

TC97-195

DOCKET NO. _____

TC97-195

CH/HB

In the Matter of _____

IN THE MATTER OF THE FILING BY
HEARTLAND TELECOMMUNICATIONS
COMPANY OF IOWA D/B/A HICKORY
TECH CORPORATION FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
12/17/97	Filed and accepted;
12/29/97	Withdrawal of Motion Seder;
12/23/97	Order for oral Notice of Hearing;
12/30/97	Order of Fil. (enclosures of Law, Order and Notice of Entry of Order);
12/30/97	Docket Closed

TC97-195

BEFORE THE PUBLIC UTILITIES COMMISSION RECEIVED

THE STATE OF SOUTH DAKOTA

DEC 17 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE REQUEST OF)
HEARTLAND TELECOMMUNICATIONS COMPANY OF IOWA)
DBA HICKORY TECH CORPORATION)
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)

REQUEST FOR ETC
DESIGNATION
DOCKETT TC97-

Heartland Telecommunications Company of Iowa d.b.a. Hickory Tech Corporation (HTC) pursuant to 47 United States Code ("U.S.C.") Section 214(e) and 47 Code of Federal Regulations ("CFR") Section 54.201 hereby seeks from the Public Utilities Commission ("Commission") designation as an eligible telecommunications carrier ("ETC") within the local exchange areas that constitute its service area in South Dakota. In support of this request, HTC offers the following:

1. Pursuant to 47 U.S.C. § 214(e) it is the Commission's responsibility to designate local exchange carriers ("LECs") as ETCs, or in other words, to determine which LECs have assumed universal service obligations consistent with the federal law and should be deemed eligible to receive federal universal service support. At least one eligible telecommunications carrier is to be designated by the Commission for each service area in the State. However, in the case of areas served by rural telephone companies, the Commission may not designate more than one LEC as an ETC without first finding that such additional designation would be in the public interest. Under 47 CFR § 54.201, beginning January 1, 1998, only telecommunications carriers that have received designation from the Commission to serve as an eligible telecommunications carrier within their service area will be eligible to receive federal universal service support.

2. HTC is the facilities-based local exchange carrier presently providing local exchange telecommunications services in the following exchanges:

- West Hawarden, South Dakota (605) 547 (includes West Hawarden, Alcester and Chatsworth)
- West Akron, South Dakota (605) 565 (includes West Akron and Elk Point)

HTC to its knowledge is the only carrier today providing local exchange telecommunications services in the above identified exchange areas.



3. HTC in accordance with 47 CFR § 54.101 offers the following local exchange telecommunications

services to all consumers throughout its service area:

- Voice grade access to the public switched network;
- Local exchange service including an amount of local usage free of per minute charges under a flat rated local service package;
- Dual tone multi-frequency signaling;
- Access to emergency services such as 911 or enhanced 911 public services;
- Access to operator services;
- Access to interexchange service;
- Access to directory assistance; and
- Toll blocking service to qualified low-income consumers

As noted above, HTC does provide toll limitation service in the form of toll blocking to qualifying consumers; however, the additional toll limitation service of "toll control" as defined in the new FCC universal service rules (47CFR § 54.400(3)) is not provided. HTC is not aware that any local exchange carrier in South Dakota has a current capability to provide such service. The FCC gave no indication prior to the release of its universal service order (FCC 97-157) that toll control would be imposed as an ETC service requirement and, to our information and belief, as a result, LECs nationwide are not positioned to make the service immediately available. In order for HTC to provide the service, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. At minimum, the service requires a switching software upgrade and at this time HTC is investigating and attempting to determine whether the necessary software has been developed and when it might become available.

Accordingly, HTC is faced with exceptional circumstances concerning its ability to make the toll control service available as set forth in the FCC's universal service rules and must request a waiver from the requirement to provide such service. At this time, a waiver for a period of one year is requested. Prior to the end of the one year period, HTC will report back to the Commission with specific information indicating when the necessary network upgrades can be made and the service can be made available to assist low income customers. The Commission may properly grant a waiver from the "toll control" requirement pursuant to 47 CFR 54.101(c).

