

SDITC

South Dakota Independent
Telephone Coalition, Inc.

TC98-116

June 16, 1998

Richard D. Coit
Executive Director
rcoit@sd.cybernex.net

Bill Bullard
Public Utilities Commission
500 East Capitol
Pierre, SD 57501

RECEIVED

JUN 16 1998

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: Reciprocal Transport and Termination Agreements

Dear Bill:

Enclosed for Commission review pursuant to 47 U.S.C. § 252(e) are true and correct copies of "Reciprocal Transport and Termination Agreements" negotiated and entered into between CommNet Cellular, Inc. and the independent local exchange carriers ("LECs") listed below:

Fort Randall Telephone Company
Jefferson Telephone Company
Tri-County Telecom, Inc.

SDITC, on behalf of the above listed companies, is requesting Commission approval of each of the negotiated agreements. Each agreement is identical in its terms and conditions and the rates agreed upon are reflected in "Exhibit A" attached to each agreement. It should also be noted that the agreements are identical with respect to the included terms, conditions and rates to those that the Commission has approved in Dockets TC98-017 through TC98-052, TC98-097 and TC98-098.

The agreements have already been signed and are considered in effect by the parties. There was an urgency to get the agreements in effect as soon as possible, because, since US WEST in 1996 cancelled its LATA-wide cellular termination arrangements, no mechanism has been in place to provide for compensation between the parties. If through the Commission review process it is determined that changes to the agreements should be made and any such changes would have the affect of changing the rates or compensation provided for, the parties agree to make true-ups as necessary to comply with any Commission ordered changes.

Sincerely,



Richard D. Coit
Executive Director and General Counsel

RDC; ms
Enclosures

cc: Valerie Kendrick, CommNet Cellular, Inc.
Bruce Hanson, Fort Randall Telephone Company
Dick Connors, Jefferson Telephone Company
John Pudwill, Tri-County Telecom, Inc.



07/16/19
Mon 1512WEST RIVER TELE UNICATIONS COOP
MTD/YTD Summary Trial BalancePage: 1
Print Date: 1-1-80

