

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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UNITED STATES TELECOM ASSOCIATION,)

Petitioner,)

v.)

FEDERAL COMMUNICATIONS)
COMMISSION and THE UNITED STATES)
OF AMERICA,)

Respondents.)

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

No. 00-1428

STATUS REPORT

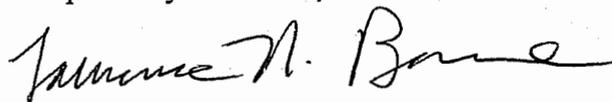
The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory Ruling*.^{*} In an order dated January 31, 2005, the Court enlarged from 30 to 90 days the intervals at which the Commission must file status reports.

The Commission staff is continuing to work on the reconsideration petitions pending before the agency. The Commission will promptly inform the Court and the

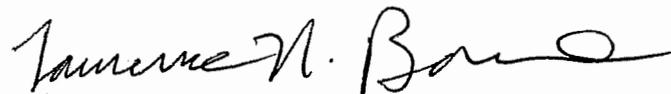
^{*} *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168 (2000) ("*South Dakota Declaratory Ruling*").

parties when the agency acts on reconsideration. In the meantime, the Court should continue to hold the case in abeyance.

Respectfully submitted,



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January 26, 2006

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Telecom Association, Petitioner,

v.

Federal Communications Commission and USA, Respondents.

Certificate Of Service

I, Tamika S. Parker hereby certify that the foregoing "Status Report" was served this 26th day of January, 2006, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

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