4. HTC has previously and will continue to advertise the availability of its local exchange services in media of general distribution throughout the exchange areas service. Prior to this filing, HTC has not generally advertised the prices charged for all of the above-identified services. It will do so going forward in accordance with any specific advertising standards that the Commission may develop.

5. Based on the foregoing, HTC respectfully requests that the Commission:

- a) grant a temporary waiver of the requirement to provide "toll control" service, and
- b) grant an ETC designation to HTC covering all of the local exchange areas that constitute its present service area in the State.

Dated this 16 day of December, 1997.

Heartland Telecommunications Company of Iowa
DBA Hickory Tech Corporation


Asim Sabir
President & CEO

TC97-044	Wireless Interconnection Agreement between U S WEST Communications, Inc. and CommNet Cellular, Inc. The amendment consists of lowering the current nonrecurring charge for trunk routing changes from that of charging on a per trunk basis to charging on a per trunk group basis. This nonrecurring charge applies only when changing from Direct Final to Alternate Final Commission and the parties to the agreement no later than December 29, 1997. Parties to the amendment may file written responses to the comments no later than January 8, 1998. (Staff: CH)	12/12/97	Responses Due 12/29/97
NONCOMPETITIVE TELECOMMUNICATIONS FILING			
TC96-107	U S WEST Communications filed tariff sheets implementing the Commission's November 24, 1997, decision establishing switched access rates effective December 1, 1997. "The filing does not waive the right of U S WEST to appeal the Commission's decision, nor does it waive any issues concerning this matter which may be waived in any other regulatory or judicial proceedings." (Staff: HB/KC)	12/17/97	NA
TC97-194	U S WEST Communications filed to eliminate "the South Dakota Telephone Assistance and Link-Up programs, effective January 1, 1998, consistent with the Commission Order in Docket TC97-150. The filing also includes the FCC Lifeline program Link-Up Plans, as well as a change in the credit the customer receives. Also attached is the following page from our Exchange and Network Services Catalog which adds language regarding Toll Restriction for Lifeline customers." (Staff: HB/KC)	12/17/97	12/26/97
REQUEST FOR ELIGIBLE TELECOMMUNICATIONS COMPANY STATUS			
TC97-195	Heartland Telecommunications Company of Iowa db/a Hickory Tech Corporation pursuant to 47 U.S.C. 214(e) and 47 C.F.R. 54.201 hereby seeks designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota. Hickory Tech Corporation is the facilities based local exchange carrier presently providing local exchange telecommunications services in the following exchanges: West Hawarden (605) 547 and West Akron (605) 565 Hickory Tech Corporation, to its knowledge, is the only carrier today providing local exchange telecommunications services in the above identified exchange areas. (Staff: HB/CH)	12/17/97	12/26/97

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing it to Terry Norum at terry@bus.state.sd.us. Filing the address to the Commission at 605-773-3809

