

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

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

UNITED STATES TELECOM ASSOCIATION,)

Petitioner,)

v.)

No. 00-1428

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

Respondents.)

STATUS REPORT

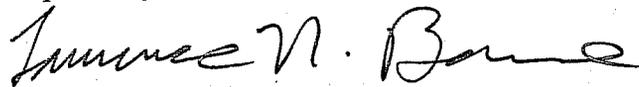
The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory 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 has not yet completed action on the reconsideration petitions. Commission counsel will promptly inform the Court and the parties when the agency acts

^{*} *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*").

on those petitions. In the meantime, the Court should continue to hold the case in
abeyance.

Respectfully submitted,



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July 25, 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, Sharon D. Freeman, hereby certify that the foregoing "Status Report" was served this 25th day of July, 2006, by mailing true copies, thereof, postage prepaid, to the following persons at the addresses listed below:

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