

Petition for
Late Filed

Intervention

(MidContinent)

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP
503 SOUTH PIERRE STREET
P.O. BOX 160
PIERRE, SOUTH DAKOTA 57501-0160

THOMAS C. ADAM
DAVID A. GERDES
CHARLES M. THOMPSON
ROBERT B. ANDERSON
BRENT A. WILBUR
TIMOTHY M. ENGEL
MICHAEL F. SHAW
NEIL FULTON
BOBBI J. BENSON
BRETT KOENECKE

SINCE 1881
www.magt.com

August 31, 2001

OF COUNSEL
WARREN W. MAY
GLENN W. MARTENS 1881-1963
KARL GOLDSMITH 1885-1966

TELEPHONE
605 224-8803

TELECOPIER
605 224-6289

E-MAIL
dag@magt.com

HAND DELIVERED

Debra Elofson
Executive Secretary
Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

RECEIVED

AUG 31 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: IN THE MATTER OF DETERMINING PRICES FOR UNBUNDLED NETWORK
ELEMENTS (UNES) IN QWEST CORPORATION'S STATEMENT OF
GENERALLY AVAILABLE TERMS (SGAT)
Docket TC01-098
Our file: 0053

Dear Debra:

Enclosed are original and ten copies of a petition for late
filed intervention in the above-entitled docket. Please file
the enclosure.

With a copy of this letter, I am sending copies of the petition
to the service list.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAG:mw

Enclosures

cc/enc: Service List

RECEIVED

AUG 31 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF DETERMINING)	DOCKET TC01-098
PRICES FOR UNBUNDLED NETWORK)	
ELEMENTS (UNES) IN QWEST)	PETITION FOR LATE
CORPORATION'S STATEMENT)	FILED INTERVENTION
OF GENERALLY AVAILABLE TERMS)	

Pursuant to ARSD 20:10:01:15.02, Midcontinent Communications by its undersigned counsel petitions the Commission as follows:

1. Midcontinent is a certificated telecommunications company under the jurisdiction of the Commission.

2. Qwest Corporation ("Qwest") has filed a petition to determine prices for unbundled network elements in Qwest Corporation's Statement of Generally Available Terms. Inasmuch as Midcontinent has a direct interest in contracting for unbundled network elements from Qwest, it has a direct interest in the prices for elements and services in the SGAT.

3. Midcontinent has a direct interest in the outcome of this proceeding. As a local and long distance carrier of telecommunications services, with contractual relationships with Qwest, it will be required to pay the prices established in this docket. Therefore, Midcontinent should be permitted to appear in this proceeding. Midcontinent did not file its petition to intervene pursuant to the Commission's schedule by oversight.

4. A denial of this petition would be detrimental to the public interest or be likely to result in a miscarriage of justice. Substantial discovery has not yet occurred, and the parties would not be prejudiced by the granting of this intervention. Further, no prefiled testimony has yet been filed, and Midcontinent would be able to participate fully in the development of the docket.

WHEREFORE Midcontinent prays that the Commission permit its intervention and participation in this proceeding to examine and cross-examine witnesses and offer evidence on its own behalf.

Dated this 31st day of August, 2001.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 
DAVID A. GERDES
Attorneys for Midcontinent Communications
P.O. Box 160
Pierre, South Dakota 57501-0160
Telephone: (605)224-8803
Telefax: (605)224-6289

CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 31st day of August, 2001, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at their last known addresses, to-wit:

Harlan Best
Staff Analyst
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Karen Cremer
Staff Attorney
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Tom Welk
Boyce, Murphy
P.O. Box 5015
Sioux Falls, SD 57117

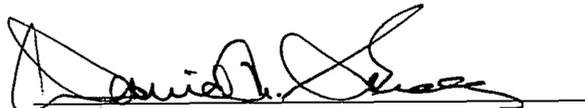
Mary S. Hobson
Stoel, Rives LLP
101 South Capitol Boulevard, Suite 1900
Boise, ID 83702-5958

Colleen Sevold
Qwest
125 South Dakota Avenue, 8th Floor
Sioux Falls, SD 57194

Steven Weigler
AT&T
1875 Lawrence Street, Suite 1524
Denver, CO 80202

Tom Simmons
Midcontinent Communications
5001 West 41st Street
Sioux Falls, SD 57106-1424

Mary Lohnes
Midcontinent Communications
5001 West 41st Street
Sioux Falls, SD 57106-1424



David A. Gerdes