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South Dakota Public Utilities Commission State Capitol 500 E. Capitol Pierre, SD 57501-5070 Phone: (605) 773-3705 Fax: (605) 773-3809		<h2 style="margin: 0;">TELECOMMUNICATIONS SERVICE FILINGS</h2> <p style="margin: 0; font-size: small;">These are the telecommunications service filings that the Commission has received for the period of:</p> <h3 style="margin: 0;">12/11/97 through 12/18/97</h3> <p style="margin: 0; font-size: x-small;">If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.</p>	
DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
REQUEST FOR CERTIFICATE OF AUTHORITY			
TC97-191	Application by ConnectAmerica, Inc. db/a Connect US for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) Applicant proposes to provide Message Toll Service, Incoming 800 and Travel Card services.	12/12/97	01/02/98
TC97-193	Application by New Century Telecom, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/CH) Applicant proposes to provide Outbound Interexchange Service, 800/888 Service, Calling Card Service and Directory Assistance. Applicant will not offer 900, 911, collect, or third-party billed calling services.	12/15/97	01/02/98
PETITION FOR ORDER TO SHOW CAUSE FILED			
TC97-192	In The Matter Of U S WEST Communications, Inc. And Its Ability To Serve South Dakota Customers. In its Petition for Order to Show Cause Commission staff stated that by failing to provide adequate service, USWC could endanger the health, safety, and welfare of South Dakota citizens if those citizens cannot reach, for example, emergency numbers, doctors, hospitals, police and fire protection. Further, the inability of citizens and businesses to have telecommunications services timely installed and be otherwise reliable affects economic development and commerce and the welfare of the entire state of South Dakota. The convenience of the public can be and is negatively affected. The foregoing factors raise questions as to the competency, sufficiency and quality of management of USWC in South Dakota and the taxpayers in South Dakota, to prevent out-of-service conditions and to otherwise manage USWC in a manner which delivers reliable service in a timely manner to its customers and those wanting to become its customers. (Staff: HB/CH)	12/12/97	NA
AMENDMENT TO NEGOTIATED INTERCONNECTION AGREEMENT FILED			
TC96-160	Wireless Interconnection Agreement between U S WEST Communications, Inc. and Western Wireless Corporation. The amendment consists of lowering the current nonrecurring charge for trunk routing changes from that of charging on a per trunk basis to charging on a per trunk group basis. This nonrecurring charge applies only when changing from Direct Final to Alternate Final to Direct Final. Any party wishing to comment on the parties' amendment may do so by filing written comments with the Commission and the parties to the agreement no later than December 29, 1997. Parties to the amendment may file written responses to the comments no later than January 8, 1998. (Staff: CH)	12/12/97	Responses Due 12/29/97
TC97-032	First Amendment to Agreement For Service Resale between U S WEST Communications, Inc. and FirstTel, Inc. This amendment adds or replaces language in the original agreement. Any party wishing to comment on the parties' amendment may do so by filing written comments with the Commission and the parties to the agreement no later than December 29, 1997. Parties to the amendment may file written responses to the comments no later than January 8, 1998. (Staff: CH)	12/12/97	Responses Due 12/29/97

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Copy #1

ELIGIBLE TELECOMMUNICATIONS CARRIER REQUEST

Company: Heartland Telecommunications Company of Iowa d/b/a Hickory Tech Corporation

Docket Number: TC97-195

	Application 12/17/97	Supplemental Response 12/19/97
<u>47 C.F.R. 54.101(a)</u>		
1. voice grade access to public switched network	Yes	
2. local usage	Yes	
3. dual tone multi-frequency signaling or its functional equal	Yes	
4. single party service or its functional equivalent		Yes, to all customers
5. access to emergency services	Yes	
6. access to operator services	Yes	
7. access to interexchange service	Yes	
8. access to directory assistance	Yes	
9. toll limitation for qualifying low-income consumers	-toll blocking -toll control not provided; requesting one year waiver	
<u>47 C.F.R. 54.405 and 54.411</u> make available Lifeline and Link Up services to qualifying low-income consumers		-intend to abide by the low-income rules
<u>47 U.S.C. 214(e)(5)</u> designate service area [by NXX]	West Hawarden West Arkon	
<u>47 U.S.C. 214(e)(1)(B)</u> advertise services exchange wide	will advertise in accordance with any specific advertising standards that the Commission may develop	

affidavit of Asim Saber



**HEARTLAND
TELECOMMUNICATIONS
COMPANY of Iowa**

A SUBSIDIARY OF **HTC** HICKORY TECH CORPORATION

TC97-195

RECEIVED

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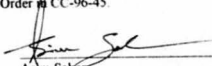
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

FAX Received DEC 19 1997

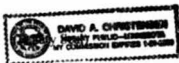
IN THE MATTER OF THE REQUEST OF)
HEARTLAND TELECOMMUNICATIONS COMPANY) AFFIDAVIT
OF IOWA DBA HICKORY TECH CORPORATION)
(HTC) FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)

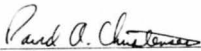
Asim Saber, being first duly sworn on his oath deposes and says that he is the President of Heartland Telecommunications Company of Iowa d b a Hickory Tech Corporation (HTC), applicant in Docket TC97-195, that he has read the foregoing initial Eligible Telecommunications Carrier application and further states the applicant presently provides single party service to all customers, and intends to abide by the low income rules adopted May 7, 1997 as part of the FCC Universal Service Report and Order in CC-96-45.


