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

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

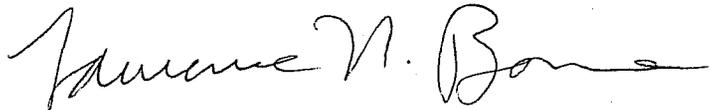
The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory Ruling*.^{*} In an order dated 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

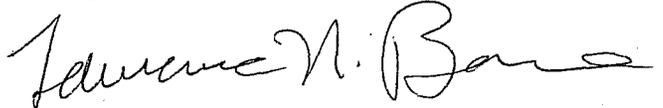
^{*} *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168 (2000) ("*South Dakota Declaratory Ruling*").

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

Respectfully submitted,



for John E. Ingle
Deputy Associate General Counsel



Laurence N. Bourne
Counsel

Federal Communications Commission
Washington, D.C.
(202) 418-1740

January 19, 2005

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

UNITED STATES TELECOM ASSOCIATION, Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA, Respondents.

Certificate Of Service

I, Shirley E. Farmer, hereby certify that the foregoing "Status Report" was served this 19th day of January, 2005, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

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

David Cosson
Kraskin, Moorman & Cosson, LLP
2120 L Street, N.W.
Suite 520
Washington DC 20037

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Counsel For: Project Telephone Company, Inc.

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

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

Counsel For: Western Wireless Corporation

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Nancy C. Garrison
U.S. Dept. of Justice
Antitrust Div., Appellate Section
950 Pennsylvania Avenue, N.W., Room 3224
Washington DC 20530-0001

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

Counsel For: USA

Counsel For: United States Telecom Association

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

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

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

Counsel For: United States Telecom Association

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

L. Andrew Tollin
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington DC 20037-1128

Counsel For: Western Wireless Corporation

Counsel For: Dobson Communications Corporation

00-1428

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



Shirley E. Farmer