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*Of Counsel*

September 21, 2005

Pamela Bonrud  
Executive Director  
SD Public Utilities Commission  
500 E Capitol Avenue  
Pierre SD 57501

RECEIVED

SEP 23 2005

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION


RE: WWC's Complaint against Golden West Companies Regarding  
Intercarrier Billings  
Docket CT 05-001 GPGN File No. 5925.050089

Dear Ms. Bonrud:

Enclosed you will find the original plus ten copies of WWC's Answer to Golden West Companies' Amended Counterclaim in the above-entitled docket. I have served a copy on counsel for Golden West Telecommunications Cooperative and Staff Counsel, Rolayne Wiest.

If you have any questions or need anything else from me, please let me know.

Sincerely,



Talbot J. Wieczorek

TJW:klw  
Enclosures  
c: (w Encl) Darla Pollman Rogers  
Rolayne Wiest  
Client

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**RECEIVED**  
SEP 23 2005  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

In the Matter of the Complaint )  
WWC License LLC against )  
Golden West Telecommunications Cooperative, )  
Inc.; )  
Vivian Telephone Company; )  
Sioux Valley Telephone Company; )  
Union Telephone Company; )  
Armour Independent Telephone Company; )  
Bridgewater-Canistota Independent Telephone )  
Company; and )  
Kadoka Telephone Company )

DOCKET NO. CT05 - 001

**WWC's ANSWER TO  
GOLDEN WEST COMPANIES'  
AMENDED COUNTERCLAIM**

COMES NOW, WWC License LLC, of 3650 131st Avenue SE, Suite 400, Bellevue, Washington 98006, a subsidiary of Alltel (hereinafter "WWC"), by and through its attorney of record, Talbot J. Wiczorek of Gunderson, Palmer, Goodsell & Nelson, LLP, Rapid City, South Dakota and hereby submits this answer to the Amended Counterclaim of Golden West Companies:

1. WWC hereby denies each and every allegation contained in the Amended Counterclaim except for those hereinafter specifically admitted.
2. WWC admits paragraphs 36, 37 and 38 of the Amended Counterclaim.
3. As to Amended Counterclaim paragraphs 39 and 40, they are denied. Western Wireless has been actively engaged in negotiations with Mr. Thompson regarding InterMTA traffic since September 2003. These negotiations began prior to finalization of the interconnection agreements with any Golden West controlled entity and, as yet, the parties have not come to agreement on study methodology or an InterMTA rate produced by an agreed methodology. WWC has been negotiating in good faith and prior to the filing of this Counterclaim, had conducted an expensive specialized traffic study, provided output from that study to Mr. Thompson to conduct his own analysis, proposed various ways to perform a traffic

study analysis, and was awaiting a response from Larry Thompson and his clients, including the Golden West companies.

4. As to Amended Counterclaim paragraphs 41 through 44, the allegations are denied in whole.

5. As to Amended Counterclaim paragraphs 45 and 46, the allegations are hereby denied. SDCL 49-31-110 as applied WWC, is in violation of the Supremacy Clause and unenforceable under federal law. Further, in the Parties' Interconnection Agreement, the Parties entered into a contractual agreement that was approved by the South Dakota Public Utilities Commission providing, for process on how to handle or determine local traffic should a party be unable to classify on an automated basis whether traffic delivered was local traffic or InterMTA traffic.

#### **AFFIRMATIVE DEFENSES**

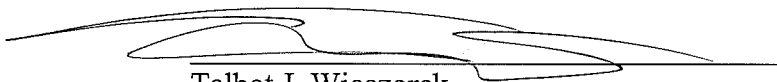
6. As an affirmative defense, the Golden West Companies did not comply with the terms and conditions of the Interconnection Agreement and is thereby estopped from seeking modification or retroactive implementation of a new InterMTA use factor.

WHEREFORE, WWC requests relief regarding the Amended Counterclaim as follows:

1. That the Amended Counterclaim by Golden West Companies be dismissed; and
2. For such other and further relief as the Commission deems just and proper.

Dated this 21 day of September, 2005.

GUNDERSON, PALMER, GOODSSELL  
& NELSON, LLP



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**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

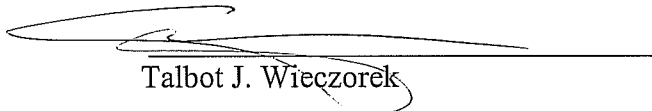
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Golden West Telecommunications Cooperative,	)	DOCKET NO. CT 05 - 001
Inc.;	)	
Vivian Telephone Company;	)	
Sioux Valley Telephone Company;	)	
Union Telephone Company;	)	
Armour Independent Telephone Company;	)	
Bridgewater-Canistota Independent Telephone	)	
Company; and	)	
Kadoka Telephone Company	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21 day of September, 2005, a true and correct copy of WWC's ANSWER TO GOLDEN WEST COMPANIES' AMENDED COUNTERCLAIM was sent by first-class, U.S. Mail, postage paid to:

Darla Pollman Rogers  
PO Box 280  
Pierre, SD 57501

Rolayne Wiest  
SD PUC  
500 E Capitol Ave  
Pierre SD 57501-0057

  
Talbot J. Wieczorek