Asim Saber

State of Minnesota)
) SS
County of Blue Earth)

The foregoing statement was acknowledged before me the 12th day of December, 1997 by Asim Saber, President of Heartland Telecommunications Company of Iowa d b a Hickory Tech Corporation (HTC) on behalf of the Corporation.




Notary Public



BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY) ORDER FOR AND NOTICE
HEARTLAND TELECOMMUNICATIONS) OF HEARING
COMPANY OF IOWA DBA HICKORY TECH)
CORPORATION FOR DESIGNATION AS AN) TC97-195
ELIGIBLE TELECOMMUNICATIONS CARRIER)

On December 17, 1997, the South Dakota Public Utilities Commission (Commission) received a request from Heartland Telecommunications Company of Iowa dba Hickory Tech Corporation requesting designation as an eligible telecommunications carrier.

On December 18, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of December 26, 1997, to interested individuals and entities.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31, including 1-26-18, 1-26-19, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, and 47 U.S.C. § 214(e)(1) through (5).

The issues at the hearing shall be as follows: (1) whether the above captioned telecommunications company should be granted designation as an eligible telecommunications carrier, and (2) what service areas shall be established by the Commission.

A hearing shall be held at 10:00 A.M., on Tuesday, December 23, 1997, in the Public Utilities Commission Cactus Conference Room, State Capitol, Pierre, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of this hearing, the Commission may either grant or deny the request of the above captioned telecommunications company requesting designation as an eligible telecommunications carrier, and the Commission shall establish service areas for an eligible telecommunications carrier. The Commission's decision may be appealed to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

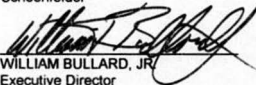
ORDERED that a hearing shall be held at the time and place specified above on the issues of whether the above captioned telecommunications company should be granted designation as an eligible telecommunications carrier, and the Commission shall establish service areas for an eligible telecommunications carrier.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 22nd day of December, 1997.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By	<u>Aldene Keelo</u>
Date	<u>12/22/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:
Commissioners Burg, Nelson and
Schoenfelder


WILLIAM BULLARD, JR.
Executive Director

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

IN THE MATTER OF THE FILING BY)	FINDINGS OF FACT,
HEARTLAND TELECOMMUNICATIONS)	CONCLUSIONS OF LAW,
COMPANY OF IOWA D/B/A HICKORY TECH)	ORDER AND NOTICE OF
CORPORATION FOR DESIGNATION AS AN)	ENTRY OF ORDER
ELIGIBLE TELECOMMUNICATIONS CARRIER)	TC97-195

On December 17, 1997, the Public Utilities Commission (Commission) received a request for designation as an eligible telecommunications carrier (ETC) from Heartland Telecommunications Company of Iowa d/b/a Hickory Tech Corporation (HTC). HTC requested designation as an eligible telecommunications carrier within the local exchange areas that constitute its service area in South Dakota.

The Commission electronically transmitted notice of the filing and the intervention deadline to interested individuals and entities. No person or entity filed to intervene. By order dated December 22, 1997, the Commission set the hearing for this matter for 10:00 a.m. on December 23, 1997, in the Public Utilities Commission's Cactus Conference Room, State Capitol, Pierre, South Dakota.

The hearing was held as scheduled. At its December 30, 1997, meeting, the Commission granted HTC a one year waiver of the requirement to provide toll control service within its service area, granted ETC designation to HTC, and designated its study area as its service area.

Based on the evidence of record, the Commission enters the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

I

On December 17, 1997, the Commission received a request for designation as an ETC from HTC. HTC requested designation as an ETC within the local exchange areas that constitute its service area in South Dakota. HTC serves the following exchanges in South Dakota: West Hawarden (605-547); and West Akron (605-565). Exhibit 1.

II

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

III

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

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IV

The Federal Communications Commission (FCC) has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

V

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

VI

HTC offers voice grade access to the public switched network to all consumers throughout its service area. Exhibit 1.

VII

HTC offers local exchange service including an amount of local usage free of per minute charges to all consumers throughout its service area. Id.

VIII

HTC offers dual tone multi-frequency signaling to all consumers throughout its service area. Id.

IX

HTC offers single party service to all consumers throughout its service area. Exhibit 2.

X

HTC offers access to emergency services to all consumers throughout its service area. Exhibit 1.

XI

HTC offers access to operator services to all consumers throughout its service area. Id.

XII

HTC offers access to interexchange services to all consumers throughout its service area. Id.

XIII

HTC offers access to directory assistance to all consumers throughout its service area. Id.

XIV

One of the services required to be provided by an ETC to qualifying low-income consumers is toll limitation. 47 C.F.R. § 54.101(a)(9). Toll limitation consists of both toll blocking and toll control. 47 C.F.R. § 54.400(d). Toll control is a service that allows consumers to specify a certain amount of toll usage that may be incurred per month or per billing cycle. 47 C.F.R. § 54.400(c). Toll blocking is a service that lets consumers elect not to allow the completion of outgoing toll calls. 47 C.F.R. § 54.400(b).

XV

HTC offers toll blocking to all consumers throughout its service area. Exhibit 1.

XVI

HTC does not currently offer toll control. Id. In order for HTC to provide toll control, additional usage tracking and storage capabilities will have to be installed in its local switching equipment. HTC is attempting to determine whether the necessary software has been developed and when it might become available. Id.

XVII

HTC stated that it is faced with exceptional circumstances concerning its ability to make toll control service available and requested a waiver from the requirement to provide such service. Id. HTC requested a waiver of one year from the requirement to provide toll control. Id.

XVIII

With respect to the obligation to advertise the availability of services supported by the federal universal service support mechanism and the charges for those services using media of general distribution, HTC stated that it advertises the availability of its local exchange services in media of general distribution throughout its service area. However, HTC has not generally advertised the prices for these services. Id. HTC stated its intention to comply with any advertising standards developed by the Commission. Id.

XIX

HTC will offer the Lifeline and Link Up service discounts in all of its service area in accordance with 47 C.F.R. §§ 54.400 to 54.417, inclusive. Id.

XX

The Commission finds that HTC currently provides and will continue to provide the following services or functionalities throughout its service area: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling; (4) single-party service; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll blocking for qualifying low-income consumers.

XXI

The Commission finds that pursuant to 47 C.F.R. § 54.101(c) it will grant HTC a waiver of the requirement to offer toll control services until December 31, 1998. The Commission finds that exceptional circumstances prevent HTC from providing toll control at this time due to the difficulty in obtaining the necessary software upgrades to provide the service.

XXII

The Commission finds that HTC intends to provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

XXIII

The Commission finds that HTC shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor throughout its service area using media of general distribution once each year. The Commission further finds that if the rate for any of the services supported by the federal universal service support mechanism changes, the new rate must be advertised using media of general distribution.

XXIV

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates HTC's current study area as its service area.

CONCLUSIONS OF LAW

I

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 214.

II

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission.

III

Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

IV

The FCC has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

V

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

VI

HTC has met the requirements of 47 C.F.R. § 54.101(a) with the exception of the ability to offer toll control. Pursuant to 47 C.F.R. § 54.101(c), the Commission concludes that HTC has demonstrated exceptional circumstances that justify granting it a waiver of the requirement to offer toll control until December 31, 1998.

VII

HTC shall provide Lifeline and Link Up programs to qualifying customers throughout its service area consistent with state and federal rules and orders.

VIII

HTC shall advise the availability of the services supported by the federal universal service support mechanism and the charges therefor using media of general distribution once each year. If the rate for any of the services supported by the federal universal service support mechanism changes, the new rate shall be advertised using media of general distribution.

IX

Pursuant to 47 U.S.C. § 214(e)(5), the Commission designates HTC's current study area as its service area.

X

The Commission designates HTC as an eligible telecommunications carrier for its service area.

It is therefore

ORDERED, that HTC's current study area is designated as its service area; and it is

FURTHER ORDERED, that HTC shall be granted a waiver of the requirement to offer toll control services until December 31, 1998; and it is

FURTHER ORDERED, that HTC shall follow the advertising requirements as listed above; and it is

FURTHER ORDERED, that HTC is designated as an eligible telecommunications carrier for its service area.

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that this Order was duly entered on the 30th day of December, 1997.

Dated at Pierre, South Dakota, this 30th day of December, 1997.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By *Adrian Kalka*

Date *12/30/97*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner