

TC04-057

KC/MB/MZ

TC04-057

DOCKET NO. _____

In the Matter of . IN THE MATTER OF THE FILING BY _____
BROOKINGS MUNICIPAL UTILITIES _____
D/B/A SWIFTEL COMMUNICATIONS _____
FOR APPROVAL OF ITS REVISED _____
SERVICE TERRITORY AS A RESULT _____
OF ANNEXATION _____

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
3/16 04	Filed and Docketed;
3/18 04	Weekly Filing;
5/13 04	Order that it is intended COA and Public Appraising Council ^{Result of Annexation,} Service Territory as a
5/13 04	Docket Closed.

Interstate Telecommunications
Cooperative, Inc.
312 4th Street West
P.O. Box 920
Clear Lake, South Dakota 57226

INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC. TCO4-057



Phone: 605.874.2
1.800.417.8
Fax: 605.874.2
E-Mail: info@itc-web.c
www.itc-web.c

RECEIVED

MAR 04 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

March 2, 2004

Ms. Michelle Farris
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

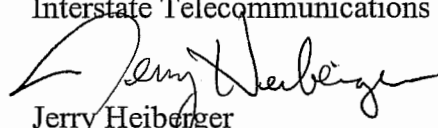
RE: Brooking Telephone dba Swiftel Communications request for approval of boundary changes.

Dear Ms. Farris

Per your request, please consider this letter as Interstate Telecommunications Cooperative, Inc. concurrence with the revised franchised service territory map that reflects the new telephone service territory as a result of their annexation. These annexations are the result of the Resolution No. 39-01, No. 13-03 and No. 38-03.

If you have any questions or comments, feel free to call me at (605)874-8308.

Sincerely,
Interstate Telecommunications Cooperative, Inc.


Jerry Heiberger
General Manager

CC: Mr. W. James Adkins

415 Fourth St. • P.O. Box 588
Brookings, S.D. 57006

605.692.6211 • Fax 605.697.8250

RECEIVED

MAR 16 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

March 12, 2004

Pam Bonrud
Executive Director
South Dakota Public Utilities Commission
Capitol Building, First Floor
500 East Capitol Avenue
Pierre, SD 57501

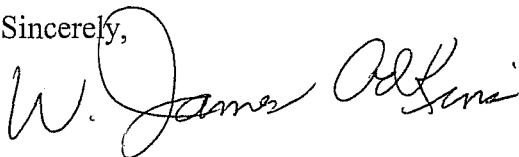
Dear Ms. Bonrud:

Enclosed please find a revised franchised service territory map reflecting the new telephone service territory as a result of annexation. Also enclosed is a copy of the City of Brookings Resolutions 39-01, 13-03 and 38-03 annexing the property being claimed by Brookings Telephone.

We are asking the Public Utilities Commission (PUC) to accept the revised boundary map, which includes the previously mentioned annexed areas the City of Brookings Telephone wishes to include in its Local Exchange territory. We make this request based upon previous Public Utilities Commission action in Docket No. F-3555 and in the resulting decision by the PUC on January 2, 1987.

If you have any questions regarding this matter, please feel free to contact me directly at 605 697-8230.

Sincerely,



W. James Adkins
Technical and Network Operations Manager
Swiftel Communications

Enclosures

cc: Richard Helsper

*Large map is
in the docket.*

RESOLUTION NO. 13-03

Annexation

WHEREAS, The City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory, and

WHEREAS, The City of Brookings desires to annex the following described property, to wit:

The south one-half of the SE 1/4 of Section 18-T110N-R49W except the platted areas thereof and except the E720' thereof

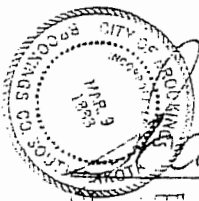
WHEREAS, The aforesaid land is contiguous to the present boundaries of the City of Brookings, and

WHEREAS The City of Brookings has received a Petition For Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforesaid property and there being no legal voters residing in said territory, now therefore,

BE IT RESOLVED By the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Dated this 11th day of February, 2003

ATTEST:



Shari Thornes
Shari Thornes, City Clerk

CITY OF BROOKINGS

Virgil H. Herriott
Virgil H. Herriott, Mayor

INTERSTATE NO. 26

AREA TO BE ANNEXED

1839' 1/16th Line

430'

THIRTY-FOURTH AVE.

CITY LIMITS

THIRTY-SECOND AVE.

THIRTIETH AVENUE

FREELAND ADDITION

BLOCK 4

BLOCK 1

BLOCK 5

BLOCK 2

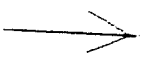
BLOCK 6

BLOCK 3

US HIGHWAY 14 BYPASS

NO SCALE

NORTH



RESOLUTION NO. 38-03

WHEREAS, The City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory, and

WHEREAS, The City of Brookings desires to annex the following described property, to wit:

the northwest one quarter (NW 1/4) of Section 6-T109N-R49W except the platted areas thereof, and

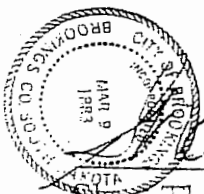
WHEREAS, The aforesaid land is contiguous to the present boundaries of the City of Brookings, and

WHEREAS The City of Brookings has received a Petition For Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforesaid property and by not less than three-fourths (3/4) of the legal voters residing in said territory, now therefore

BE IT RESOLVED By the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Dated this 8th day of July, 2003.

ATTEST:



Shari Thornes
Shari Thornes, City Clerk

CITY OF BROOKINGS

Scott D. Munsterman
Scott D. Munsterman, Mayor

RESOLUTION #03-28

A RESOLUTION APPROVING ANNEXATION
OF TERRITORY BY THE CITY OF BROOKINGS

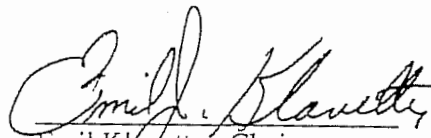
WHEREAS, THE city of Brookings desires to annex the following described property, to wit:

Northwest Quarter (1/4) of Section 6-T109N-R49W, excluding the platted areas thereof,

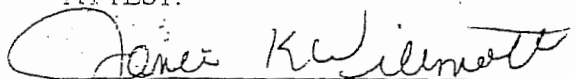
WHEREAS, pursuant to SDCL 9-4-5, such annexation is subject to review by the Board of County Commissioners.

THEREFORE, BE IT RESOLVED by the Brookings County Board of County Commissioners, that the annexation of the above described territory by the City of Brookings be and the same is hereby approved.

Dated this 22nd day of July, 2003.


Emil Klayetter, Chairperson
Brookings County Commission

ATTEST:


Janet Willmott, Brookings County Auditor

1383
(1967)

EDGEBROOK
GOLF
COURSE

1452
(1969)

CITY
LIMITS

AIRORA TOWNSHIP
TRENTON TOWNSHIP

20th St. So.

BROOKINGS TOWNSHIP
MEDARY TOWNSHIP

41-
42-'92

ANNEXATION
AREA

INTERSTATE 29

CITY LIMITS

44-'94

84-94

22nd Ave. So.

32nd St. So.

LOCATION MAP
ANNEXATION
JULY 1, 2003

NOTICE OF HEARING UPON A PETITION FOR ANNEXATION

NOTICE IS HEREBY GIVEN That Kirk Simet, Michael Cooper, Regan Rohl, and greather than 3/4 of the registered voters have submitted a petition for annexation of the following described real estate situated in Brookings County, South Dakota, to wit:

the northwest quarter (1/4) of Section 6-T109N-R49W, excluding the platted areas thereof

NOTICE IS FURTHER GIVEN That said request will be acted on by the City Planning Commission at 7:00 PM on Tuesday, July 1, 2003, in the Community Room in the lower level of City Hall, Brookings, South Dakota. Any action taken by the City Planning Commission is a recommendation to the City Council.

Any person interested may appear and be heard in this matter.

Dan Hanson
Secretary
City Planning Commission

1383

(1967)

EDGEBROOK
GOLF
COURSE

1452

(1969)

CITY
LIMITS

AURORA TOWNSHIP

TRENTON TOWNSHIP

ANNEXATION
AREA

CITY LIMITS

44-'94

84-94

22nd Ave. So.

41-
42-'92

32nd St. So.

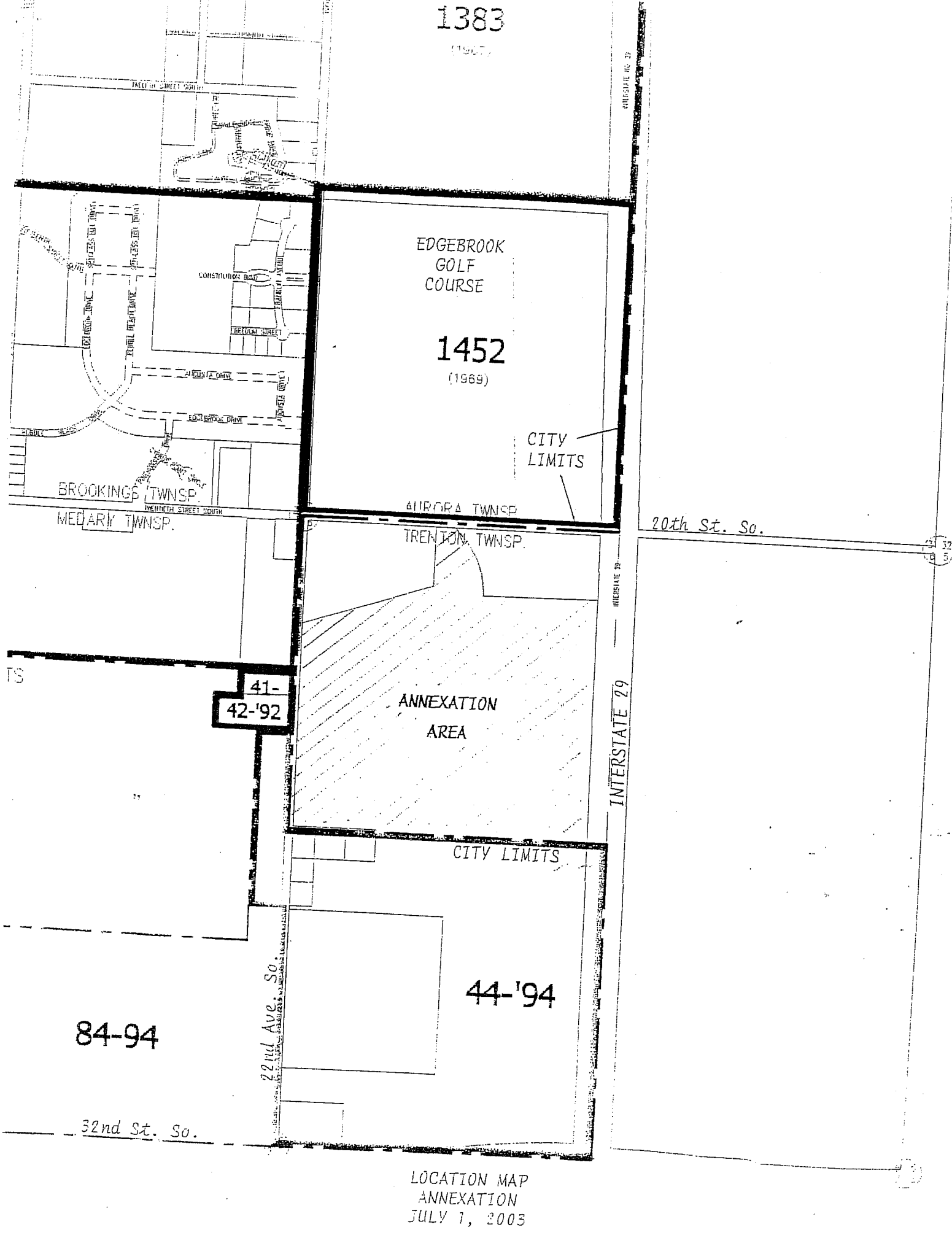
20th St. So.

INTERSTATE 29

INTERSTATE 28

INTERSTATE 29

LOCATION MAP
ANNEXATION
JULY 1, 2003



RESOLUTION NO. 39-01

WHEREAS, The City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, signed by not less than three-fourths (3/4) of the legal voters and by the owner or owners of not less than three-fourths (3/4) of the value of said territory, and

WHEREAS, The City of Brookings desires to annex the following described property, to wit:

The west 1,600 feet of the south one-half (1/2) of the NW 1/4 of Section 1-T109N-R50W

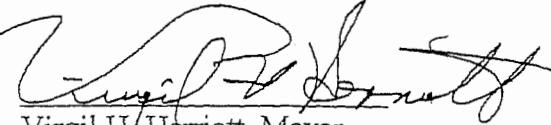
WHEREAS, The aforesaid land is contiguous to the present boundaries of the City of Brookings, and

WHEREAS, The City of Brookings has received a Petition For Annexation of Territory signed by the owners of greater than three-fourths (3/4) of the value of the aforesaid property and there being no legal voters residing in said territory, now therefore,


BE IT RESOLVED By the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Dated this 27th day of August, 2001.

CITY OF BROOKINGS


Virgil H. Herriott, Mayor




Shari Thornes, City Clerk

RESOLUTION NO. 15-00

WHEREAS, the City of Brookings is authorized pursuant to South Dakota Codified Law 9-4-1 to annex contiguous territory upon receipt of a written petition, describing said territory sought to be annexed, by the owner or owners of not less than three-fourths (3/4) of the value of said territory, and

WHEREAS, the City of Brookings desires to annex the following described property, to-wit:

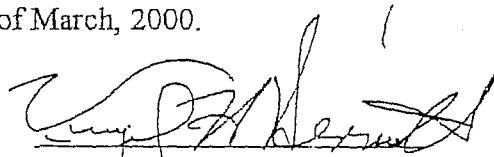
The South East Quarter (SE1/4) of the North East Quarter (NE1/4) of Section 34-T110N-R50W

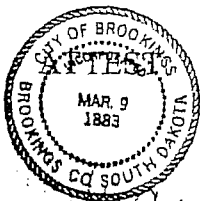
WHEREAS, the aforesaid land is contiguous to the present boundaries of the City of Brookings, and

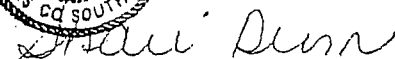
WHEREAS, the City of Brookings has received a Petition for Annexation of territory signed by the owners of greater than three-fourths (3/4) of the value of the aforesaid property and three-fourths(3/4) of the legal registered voters residing in said territory,

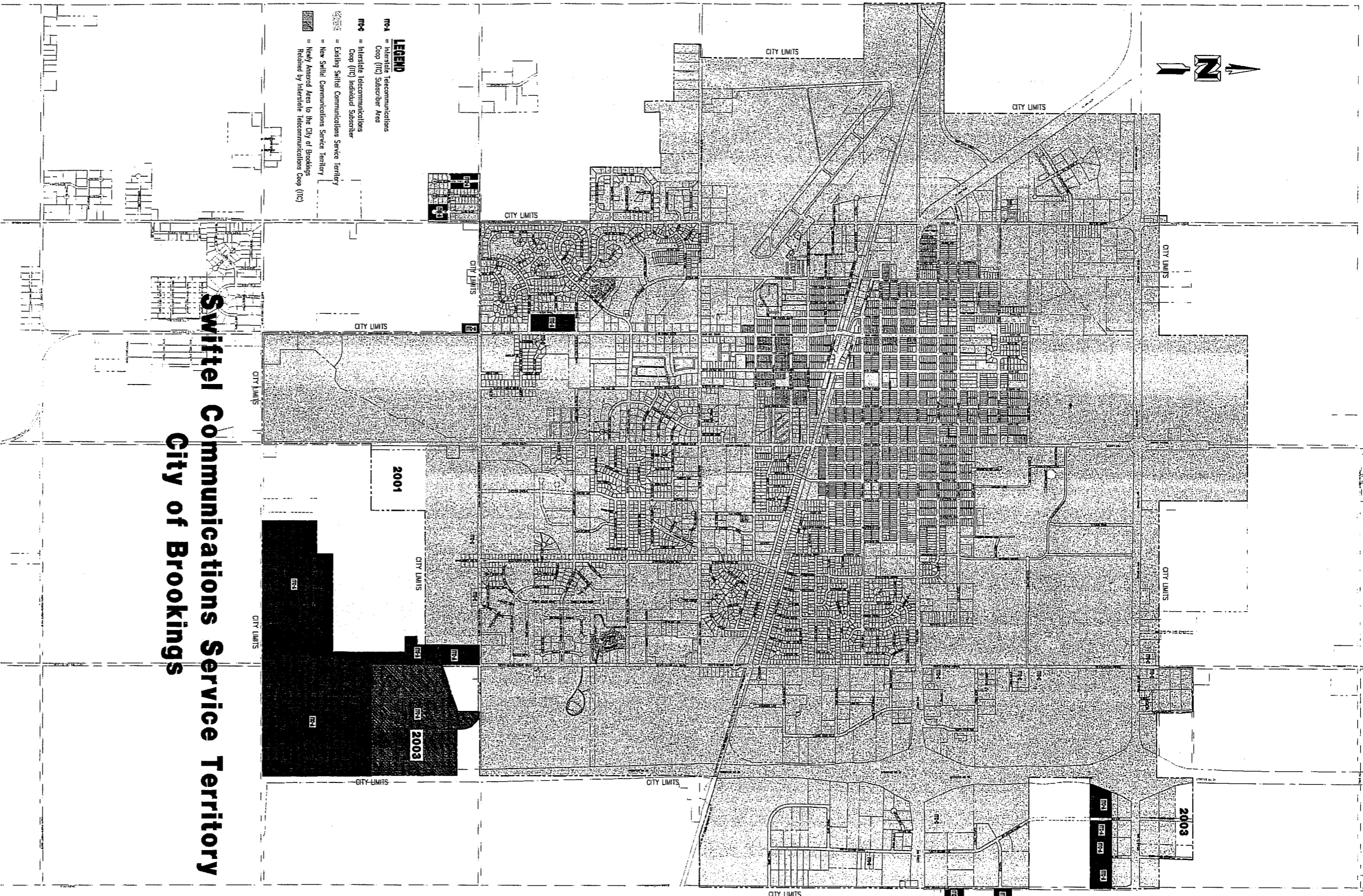
NOW, THEREFORE, BE IT RESOLVED, by the City of Brookings, South Dakota, that the property described above is hereby annexed to the City of Brookings.

Passed and approved this 13th day of March, 2000.


Mayor




City Clerk



- LEGEND**
- IT-1 = Interstate Telecommunications Coop (IT) Subscriber Area
 - IT-2 = Interstate Telecommunications Coop (IT) Individual Subscriber
 - IT-3 = Existing Swiftel Communications Service Territory
 - IT-4 = New Swiftel Communications Service Territory
 - IT-5 = Newly Annexed Area to the City of Brookings Retained by Interstate Telecommunications Coop (IT)

Swiftel Communications Service Territory City of Brookings

Swiftel COMMUNICATIONS <small>City of Brookings, South Dakota</small>	DRAWN BY:	RP	SUPERVISOR APPROVED:	CCK	CITY OF BROOKINGS MUNICIPAL TELEPHONE	DATE REVISED:	2/4/04	SCALE:	NOT TO SCALE	DRAWING NUMBER:	C:\WATER\COM\TVC
	CHECKED BY:	DM	TELE. MANAGER APPROV.:	JA	dbb SWIFTEL COMMUNICATIONS	DATE DRAWN:	8/98	SHEET	1 OF 1	CANNEX	

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of March 11, 2004 through March 17, 2004

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this report. Phone: 605-773-3201

TELECOMMUNICATIONS

TC04-047 In the Matter of the Petition of Brookings Municipal Utilities d/b/a Swiftel Communications for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 11, 2004, Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Swiftel, it has received requests to deploy LNP from Verizon Wireless and Western Wireless. Swiftel states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Swiftel may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Swiftel "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Swiftel to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Swiftel's obligation to implement LNP until conditions are met as described herein; and (3) grant Swiftel such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/11/04
Intervention Deadline: 04/02/04

TC04-048 In the Matter of the Petition of Beresford Municipal Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 11, 2004, Beresford Municipal Telephone Company (Beresford) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Beresford, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless and Western Wireless Corporation d/b/a CellularOne. Beresford states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Beresford may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Beresford "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Beresford to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Beresford's obligation to implement LNP until conditions are met as described herein; and (3) grant Beresford such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/11/04
Intervention Deadline: 04/02/04

TC04-049 In the Matter of the Petition of McCook Cooperative Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 11, 2004, McCook Cooperative Telephone Company (McCook) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to McCook, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless and Western Wireless Corporation d/b/a CellularOne. McCook states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) McCook may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. McCook "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for McCook to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for McCook's obligation to implement LNP until conditions are met as described herein; and (3) grant McCook such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/11/04
Intervention Deadline: 04/02/04

TC04-050 In the Matter of the Petition of Valley Telecommunications Cooperative Association, Inc. for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 11, 2004, Valley Telecommunications Cooperative Association, Inc. (Valley) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Valley, it has received requests to deploy LNP from Western Wireless Corporation d/b/a CellularOne. Valley states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Valley may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Valley "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Valley to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Valley's obligation to implement LNP until conditions are met as described herein; and (3) grant Valley such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/11/04
Intervention Deadline: 04/02/04

TC04-051 In the Matter of the Petition of Faith Municipal Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 Amended.

On March 12, 2004, City of Faith Telephone Company (Faith) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Faith, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless. Faith states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Faith may petition the Commission

for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Faith "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Faith to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Faith's obligation to implement LNP until conditions are met as described herein; and (3) grant Faith such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/12/04
Intervention Deadline: 04/02/04

TC04-052 - In the Matter of the Petition of Midstate Communications, Inc. for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 Amended.

On March 12, 2004, Midstate Communications, Inc. (Midstate) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Midstate, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless and Western Wireless Corporation d/b/a CellularOne. Midstate states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Midstate may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Midstate "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Midstate to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Midstate's obligation to implement LNP until conditions are met as described herein; and (3) grant Midstate such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/12/04
Intervention Deadline: 04/02/04

TC04-053 In the Matter of the Petition of Western Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 Amended. (KC/HB)

On March 12, 2004, Western Telephone Company (Western) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Western, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless. Western states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Western may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Western "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Western to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Western's obligation to implement LNP until conditions are met as described herein; and (3) grant Western such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/12/04
Intervention Deadline: 04/02/04

TC04-054 In the Matter of the Petition of Interstate Telecommunications Cooperative, Inc. for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 Amended.

On March 15, 2004, Interstate Telecommunications Cooperative (ITC) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to ITC, it has received requests to deploy LNP from Midcontinent Communications and Western Wireless Corporation d/b/a CellularOne. ITC states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) ITC may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. ITC "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for ITC to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for ITC's obligation to implement LNP until conditions are met as described herein; and (3) grant ITC such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/15/04
Intervention Deadline: 04/02/04

TC04-055 In the Matter of the Petition of Alliance Communications Cooperative, Inc. and Splitrock Properties, Inc. for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 15, 2004, Alliance Communications Cooperative, Inc. and Splitrock Properties, Inc. (Petitioner) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Petitioner, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless, Western Wireless Corporation d/b/a CellularOne and Midwest Wireless Holdings L.L.C. d/b/a Midwest Wireless. Petitioner states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Petitioner may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Petitioner "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Petitioner to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Petitioner's obligation to implement LNP until conditions are met as described herein; and (3) grant Petitioner such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/15/04
Intervention Deadline: 04/02/04

TC04-056 In the Matter of the Petition of RC Communications, Inc. and Roberts County Telephone Cooperative Association for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 15, 2004, RC Communications, Inc. and Roberts County Telephone Cooperative Assn. (Petitioner) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Petitioner, it has received requests to deploy LNP from Cellco Partnership d/b/a Verizon Wireless and Western Wireless Corporation d/b/a CellularOne. Petitioner states

that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Petitioner may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Petitioner "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Petitioner to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Petitioner's obligation to implement LNP until conditions are met as described herein; and (3) grant Petitioner such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/15/04
Intervention Deadline: 04/02/04

TC04-057 In the Matter of the Filing by Brookings Municipal Utilities d/b/a Swiftel Communications for Approval of its Revised Service Territory as a Result of Annexation.

As a result of a recent annexation to the City of Brookings, the Commission received a filing from the City of Brookings Telephone d/b/a Swiftel Communications for approval to include property recently annexed in its exclusive franchise territory. The service territory change includes the West 1600 feet of the South Half of the North West Quarter Section 1, T109N, R50W; the South Half of the South East Quarter of Section 18, T110N, R50W except the platted areas thereof and except the East 720 feet thereof all in Brookings County, South Dakota.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Filed: 03/16/04
Intervention Deadline: 04/02/04

TC04-058 In the Matter of the Filing for Approval of Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services between Qwest Corporation and ACN Communication Services, Inc. (Fourth Revision).

On March 17, 2004, the Commission received a Filing for Approval of Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services between Qwest Corporation (Qwest) and ACN Communication Services, Inc. (Fourth Revision) (ACN). According to the parties, the Agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to ACN for the provision of local exchange services. Any party wishing to comment on the Agreement may do so by filing written comments with the Commission and the parties to the agreement no later than April 6, 2004. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Rolayne Ailts Wiest
Date Filed: 03/17/04
Initial Comments Due: 04/06/04

TC04-059 In the Matter of the Filing for Approval of Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services between Qwest Corporation and IDT America, Corp.

On March 17, 2004, the Commission received a Filing for Approval of Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services between Qwest Corporation (Qwest) and IDT America, Corp (IDT). According to the parties, the Agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to IDT for the provision of local exchange services. Any party wishing to comment on the Agreement may do so by filing written comments with the Commission and the parties to the agreement no later than April 6, 2004. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Rolayne Ailts Wiest
Date Filed: 03/17/04
Initial Comments Due: 04/06/04

TC04-060 In the Matter of the Petition of Venture Communications Cooperative for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 17, 2004, Venture Communications Cooperative, Inc. (Venture) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Venture, it has received requests to deploy LNP from Verizon Wireless and Western Wireless. Venture states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Venture may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Venture "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Venture to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Venture's obligation to implement LNP until conditions are met as described herein; and (3) grant Venture such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/17/04
Intervention Deadline: 04/02/04

TC04-061 In the Matter of the Petition of West River Cooperative Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

On March 17, 2004, West River Cooperative Telephone Company (West River) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to West River, it has received requests to deploy LNP from Verizon Wireless. West River states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) West River may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. West River "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for West River to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for West River's obligation to implement LNP until conditions are met as described herein; and (3) grant West River such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/17/04

Intervention Deadline: 04/02/04

TC04-062 In the Matter of the Petition of Stockholm-Strandburg Telephone Company for Suspension or Modification of 47 U.S.C. Section 251(b)(2) of the Communications Act of 1934 as Amended.

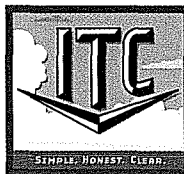
On March 17, 2004, Stockholm-Strandburg Telephone Company (Stockholm-Strandburg) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to Stockholm-Strandburg, it has received requests to deploy LNP from Western Wireless Corp. Stockholm-Strandburg states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) Stockholm-Strandburg may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. Stockholm-Strandburg "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for Stockholm-Strandburg to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for Stockholm-Strandburg's obligation to implement LNP until conditions are met as described herein; and (3) grant Stockholm-Strandburg such other and further relief that may be proper."

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 03/17/04
Intervention Deadline: 04/02/04

**You may receive this listing and other PUC publications via our website or via internet e-mail.
You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc>**

Interstate Telecommunications
Cooperative, Inc.
312 4th Street West
P.O. Box 920
Clear Lake, South Dakota 57226

INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC.



Phone: 605.874.21
1.800.417.86
Fax: 605.874.20
E-Mail: info@itc-web.c
www.itc-web.c

RECEIVED

MAR 29 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

March 25, 2004

Ms. Michele Farris
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070

Dear Ms. Farris:

I am writing this letter in response to the information you requested regarding Docket TC04-057- In the Matter of the Filing by Brookings Municipal Utilities d/b/a Swiftel Communications for Approval of its Revised Service Territory as a Result of Annexation. First, Interstate Telecommunications Cooperative, Inc. is requesting an Amended Certificate of Authority per your recommendation and request regarding this matter. As we discussed earlier, Interstate Telecommunications Cooperative, Inc was never required to have a Certificate of Authority and its service area was considered "grandfathered" as filed. Accordingly, Interstate Telecommunications Cooperative, Inc. is asking for a waiver of ARSD 20:10:32:03 1-7, 9-21 and 23.

Second, Interstate Telecommunications Cooperative, Inc. concurs with the revised franchise service territory map submitted by Swiftel Communications that reflects the new telephone service territory as a result of their annexation per Resolutions No. 39-01, No. 13-03 and No. 38-03.

Sincerely,
Interstate Telecommunications Cooperative, Inc.


Jerry Heiberger
General Manager

415 Fourth St. • P.O. Box 588
Brookings, S.D. 57006

605.692.6211 • Fax 605.697.8250

March 30, 2004

Pam Bonrud
Executive Director
South Dakota Public Utilities Commission
Capitol Building, First Floor
500 East Capitol Avenue
Pierre, SD 57501

RECEIVED
APR 02 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Dear Ms. Bonrud:

In addition to the letter I sent to you on March 12, 2004, in which we sent a revised franchise service territory map as well as other documents from the City of Brookings, we are requesting that the Public Utilities Commission waive Rules 20:10:32:03 (1-7); (9-21); and (23).

If there is anything further that you or the Commission should need, please let me know.

Sincerely,



W. James Adkins
Technical and Network Operations Manager
Swiftel Communications

cc: Jerry Heiberger
General Manager, ITC
312 Fourth St. W.
P.O. Box 920
Clear Lake, SD 57226

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
BROOKINGS MUNICIPAL UTILITIES D/B/A)	AMENDED CERTIFICATES
SWIFTEL COMMUNICATIONS FOR APPROVAL)	OF AUTHORITY AND
OF ITS REVISED SERVICE TERRITORY AS A)	ORDER APPROVING
RESULT OF ANNEXATION)	REVISED SERVICE
)	TERRITORY AS A RESULT
)	OF ANNEXATION
)	TC04-057

On March 16, 2004, the Public Utilities Commission (Commission) received a filing from Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel) to revise its franchise service territory map to reflect the new telephone service territory resulting from an annexation by the City of Brookings. On March 29, 2004, the Commission received a letter from Interstate Telecommunications Cooperative, Inc. (ITC) stating it concurred with the revised service territory map and requesting an Amended Certificate of Authority. On April 2, 2004, the Commission received a letter from Swiftel requesting an Amended Certificate of Authority, pursuant to SDCL 49-31-69. Swiftel and ITC also requested a waiver of subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03, as the Commission already has the information needed on file. The annexations described in Brookings City Resolution Nos. 39-01, 13-03 and 38-03 are as follows:

Resolution No. 39-01

The West 1,600 Feet of the S1/2 of the NW1/4 of Section 1-T109N-R50W.

Resolution No. 13-03

the South1/2 of the SE1/4 of Section 18-T110N-R49W, except the platted areas thereof and except the East 720 Feet thereof.

Resolution No. 38-03

the NW1/4 of Section 6-T109N-R49W, except the platted areas thereof,

all in the County of Brookings, South Dakota.

On March 18, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of April 2, 2004, to interested individuals and entities. No petitions to intervene or comments were filed.

On May 11, 2004, at its regularly scheduled meeting, the Commission considered the parties' request for approval of a revision to Swiftel's service territory, the requests for Amended Certificates of Authority, and a waiver of subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:32:03. The Commission finds that Swiftel and ITC have met the legal requirements established for the granting of amended certificates of authority. Swiftel and ITC have, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03. Further, the Commission finds that pursuant to SDCL

49-31-69, the Amended Certificates of Authority shall be granted, that the proposed revision to Swiftel's service territory is in the public interest and the request shall be granted, and ARSD 20:10:32:03, subparagraphs 1 through 7, 9 through 21 and 23 shall be waived. As the Commission's final decision in this matter, it is therefore

ORDERED, that the requests for Amended Certificates of Authority shall be granted; and it is

FURTHER ORDERED, that the proposed revision to Swiftel's service territory shall be granted; and it is

FURTHER ORDERED, that ARSD 20:10:32:03, parts 1 through 7, 9 through 21 and 23 shall be waived.

Dated at Pierre, South Dakota, this 13th day of May, 2004.

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>Melaine Kalbs</u>
Date: <u>5/18/04</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner