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September 30, 2004

VIA FAX: 1-605-773-3809

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

RE: PUC Docket RM04-001, Midcontinent Communications Petition for
 Rulemaking (In the Matter of ARSD § 20:10:33:19)
 WWC License LLC GPGN File No. 5925.030369

Dear Ms. Bonrud:

WWC License LLC, a wholly owned subsidiary of Western Wireless Corporation, doing business as CellularOne in South Dakota, (hereinafter "Western Wireless"), submits this letter to serve as comments on the proposed amendments to ARSD § 20:10:33:19.

Western Wireless has had the opportunity to review the comments filed by Verizon Wireless. Western Wireless joins in the comments submitted by Verizon Wireless and agrees as discussed at the bottom of page two and the top of page three of Verizon Wireless' comments, that a legitimate issue exists as to whether this Commission has jurisdiction to impose such a requirement on a wireless provider. Even if one were to assume the Commission does have jurisdiction of this matter, the proposed rule should be redrafted to be limited to only wireless companies' mobile switching centers.

Western Wireless' primary concern with the regulation as proposed arises out of the last sentence of the proposal. As you know, the last sentence sets forth as follows: "All wireless or cellular tower electronics shall be considered a tandem switching office for the applicability of this rule." As written, this sentence is vague and confusing in that it appears to apply to arguably only towers, but may also apply to cell sites, locations where Western Wireless may have an antenna.

In any case, even if the proposal applies to towers or to both types of situations, Western Wireless believes the requirement to be overly broad. First, it appears the purpose of the rule is to provide for power to a switching office. To make this rule consistent and remove any confusion over how this rule then applies to wireless or cellular, Western Wireless recommends that in place of "tower electronics," the Commission substitute "mobile switching center." This

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would restrict the power obligations to wireless' or cellular's actual switching locations and not put these types of obligations on wireless towers or sites.

Currently, Western Wireless provides battery backup and generators at its switches that meet the requirements of this regulation. Western Wireless does provide battery backup at its tower and site locations, but requiring identical backup to switches at every tower and site would be unduly expensive and beyond the purpose of the regulation.

If you have any questions or need any further information regarding the technical aspects and impacts of this rule, please let me know. Western Wireless stands ready to provide the Commission with assistance on any questions it may have on the impact of this proposed change.

Sincerely,



Talbot J. Wiecezorek

TJW:klw

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