



South Dakota Telecommunications Association

South Dakota Telecommunications Association

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January 28, 2011

Ms. Patty Van Gerpen, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Ave.
State Capitol Building
Pierre, SD 57501

RE: Docket RM05-002, In the Matter of the Revisions and/or Additions to the Commission's Switched Access Rules

Dear Ms. Van Gerpen:

The Commission's "Notice of Public Hearing to Adopt Rules" issued in this matter indicates that interested parties may submit any additional comments related to the specific rules being proposed by the Commission on or before January 31st, 2011.

As a means of supplementing the record in this matter and expressing support for the specific administrative rule revisions/additions that have been proposed, SDTA would refer the Commission to its earlier comments filed in this matter on June 15, 2010 and June 28, 2010. In addition, we would rely on SDTA's Direct Testimony filed in Docket TC10-014 (In the Matter of the Investigation of Pricing Regulation for Switched Access Services Provided by Competitive Local Exchange Carriers) (a copy is attached).

In regards to the administrative rule changes proposed and in responding to earlier related rule proposals, SDTA has consistently focused comments around two major concerns. First, we have emphasized the need for the Commission to remain cognizant of the different service obligations and regulations imposed by the FCC and this Commission on ILECs versus CLEC entities and the resulting cost of service differences that exist between such carriers. Based on these concerns, we have urged the Commission to limit any of its rule changes to addressing the switched access rates of CLEC entities and not those of ILEC entities which warrant a different rate regulation approach. Secondly, we have also stressed that any adopted rule revisions should be consistent with the "rural safeguards" and other provisions found in the federal and state law that are intended to discourage selective marketing by CLECs and prevent geographic rate de-averaging between rural and urban areas. Related to this particular concern, we have noted previously in this docket the importance of maintaining a requirement that carriers providing switched access services must charge the same rate in all areas of the

State (that carriers may not charge exchange specific switched access rates or otherwise geographically de-average such rates).

SDTA believes the rules, as proposed and attached to the Commission's Notice of Public Hearing issued in this matter, satisfactorily address these stated concerns.

We thank the Commission for this additional opportunity to provide comment and for its consideration of all of the comments we have filed in this proceeding.

A copy of these comments has been sent electronically to all listed on the Commission's service list for this Docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Coit". The signature is fluid and cursive, with a large initial "R" and "C".

Richard D. Coit
Executive Director and General Counsel

CERTIFICATE OF SERVICE

I hereby certify that an original of the foregoing Letter/Comments filed in this rulemaking proceeding (Docket RM05-002), dated January 28th, 2011, was served upon the PUC electronically, directed to the attention of:

Ms. Patty Van Gerpen, Executive Director
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A copy was also sent by e-mail to each of the following individuals:

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Dated this 28th day of January 2011



Richard D. Coit, General Counsel
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