Company: 36328 Year: 1997

Period Ending: 1997.12

Account #	Lookup Name	Balance Forward	YTD Trans	Current Month Balance	Year-To-Date Balance
			DEBIT	CREDIT	
5.5270.04	INTER/ERBAC WRL	0.00	2,243.10	192.20	2,435.30
5.5270.11	INTER/RAB/ICATS	0.00	38,927.02	0.00	38,927.02
5.5270.12	INTER/RAB/ICATS	0.00	1,783.86	187.20	1,971.06
5.5270.13	INTER/RAB/IC INB	0.00	1,783.86	0.00	1,783.86
5.5270.14	INTER/RAB/IC 3LN	0.00	5,986.60	0.00	5,986.60
5.5270.14	INTER/RAB/IC 3LN	0.00	9,506.50	0.00	9,506.50
5.5270.21	INTER/RAB/IC USM	0.00	4,171.54	0.00	4,171.54
5.5270.23	INTER/RAB/IC USM	0.00	1,974.00	0.00	1,974.00
5.5270.23	INTER/RAB/IC USM	0.00	56.90	0.00	56.90
5.6121.1	POINT OF BLD EX	0.00	1,026.22	0.00	1,026.22
5.6121.1	POINT HAZN-HOOT	0.00	20,398.32	0.00	20,398.32
5.6122.1	PHONE MAINT EXP	0.00	1,190.45	0.00	1,190.45
5.6122.1	PHONE MAINT EXP	0.00	1,383.69	0.00	1,383.69
5.6124.1	BAM OF COMPUTER	0.00	2,209.67	0.00	2,209.67
5.6212.1	CDE SHAT EX-010	0.00	42,446.70	0.00	42,446.70
5.6212.1	CDE SHAT EX-010	0.00	13,181.44	0.00	13,181.44
5.6212.1	MICRO ELEC EXP	0.00	7,434.63	0.00	7,434.63
5.6221.1	CDE TRINTER C	0.00	22,390.48	0.00	22,390.48
5.6221.1	CDE TRINTER C	0.00	1,149.44	0.00	1,149.44
5.6221.2	CDE TRINTER C	0.00	215.73	0.00	215.73
5.6221.2	CDE TES CIR-010	0.00	1,019.85	0.00	1,019.85
5.6251.1	PARTELE MAINT A	0.00	644.77	0.00	644.77
5.6251.1	PARTELE MAINT A	0.00	144.78	0.00	144.78
5.6361.1	POLE LINE MAINT	0.00	698.93	0.00	698.93
5.6421.1	UNDER CABL MAINT	0.00	4,141.46	0.00	4,141.46
5.6421.1	UNDER CABL MAINT	0.00	3,300.75	0.00	3,300.75
5.6423.3	BURIED CABL MA	0.00	54,205.99	0.00	54,205.99
5.6441.1	FIBER CABL MAIN	0.00	1,997.43	0.00	1,997.43
5.6441.1	UNGRND COPO PM1	0.00	0.00	0.00	0.00
5.6521.1	TELEMS POWER EXP	0.00	1,274.88	0.00	1,274.88
5.6521.1	TELEMS POWER EXP	0.00	722.80	0.00	722.80
5.6537.1	REALS EXPENSE C	0.00	0.00	0.00	0.00
5.6561.1	DEPA A MPORT EX	0.00	172.44	0.00	172.44
5.6561.1	AMPORT EXP INTAN	0.00	43,224.02	0.00	43,224.02
5.6612.1	MARKETING EXPAN	0.00	2,361.17	0.00	2,361.17
5.6621.1	DIRECTION ADVERT	0.00	147.62	0.00	147.62
5.6621.1	DIRECTION ADVERT	0.00	644.62	0.00	644.62
5.6623.1	CUST SERV EXP	0.00	6,692.18	0.00	6,692.18
5.6623.1	CUST SERV EXP	0.00	49,224.09	0.00	49,224.09
5.6623.1	PAVSTATION AOLL	0.00	538.07	0.00	538.07
5.6623.2	CUST BILL TOLL	0.00	3,473.02	0.00	3,473.02
5.6623.2	CUST BILL TOLL	0.00	15,227.98	0.00	15,227.98
5.6623.3	CUST BILL OTHER	0.00	30,229.56	0.00	30,229.56
5.6623.3	CUST BILL OTHER	0.00	5,089.09	0.00	5,089.09
5.6623.5	OTDUST OPER-ROF	0.00	9,813.13	0.00	9,813.13
5.6711.1	EXEC A PLAN EXP	0.00	1,628.10	0.00	1,628.10
5.6711.1	BOARD OF DIR EX	0.00	1,987.82	0.00	1,987.82
5.6712.1	LONG RANGE PLAN	0.00	13.27	0.00	13.27
5.6721.1	ACT A FIN EXP	0.00	45,409.72	0.00	45,409.72
5.6721.2	ACT A FIN EXP	0.00	2,040.69	0.00	2,040.69
5.6722.2	EXTERNAL RELATI	0.00	1,706.29	0.00	1,706.29
5.6722.2	EXTERNAL RELATI	0.00	4,811.46	0.00	4,811.46

03/16/1976
Non 13123

Company# 36520 Year# 1997

Period Ending: 1997,12

WEST RIVER TELECOMMUNICATIONS COOP
MTD/YTD Summary Trial Balance

Page# 6
Print first 1,000

Account #	Look-up Name	Balance Forward	YTD Trans	--- Current Month Balance ---		--- Year-to-Date Balance ---	
				Debit	Credit	Debit	Credit
	Balance Forwards	0.00					
	YTD Transactions	0.00					
	Current Month Debit Balances	401,159.61					
	Current Month Credit Balances	401,159.61					
	Current Year Debit Balances	13,280,781.99					
	Current Year Credit Balances	13,280,781.99					
	Current Year Profit/Loss	0.00					
	Current Year Profit/Loss	537,926.24					

Balance Forward: 03/16/1976 1115,430.72
MTD 284,481.17

traffic), and services provided in violation hereof shall constitute a breach of this Agreement. In addition to any other remedies available, the Party whose services have been improperly used shall be entitled to recover the charges applicable to such traffic for the entire period of misuse. Any incidental services (e.g. directory assistance, operator services, etc.) will be billed at the standard rates for those services.

5. Local and Non-Local Traffic. This Agreement is intended to address the transport and termination of local wireless traffic between the Parties. Local wireless traffic is subject to only the local transport and termination charge(s) set forth below and is not subject to switched access charges. Non-local traffic is subject to either interstate or intrastate switched access charges, whichever is applicable.

Ancillary traffic which includes wireless traffic that is destined for ancillary services including, but not limited to, directory assistance, 911/E911, operator call termination (busy line interrupt and verify), 800/888, LIDB, and information services requiring special billing will be exchanged and charged in accordance with the appropriate tariffs, local or switched access.

CommNet agrees that it shall not use the services provided by Carrier under this agreement for the transport or termination of non-local wireless traffic. Any use of the services for non-local traffic shall constitute a breach of this agreement and, with respect to such improper use, in addition to any other remedies available, Carrier shall be entitled to recover the charges applicable to such traffic for the entire period of misuse.

For billing purposes, if either Party is unable to classify on an automated basis the local wireless traffic delivered by CommNet as intrastate or interstate, CommNet will provide Carrier with a Percent Interstate Use (PIU) factor, which represents the estimated interstate portion of intraMTA traffic delivered by CommNet. The PIU factors will be provided updated on an semi-annual basis to commence six (6) months after Commission approval of this Agreement.

6. Local Transport and Termination Rate. CommNet and Carrier shall reciprocally and symmetrically compensate one another for wireless local traffic terminated to their end users. The rate(s) for the termination and transport of such traffic are as set forth in Exhibit A attached hereto. Carrier will be responsible for measuring the total monthly minutes of use terminating into its network from CommNet's network. Measured usage begins when CommNet's mobile switching office is signalled by the terminating end office that the call has been answered. Measured usage ends upon recognition by the mobile switching office of disconnection by the earlier of the Carrier's customer or the disconnection signal from the terminating end office. Carrier will only charge CommNet for actual minutes of use and/or fractions thereof of completed calls. Minutes of use

will be aggregated at the end of the billing cycle and rounded to the nearest whole minute.

7. Transit Traffic Rates. For transiting local traffic, the applicable local transit rate applies to the originating Party per Exhibit A attached. For transiting non-local traffic the Parties will charge the applicable switched access rates to the responsible carrier.

8. Reciprocal Compensation Credit. The monthly minutes of use terminated into CommNet's network from Carrier's network for purposes of this Agreement, which will determine the reciprocal compensation credit due CommNet, will be calculated using the formula set forth in Exhibit A.

The resulting number shall be multiplied by the local transport and termination rate to determine the monthly reciprocal compensation credit. The reciprocal compensation credit for the local transport and termination will appear on the monthly bill as a credit against the amounts due and payable from CommNet to Carrier.

9. Billing and Collecting Fees. CommNet will only bear the portion of billing and collecting fees that are associated with wireless traffic transport and termination to its subscribers. This will apply to billing and collection costs incurred by the Carrier directly or indirectly. For the purpose of this agreement, CommNet will bear cost for billing and collection services in order for the Carrier to render an accurate bill in an amount not to exceed the percentage used to calculate the reciprocal compensation credit to CommNet per Exhibit A of the total direct or indirect billing and collection costs incurred by the Carrier. Billing and collection arrangements entered into by CommNet or the Carrier with any intermediaries will be addressed separately and are not a part of the Agreement.

10. Term. Subject to the termination provisions contained in this Agreement, the term of this Agreement shall be one (1) year from the effective date and shall continue in effect for consecutive one (1) year terms until either Party gives the other Party at least sixty (60) days written notice of termination, which termination shall be effective at the end of the notice period.

11. Termination Upon Default. Either Party may terminate this Agreement in whole or in part in the event of a default by the other Party, provided, however, that the non-defaulting Party notifies the defaulting Party in writing of the alleged default and that the defaulting Party does not cure the alleged default within thirty (30) calendar days of receipt written notice thereof.

12. Liability Upon Termination. Termination of this Agreement, or any part hereof, for any cause shall not release either Party from any liability which at the time of termination had already accrued to the other Party or which thereafter accrues in any respect for any act or omission occurring prior to the termination.



South Dakota Public Utilities Commission



State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070

May 29, 1998

Karen E. Cremer
Commission Staff Attorney
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

RE: Docket TC98-094

Dear Ms. Cremer:

Please provide a copy of all data requests submitted by Commission Staff to any party or interested entity in Docket TC98-094 and any corresponding data responses remitted to Commission Staff to myself at the above address.

If you have any questions, please contact me.

Sincerely,

Dave Jacobson

cc: David D. Clark

Capitol Office
Telephone (605)773-3201
FAX (605)773-3309

Transportation/
Warehouse Division
Telephone (605)773-5280
FAX (605)773-3225

Consumer Hotline
1-800-332-1782

TTY Through
Relay: South Dakota
1-800-877-1113

Internet
billb@psc.state.sd.us

Jim Burg
Chairman
Pam Nelson
Vice-Chairman
Laska Schoenfelder
Commissioner

William Bullard Jr.
Executive Director

Edward R. Anderson
Harlan Best
Martin C. Bettmann
Charlie Bolle
Sue Cichon
Karen E. Cremer
Marlette Fuschbach
Sharon Fugitt
Lewis Hammond
Katie Hartford
Lem Healy
Cameron Honeck
Dave Jacobson
Bob Knadle
Delaine Kolbo
Jeffrey P. Lorenzen
Terry Norman
Gregory A. Raskov
Tamara Stangohr
Steven M. Wegman
Rosalyn Aulis Wient

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

**IN THE MATTER OF THE ESTABLISHMENT) ORDER ASSESSING FILING
OF SWITCHED ACCESS REVENUE) FEE
REQUIREMENT FOR MOBRIDGE) TC98-094
TELECOMMUNICATIONS COMPANY)**

On May 1, 1998, Mobridge Telecommunications Company (Mobridge) filed for approval by the Public Utilities Commission (Commission) its 1997 Intrastate Switched Access Cost Study. Mobridge also requested, pursuant to ARSD 20.10.27.10, that the Commission allow the use of GVNW's cost study model rather than the Commission's model.

On May 7, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of May 22, 1998, to interested individuals and entities.

SDCL 49-31-12.6 authorizes the Commission to require a deposit of up to one hundred thousand dollars (\$100,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26-17.1, 49-1A-9, 49-31-12.6, 49-31-18, 49-31-19 and ARSD 20.10.01.15.02, 20.10.01.15.05, 20.10.27.07 and 20.10.27.08.

On May 28, 1998, at its regularly scheduled meeting, the Commission, pursuant to SDCL 49-31-12.6, unanimously voted to assess Mobridge a \$3,000 filing fee, subject to additional amounts as requested by the Executive Director up to the statutory limit of \$100,000, and the Commission further voted to allow Mobridge to use its own cost study model. It is therefore

ORDERED that Mobridge shall deposit an initial assessment of \$3,000 in the SDPUC regulatory assessment fee fund and shall deposit any additional amounts as requested by the Executive Director up to the statutory limit of \$100,000. It is further

ORDERED that Mobridge be allowed to use its own cost study model.

Dated at Pierre, South Dakota, this 11th day of June, 1998.

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 Hellene Keels

Date 6/12/98

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schöenfelder
LASKA SCHOENFELDER, Commissioner

ILEC	Exchange Lines	MOU Rate
Accent Communications	1877	\$0 030
Armour Independent Telephone Co	675	\$0 040
Baltic Telecom Coop.	1493	\$0 035
Beresford Municipal Telephone	1199	\$0 035
Bridgewater-Canisota Independent	935	\$0 035
Brookings Municipal Telephone	14 421	\$0 030
Cheyenne River Sioux Tribe Tel.	2568	\$0 030
East Plains Telecom, Inc.	1021	\$0 035
Faith Municipal Telephone	359	\$0 053
Fort Randall Telephone	4132	\$0 030
Golden West Telecommunications Coop.	13,812	\$0 030
Hanson Communications, Inc.	865	\$0 040
Hanson County Telephone Company	512	\$0 040
Hearland Communications, Inc.	1540	\$0 030
Interstate Telecommunications Coop.	8943	\$0 030
Intrastate Telephone Company, Inc.	6407	\$0 030
James Valley Coop. Telephone	2083	\$0 030
Jefferson Telephone Company	551	\$0 040
Kadoka Telephone Company	542	\$0 040
Kennebec Telephone Company, Inc.	779	\$0 040
McCook Cooperative Telephone	739	\$0 040
Midstate Telephone Company	2804	\$0 030
Mobridge Telecommunications Company	2457	\$0 030
Mt. Rushmore Telephone Company	502	\$0 040
Roberts County Telephone Coop. Assoc.	485	\$0 053
RC Communications	1506	\$0 030
Sanborn Telephone Cooperative	2439	\$0 030
Sancom, Inc.	2430	\$0 030
Sioux Valley Telephone Company	5247	\$0 030
Splitrock Properties, Inc.	1576	\$0 030
Splitrock Telecom Cooperative, Inc.	3904	\$0 030
State Line Telecommunications, Inc.	2294	\$0 030
Stockholm-Strandburg Telephone	713	\$0 040
Sully Buttes Telephone Cooperative	4077	\$0 030
Tri-County Telecom, Inc.	437	\$0 053
Union Telephone Company	1499	\$0 035
Valley Cable & Satellite Communications	1580	\$0 030
Valley Telecommunications Coop. Assoc.	2019	\$0 030
Venture Communications, Inc.	6791	\$0 030
Vivian Telephone Company	17827	\$0 030
West River Coop. Telephone Company	1536	\$0 030
West River Telecommunications Coop.	645	\$0 040
Western Telephone Company	1086	\$0 035

RESOLUTION


BE IT RESOLVED that Mobridge Telecommunications Co. hereby agrees to join the Local Exchange Carriers Association (LECA) and to adopt the LECA Access Tariff on file with the South Dakota Public Utilities Commission (SDPUC), effective upon the approval of its switched access cost study filing and approval of the LECA tariffed rates by the PUC. The adopted LECA tariff, upon taking effect, shall supersede and replace all other switched access tariffs filed, adopted or published by Mobridge Telecommunications Co. prior to the date of this Resolution.

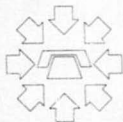
This Resolution is adopted this 20th day of July, 1998.

CERTIFICATE OF SECRETARY

I, Matt Erhardt, Jr., secretary of Mobridge Telecommunications Co. do hereby certify that the above is a true and correct copy of the Resolution that was adopted on the 20th day of July, 1998, at a duly called or special meeting of the Board of Directors of Mobridge Telecommunications Co.

Dated this 20th day of July, 1998.


Secretary



TC 98-094
GYNW

September 18, 1998

Harlan Best
Deputy Director
South Dakota Public Utilities Commission
State Capitol
500 East Capitol Avenue
Pierre, South Dakota 57501-5070

RECEIVED

SEP 21 1998

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: Mobridge Telecommunications Company Intrastate Switched Access Rates

Dear Harlan:

Per our phone conversation earlier today, I am forwarding to you a copy of the Mobridge Telecommunications Company (MTC) 1997 cost study with revenue requirement as submitted to LECA. The difference between this study and the one provided on April 30, 1997 is the exclusion of working cash in the rate base. MTC considers this amount to be de minimis and would not propose to change the LECA information given these small changes. Should the Commission find other changes in the cost study which require modification of the study and the revenue requirement submitted to LECA, MTC would reserve the right to include it in such a future cost study submission.

In addition, you had inquired about business office practices in Mobridge. My statements to you on the call were correct. The Company does not maintain a business office in Mobridge. Payments are made by mail and business office services are provided via phone from Hazen, North Dakota. Part 64 allocations for such things as CPE are correctly reflected in the cost study.

If you have any questions concerning this information, please call me at (719) 594-5831.

Sincerely,

David D. Clark

Encl.

cc: B. Barfield, West River
B. Krause, West River

GYNW INC./MANAGEMENT

P.O. Box 25969 • Colorado Springs, Colorado 80916 • 2270 La Montana Way • Colorado Springs, Colorado 80918
PHONE: (719) 594-5800 • FAX: (719) 599-0968 • FAX: (719) 594-5803

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY SOUTH) ORDER APPROVING
DAKOTA INDEPENDENT TELEPHONE) AGREEMENT
COALITION FOR APPROVAL OF)
RECIPROCAL TRANSPORT AND) TC98-116
TERMINATION AGREEMENT BETWEEN)
COMMNET CELLULAR, INC. AND)
JEFFERSON TELEPHONE COMPANY)

On June 16, 1998, the South Dakota Public Utilities Commission (Commission) received a filing from the South Dakota Independent Telephone Coalition (SDITC) seeking approval of a reciprocal transport and termination agreement between CommNet Cellular, Inc. and Jefferson Telephone Company (Jefferson) pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On June 18, 1998, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until July 8, 1998, to do so. Parties to the agreement had until July 27, 1998, to file written responses to the comments. No parties filed comments.

At its duly noticed July 23, 1998, meeting, the Commission considered whether to approve the negotiated agreement between CommNet Cellular and Jefferson. Commission Staff recommended approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. Upon review of the agreement, the Commission found that, as required by 47 U.S.C. § 252(e)(2)(A), the agreement does not discriminate against a telecommunications carrier not a party to the agreement nor is the implementation of this agreement inconsistent with the public interest, convenience, and necessity. It is therefore

ORDERED, that pursuant to 47 U.S.C. § 252(e) the Commission approves the negotiated agreement.

Dated at Pierre, South Dakota, this 5th day of August, 1998.

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 Melvin Kalbo

Date 8/6/98

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner