

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

UNITED STATES TELECOM ASSOCIATION,)

Petitioner,)

v.)

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

Respondents.)

RECEIVED

JUN 02 2001

**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 April 25, 2001, the Court directed the Commission to file a status report within ten days of the date of that order and every 30 days thereafter.

The Commission staff is taking steps to complete its work on the reconsideration petitions pending before the agency. The Commission will promptly inform the Court and the parties when the agency acts on reconsideration.

^{*}*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*").

Respectfully submitted,

*Lisa E. Boehley
for John E. Ingle*

John E. Ingle

Deputy Associate General Counsel

Lisa E. Boehley

Lisa E. Boehley

Counsel

Federal Communications Commission

Washington, D.C.

(202) 418-1740

May 28, 2003

**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 28th day of May, 2003, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

**John B. Adams
Kraskin, Lesse & Cosson
2120 L Street, N.W.
Suite 520
Washington DC 20037**

Counsel For: Project Telephone Company, Inc.

**Richard D. Coit
South Dakota Independent Telephone Coalition
207 East Capitol, Suite 206
P.O. Box 57
Pierre SD 57501**

Counsel For: South Dakota Independent Telephone Coalition, Inc.

**Benjamin H. Dickens, Jr.
Blooston, Mordkofsky, Dickens, Duffy & Prendergast
2120 L Street, N.W., Suite 300
Washington DC 20037**

Counsel For: South Dakota Independent Telephone Coalition, Inc.

**Donna N. Lampert
Lampert & O'Connor, P.C.
1750 K Street, N.W.
Suite 600
Washington DC 20006**

Counsel For: United States Telecom Association

**Lawrence E. Sarjeant
United States Telecom Association
1401 H Street, N.W., Suite 600
Washington DC 20005-2164**

Counsel For: United States Telecom Association

**Michael F. Altschul
Cellular Telecommunications & Internet Assn.
1250 Connecticut Ave., N.W.
Suite 800
Washington DC 20036**

Counsel For: Cellular Telecommunications Industry Assn.

**Gene DeJordy
Western Wireless Corp.
Suite 100
2001 N.W. Sammamish Road
Issaquah WA 98027**

Counsel For: Western Wireless Corporation

**Nancy C. Garrison
U.S. Dept. of Justice
Antitrust Div., Appellate Section, Rm. 10535
Patrick Henry Bldg., 601 D Street, N.W.
Washington DC 20530**

Counsel For: USA

**James Bradford Ramsay
NARUC
1101 Vermont Ave., N.W.
Suite 200
Washington DC 20005**

Counsel For: National Ass'n of Regulatory Utility Comm'rs

**David L. Sieradzki
Hogan & Hartson L.L.P.
555 Thirteenth Street, N.W.
Washington DC 20004-1109**

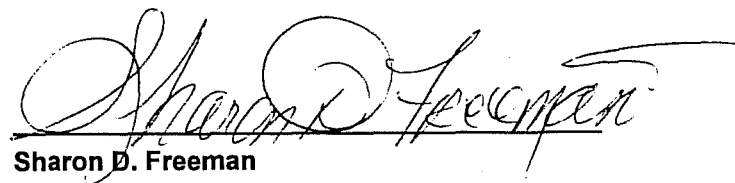
Counsel For: Western Wireless Corporation

L. Andrew Tollin
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington DC 20037

Counsel For: Dobson Communications Corporation

Rolayne Ailts Wiest
Special Assistant Attorney General
South Dakota Public Utilities Commission
500 East Capitol
Pierre SD 57501

Counsel For: South Dakota Public Utilities
Commission



Sharon D. Freeman