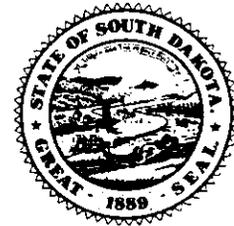




South Dakota Public Utilities Commission

EX PARTE OR LATE FILED

ORIGINAL



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

RECEIVED

July 27, 1999

CC: 96-45 JUL 29 1999

Federal Communications Commission
Office of Secretary

Mr. Richard D. Smith
Accounting Policy Division
Federal Communications Commission
445 12th Street S.W., Fifth Floor, Room 5-B448
Washington, D.C. 20554

Re: Western Wireless Corporation Petitions for
Preemption of an Order of the South Dakota
Public Utilities Commission
CC Docket No. 96-45

Dear Mr. Smith:

Enclosed you will find a copy of South Dakota Public Utilities Commission's Request
for an Extension of Comment Periods.

Very truly yours,

Camron Hoseck
Special Assistant Attorney General

CH:dk
Enc.

No. of Copies rec'd
List ABCDE

3

Capitol Office
Telephone (605)773-3201
FAX (605)773-3809

Transportation/
Warehouse Division
Telephone (605)773-5280
FAX (605)773-3225

Consumer Hotline
1-800-332-1782

TTY Through
Relay South Dakota
1-800-877-1113

Internet Website
www.puc.state.sd.us/puc/

♦
Jim Burg
Chairman
Pam Nelson
Vice-Chairman
Laska Schoenfelder
Commissioner

William Bullard Jr.
Executive Director

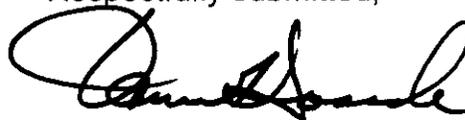
Harlan Best
Martin C. Bettmann
Sue Cichos
Karen E. Cremer
Michele M. Farris
Marlette Fischbach
Shirleen Fugitt
Lewis Hammond
Leni Healy
Camron Hoseck
Lisa Hull
Dave Jacobson
Katie Johnson
Bob Knadle
Delaine Kolbo
Jeffrey P. Lorensen
Charlene Lund
Terry Norum
Gregory A. Rislov
Keith Senger
Rolayne Ailts Wiest
♦

3. Due to the work load of the SDPUC, especially as anticipated as a result of new legislation regarding slamming and cramming which became effective July 1, 1999, and may involve multiple administrative hearings, fifteen extra days would allow the undersigned, as one remaining staff attorney, adequate time to prepare a comment in this docket.

4. The issues of preemption as presented in this docket are of high importance to the SDPUC. Further, Western Wireless Corporation has filed an appeal before the Sixth Judicial Circuit, South Dakota Circuit Court, of the decision which the SDPUC reached in this matter. Western Wireless' brief is due August 13, 1999 and under South Dakota law the undersigned attorney will have 30 days to respond to that brief .

WHEREFORE, given the gravity of the issues before the FCC in this matter, the diminished size of the SDPUC staff which has responsibility for filing comments in this docket, the existence of a parallel case involving the same parties in state circuit court in South Dakota, and a genuine plea of the undersigned counsel for additional time, the SDPUC respectfully requests an extension of the current schedule by an additional fifteen (15) days beyond August 18, 1999, for filing of comments in these proceedings.

Respectfully submitted,



Camron Hoseck
Special Assistant Attorney General

South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501
(605) 773-3201

July 27, 1999

CERTIFICATE OF SERVICE

I hereby certify that copies of South Dakota public Utilities Commission's Request for an Extension of Comment Periods were served on the following by mailing the same to them by United States Post Office First Class Mail, postage thereon prepaid, at the address shown below on this the 27th day of July, 1999.

Gene DeJordy
Executive Director - Regulatory Affairs
GCC License Corporation
3650 131st Avenue S.E., Suite 400
Bellevue, WA 98006

Alex Duarte
Senior Attorney
U S WEST Communications, Inc.
1801 California Street, Suite 5100
Denver, CO 80202

Thomas J. Welk
Tamara A. Wilka
Boyce, Murphy, McDowell & Greenfield
P. O. Box 5015
Sioux Falls, SD 57117-5015

Richard D. Coit
Executive Director
SDITC
P. O. Box 57
Pierre, SD 57501-0057

William P. Heaston
Barbara E. Berkenpas
Attorneys at Law
DTG
P. O. Box 66
Irene, SD 57037-0066

Mark J. Ayotte
Philip R. Schenkenberg
Attorneys at Law
Briggs and Morgan
2200 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

Steven W. Sanford
Attorney at Law
Cadwell, Sanford, Deibert & Garry
P. O. Box 1157
Sioux Falls, SD 57101



Camron Hoseck
Special Assistant Attorney General