50 level. However, in order for a state's Lifeline consumers to receive the additional \$1.75 in federal support, the state commission must approve that reduction in the portion of the intrastate rate paid by the end user. 47 C.F.R. § 54.403(a). Additional federal support may also be received in an amount equal to one-half of any support generated from the intrastate jurisdiction, up to a maximum of \$7.00 in federal support. 47 C.F.R. § 54.403(a). A state commission must file or require the carrier to file information with the administrator of the federal universal service fund demonstrating that the carrier's Lifeline plan meets the criteria set forth in 47 C.F.R. § 54.401.

By order dated August 28, 1997, the Commission allowed interested persons and entities to submit written comments concerning how the Commission should implement the FCC's rules on the Lifeline and Link Up programs. In their written comments, interested persons and entities commented on the following questions:

1. Whether the Commission should approve intrastate rate reductions to allow consumers eligible for Lifeline support to receive the additional \$1.75 in federal support?
2. Whether the Commission should set up a state Lifeline Program to fund further reductions in the intrastate rate paid by the end user?
3. Whether the Commission should modify the existing Lifeline or Link Up Programs?
4. Shall the Commission file or require the carrier to file information with the administrator of the federal universal service fund demonstrating that the carrier's Lifeline plan meets the criteria set forth in 47 C.F.R. § 54.401(d)?

By order dated October 16, 1997, the Commission set public hearings to receive public comment on the questions listed above. The hearings were held at the following times and places:

RAPID CITY:	Monday, October 27, 1997, 1:00 p.m., Canyon Lake Senior Citizens Center, 2900 Canyon Lake Drive, Rapid City, SD
--------------------	---

PIERRE: Tuesday, October 28, 1997, 1:30 p.m., State Capitol Building, Room 412, 500 East Capitol Avenue, Pierre, SD

SIOUX FALLS: Wednesday, October 29, 1997, 9:00 a.m., Center for Active Generations, 2300 West 46th, Sioux Falls, SD

At its November 7, 1997, meeting, the Commission ruled as follows: On the first issue, the Commission authorized intrastate rate reductions to allow eligible consumers to receive the additional \$1.75 in federal support. With respect to the second issue, the Commission decided to not set up a state Lifeline program to fund further reductions at this time. On the third issue, the Commission eliminated the existing TAP program that requires U S WEST and carriers that have purchased U S WEST exchanges to fund a \$3.50 reduction of local rates to low income customers age 60 and over. The Commission further ruled that the South Dakota Link Up program follow the FCC rules. In addition, the Commission ordered that staff, in consultation with the carriers, develop a standard form for self-certification; that these forms be sent to all of their customers prior to January 1, 1998, and thereafter, to all new customers; and that the carriers make the forms available to any person or entity upon request. On the fourth issue, the Commission ruled that the carrier be required to file with the FCC the information demonstrating that the carrier's plan meets the applicable FCC criteria and that the carrier send an informational copy to the Commission. Further, that the carriers include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

Based on the written comments and evidence and testimony received at the hearings, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

I

The current state Lifeline program is referred to as the Telephone Assistance Plan (TAP). The current state Link Up program is referred to as the Link Up America program. The Commission implemented these programs in the U S WEST exchanges pursuant to its Decision and Order dated February 17, 1988, issued in Docket F-3703, In the Matter of the Investigation into Implementation of a Telephone Assistance Plan for South Dakota Customers. Exhibit 1 at page 1. Subsequent buyers of U S WEST exchanges were required to also offer the TAP and Link Up America programs. Id. at pages 1-2.

II

The amount of TAP assistance is \$7.00, \$3.50 of which is federally funded, with the remaining \$3.50 funded by the local telecommunications carrier. Id. at page 3. Although U S WEST was originally allowed to charge a surcharge to fund the program, U S WEST subsequently gave up that right in Docket F-3647-8, In the Matter of the Public Utilities Commission Investigation into the Effects of the 1986 Tax Reform Act on South Dakota Utilities. Exhibit 5. In order to receive the TAP assistance, a member of the household

must be 60 years of age or older and participate in either the food stamp or the low-income energy assistance program. Exhibit 1 at page 2.

III

The Link Up America program provides assistance in an amount equal to one-half of the qualifying subscriber's telephone service connection charges up to a maximum of \$30.00. *Id.* at page 3. In order to receive Link Up assistance, a customer must be receiving either food stamps or low-income energy assistance, must not presently have local telephone service and must not have been provided telephone service at his or her residence within the previous three months, and ~~must not be a~~ dependent for federal income tax purposes (dependency criteria does not apply to those 60 years of age or older). *Id.* The Link Up program is funded entirely out of federal funds. *Id.*

IV

The FCC revised the current Lifeline and Link Up programs in CC Docket No. 96-45, In the Matter of Federal-State Joint Board on Universal Service, adopted May 7, 1997. Beginning January 1, 1998, the FCC found that the federal baseline Lifeline support will be \$3.50 per qualifying low-income consumer with an additional \$1.75 in federal support if the state commission approves a corresponding reduction in intrastate local rates. 47 C.F.R. § 54.403(a). Additional federal Lifeline support in an amount equal to one-half the amount of any state Lifeline support (not to exceed \$7.00) is also available. *Id.*

V

The FCC further found that the federal support for Link Up will continue to be a reduction in the telecommunications carrier's service connection charges equal to one half of the carrier's customer connection charge or \$30.00, whichever is less. 47 C.F.R. § 54.413(b).

VI

Pursuant to the FCC's rules, if there is no state Lifeline or Link Up program, a consumer is eligible for support if the consumer participates in one of the following programs: Medicaid; food stamps; Supplemental Security Income; federal public housing assistance; or the Low-Income Home Energy Assistance Program. 47 C.F.R. §§ 54.409(b) and 54.415(b). In addition, if there is no state Lifeline or Link Up program, a customer must certify under penalty of perjury that the customer is receiving benefits from one of the programs listed above and agrees to notify the carrier if the customer ceases to participate in such program or programs. *Id.*

VII

The first issue is whether the Commission should approve intrastate rate reductions to allow consumers eligible for Lifeline support to receive the additional \$1.75 in federal

support. The Commission finds that it shall authorize intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support. Thus, the total amount of federal support is \$5.25 per eligible customer.

VIII

The second issue is whether the Commission should set up a state Lifeline program to fund further reductions in the intrastate rate paid by the end user. The Commission finds it will not set up a state Lifeline program to fund further reductions at this time.

IX

The third issue is whether to modify or eliminate the existing Lifeline program or Link Up program. With respect to the existing Lifeline program, the Commission finds that it shall eliminate the existing TAP program that requires U S WEST and carriers that have purchased U S WEST exchanges to fund a \$3.50 reduction of local rates to low income customers age 60 and over. The Commission further finds that the South Dakota Lifeline and Link Up programs shall follow the FCC rules. See 47 U.S.C. §§ 54.400 to 54.417. The effect of following the FCC rules and not instituting further state funded reductions is that the FCC eligibility requirements and self-certification requirements will apply to the South Dakota Lifeline and Link Up programs. In addition, the Commission orders that the Commission staff, in consultation with the carriers, develop a standard form for self-certification. The carriers shall send these forms to each customer prior to January 1, 1998. The carriers shall also send a form to each of their new customers. Finally, the carriers shall make the forms available to any person or entity upon request.

X

The fourth issue is whether the Commission should file, or in the alternative, require the carrier to file information with the fund administrator. See 47 C.F.R. § 54.401(d). The Commission finds the carriers shall be required to file that information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carriers shall also be required to include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

CONCLUSIONS OF LAW

I

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-1.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-12.1, 49-31-12.2 and 12.4, and 47 C.F.R. §§ 54.400 to 54.417.

II

Pursuant to 47 C.F.R. § 54.403(a), the Commission authorizes intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support.

III

The Commission declines to institute a state Lifeline program to fund further reductions at this time. The existing South Dakota Lifeline and Link Up programs shall be modified to follow the FCC rules found at 47 U.S.C. §§ 54.400 to 54.417, inclusive, on January 1, 1998. The Commission staff, in consultation with the carriers, shall develop a standard form for self-certification. The carriers shall send these forms to each customer prior to January 1, 1998. The carriers shall also send a form to each of their new customers. Finally, the carriers shall make the forms available to any person or entity upon request.

IV

Pursuant to 47 C.F.R. § 54.401(d), the Commission finds the carriers shall be required to file that information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carriers shall also be required to include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

It is therefore

ORDERED, that the Commission authorizes intrastate rate reductions for eligible telecommunications companies providing local exchange service to allow eligible consumers to receive the additional \$1.75 in federal support; and it is

FURTHER ORDERED, that the Commission will not set up a state Lifeline program to fund further reductions at this time; and it is

FURTHER ORDERED, that the Commission shall eliminate the existing TAP program; that the South Dakota Lifeline and Link Up programs follow the FCC rules; that the Commission staff, in consultation with the carriers, develop a standard form for self-certification; that the carriers shall send these forms to all of their customers prior to January 1, 1998; that the carriers shall also send a form to each of their new customers; and that the carriers make the forms available to any person or entity upon request; and it is

FURTHER ORDERED, that the carrier shall file with the FCC the information demonstrating that the carrier's plan meets the applicable FCC rules and that the carrier send an informational copy to the Commission. The carriers shall also include in their annual report to the Commission the number of subscribers who receive Lifeline and Link Up support.

Dated at Pierre, South Dakota, this 18th day of November, 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: William Kalls

Date: 11/18/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

TELEPHONE TARIFF PART VII
Original Sheet 9

ISSUED: December 18, 1997 EFFECTIVE: January 1, 1998
Date Date

BY: Lanford I. Johnson , Manager , Salem, South Dakota 57958
Name Title Address

McCOOK COOPERATIVE TELEPHONE COMPANY
Subsidiary: Hanson County Telephone Company
Subsidiary: Hanson Communications, d/b/a McCook Telecom
Filed with SDPUC

TELEPHONE TARIFF PART VII
Original Sheet 10

LOW INCOME ASSISTANCE PROGRAM

A. LIFELINE SERVICE (Continued)

4. RATES

- | | Monthly Credit |
|---|----------------|
| a. Lifeline Service - Waiver of Federal End-User Common Line Charge | \$3.50 |
| - Additional Federal Support | 1.75 |
| Total | \$5.25 |
- b. Toll blocking shall be included with this service offering without charge. No service deposit is required if applicant voluntarily elects toll blocking with the initiation of Lifeline Service. However, one month's local service charges may be required to be paid in advance.
- c. LEC will not disconnect Lifeline service for non-payment of toll charges.
- d. Any Lifeline partial payments will be applied first to local service charges then to toll charges.

ISSUED: December 18, 1997 EFFECTIVE: JANUARY 1, 1998
Date Date

BY: Lanford I. Johnson Manager Salem, South Dakota 57058
Name Title Address

McCOOK COOPERATIVE TELEPHONE COMPANY
Subsidiary: Hanson County Telephone Company
Subsidiary: Hanson Communications, d/b/a McCook Telecom
Filed with SDPUC

TELEPHONE TARIFF PART VII
Original Sheet 11

LOW INCOME ASSISTANCE PROGRAM

B. LINK UP ASSISTANCE

1. The Link Up Program is a plan which assists qualified low-income applicants with reduced service connection charges. The assistance applies for a single telephone line at the applicant's principal place of residence. A reduction of fifty percent of all service connection charges, or \$30.00, whichever is less, will be provided to qualified applicants.
2. The consumer shall receive the benefit of the Link Up Program for a second or subsequent time only for a principal place of residence with an address different from the residence address at which Link Up assistance was provided previously

3. ELIGIBILITY REQUIREMENTS

To be eligible for assistance, an applicant must participate in one of the following:

- a. Medicaid (e.g. Title XIX/Medical, state supplemental assistance)
- b. Food Stamps
- c. Supplemental Security Income (SSI)
- d. Federal Public Housing Assistance
- e. Low-Income Home Energy Assistance Program (LHEAP)

4. APPLICATION FOR ASSISTANCE

An applicant shall request telephone connection assistance through completion of a form provided by the Company.

5. CHARGES AND DEFERRED PAYMENTS

- a. All customary service connection charges for installing basic residential telephone service, except security deposits, shall be reduced by 50% or \$30.00, whichever is less. The assistance does not extend to inside wiring.
- b. An applicant may defer payment of the service connection charges. Payments may be deferred up to 12 months for connection charges up to \$200.00. Interest will not be charged on deferred payments.

ISSUED: December 18, 1997
Date

EFFECTIVE: JANUARY 1, 1998
Date

BY: Lanford J. Johnson
Name

Manager
Title

Salem, South Dakota 57058
Address