



# Capital Journal

## AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Hughes

Rachel Engbrecht of said county, being, first duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the Capital Journal, a daily newspaper published in the City of Pierre in said County of Hughes and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated, that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within the said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the legal/display advertisement headed Public Utilities Commission Notice of Public Hearing to Adopt Rules

a printed copy of which, taken from the paper in which the same was published, and which is here-to attached and made a part of this affidavit, was published in said newspaper for one successive week(s) to wit:

<u>April 28</u>	<u>20 06</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are: \$ 137.38.

Signed: Rachel Engbrecht

subscribed and sworn to before me this 2 day of May 20 06

May Baker

Notary Public in and for the County of Hughes, South Dakota.  
My Commission expires 2-19, 20 09.

**PUBLIC UTILITIES COMMISSION  
NOTICE OF PUBLIC HEARING TO ADOPT RULES.**

A public hearing will be held in Room 412, fourth floor, State Capitol, Pierre, South Dakota, on May 24, 2006, at 2:00 p.m. to consider the adoption and amendment of proposed rules numbered:

20:10:32:42, 20:10:32:43, 20:10:32:43:01, 20:10:32:43:02, 20:10:32:43:03, 20:10:32:43:04, 20:10:32:43:05, 20:10:32:43:06, 20:10:32:43:07, 20:10:32:44, 20:10:32:45, 20:10:32:46, 20:10:32:47, 20:10:32:48, 20:10:32:49, 20:10:32:51, 20:10:32:52, 20:10:32:53, 20:10:32:54 and 20:10:32:55.

The effect of the proposed rule changes will be to set forth the requirements for telecommunications carriers to be designated as eligible telecommunications carriers (ETCs). Carriers designated as ETCs are eligible to receive federal high-cost support in order to provide basic telephone services in their service areas. In addition, the proposed rule changes set forth the requirements for carriers previously designated as ETCs to obtain the certification necessary to continue to receive federal high-cost support.

One of the reasons for the proposed rule changes is to set forth specific requirements for carriers requesting designation as ETCs. An applicant will be required to do the following: demonstrate its commitment to provide service to customers; submit a two year plan describing proposed improvements to its network; demonstrate its ability to remain functional in emergency situations; demonstrate its ability to satisfy consumer protection and service quality standards; offer a comparable local usage plan; and meet a public interest standard. Another reason is to set forth requirements for the certification of ETCs, including the submission of a progress report on service quality improvement plans, information on outages, the number of unfulfilled requests for service from customers, and the number of consumer complaints. In addition, one of the proposed rules, 20:10:32:55, sets forth requirements for advertising lifeline and link-up assistance programs and requires the submission of a report on a carrier's outreach efforts to increase participation in these programs. Lifeline and link-up assistance programs provide discounts to low-income consumers for basic telephone service.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Public Utilities Commission, State Capitol, 500 East Capitol, Pierre, South Dakota 57501-5070. Material sent by mail must reach the Public Utilities Commission by June 3, 2006, to be considered.

After the hearing, the Commission will consider all written and oral comments it receives on the proposed rules. The Commission may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Public Utilities Commission at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3201.

Copies of the proposed rules may be obtained without charge from the South Dakota Public Utilities Commission, State Capitol, 500 East Capitol, Pierre, SD 57501-5070.

The proposed rules may also be found on the Public Utilities Commission's home page at the following address: <http://www.state.sd.us/puc>