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SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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

**IN THE MATTER OF THE FILING BY)
BROOKINGS MUNICIPAL UTILITIES)
D/B/A SWIFTEL COMMUNICATIONS)
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)
)
)
)**

**RESPONSE OF BROOKINGS
MUNICIPAL UTILITIES D/B/A
SWIFTEL COMMUNICATIONS
TO PUBLIC UTILITIES
COMMISSION STAFF LETTER
DATED NOVEMBER 4, 2005**

TC04-213

On November 4, 2005, Rolayne Ailts Wiest, of the South Dakota Public Utilities Commission, requested that Brookings Municipal Utilities, dba., Swiftel Communications, respond to various staff questions. The following is the response of Brookings Municipal Utilities, dba., Swiftel Communications, to the questions posed:

1. PrairieWave has been moved from Exhibit C to Exhibit D. However, there are no exchanges listed that have an "out" by them. Thus, my question is which wire centers are you planning not to serve? If there are wire centers that Swiftel is not planning on serving, then did you do a creamskimming analysis for PrairieWave? If not, please submit one. If Swiftel intends to serve all PrairieWave wire centers then they should all be listed and PrairieWave should be on Exhibit C. (I note that Lennox and Gayville were wire centers listed in RCC WALLC ETC case but are not listed on Exhibit D.) Also, regarding PrairieWave wire centers that were added to revise Exhibit D, is it Swiftel's belief that Hurley and Alsen are part of the Parker exchange? And why is Flyger listed twice?

Response: In responding to the various revisions to Exhibits C and D that were requested by Commission staff, Petitioner failed to move the list of PrairieWave wirecenters from Exhibit D back to Exhibit C. That revision to both Exhibits has now been made and is attached hereto for your review. Please note that by moving PrairieWave back to Exhibit C, no creamskimming analysis is necessary. Furthermore, please note that Petitioner's use of the locality names for various wirecenters is at the instruction of Commission staff and that the Lennox and Gayville wirecenters you refer to are included under the locality names of Worthing (LNNXSDXA) and Wakonda (WKNDSDXA), respectively. Although the locality names are sometimes referred to differently, the CLLI codes remain the same. The locality names used in the Exhibits are those used at the request of Commission staff. In this same vein, please note that Hurley/Alsen are listed separately on the line below the Parker exchange and are indeed separate, and that the use of the locality name Flyger is listed twice at the request of the Commission staff. (See March 29, 2005 response to Commission staff request for additional information.)

2. The revised Exhibit D now has Hills Telephone Company listed on it for the exchanges of N. Larchwood and Valley Springs. Previously these changes were listed under Sioux Valley Telephone Company. Do Hills Telephone and Sioux Valley have separate study areas or are they in the same study area? Also, are the two wire centers listed the only wire

centers that Hills Telephone Company serves? If Hills Telephone is a separate study area and there are additional exchanges that Swiftel does not intend to serve, then have you done a creamskimming analysis for Hills Telephone? On the other hand, if Hills telephone is a separate serve area from Sioux Valley and there are only the two exchanges, should Hills Telephone be listed on Exhibit C?

Response: When Swiftel originally prepared its petition it properly listed the N. Larchwood and Valley Springs exchanges as part of Sioux Valley Telephone Company's study area. On October 27, 2005, Petitioner was informed by Commission staff that these two exchanges has been sold to Hills Telephone Company, and per staff request, Petitioner made the change on its Exhibit D accordingly. Since that time, Petitioner has learned that those two exchanges have been sold again to Alliance Communications Cooperative, Inc. Therefore, based on what Petitioner has learned from Commission staff, these two wire centers are now part of Alliance, which also owns other wire centers in the state. As a result, we are submitting a further revised Exhibit D with this letter to reflect this latest change. As you will note in our response question number 8 below, some of Alliance's wire centers have since been redefined to become individual service areas. Since N. Larchwood and Valley Springs were not part of the recently granted redefinition petition, these two wire centers will ultimately need to be redefined and, as such, continue to appear on Exhibit D to the subject Petition. The creamskimming/population density data for these wire centers was submitted on its original Exhibit F to Petitioner's application, only the name of the carrier has subsequently changed.

3. For ITC, note that on revised Exhibit D, Willow Lake is now listed as "in." It appears from the map that Willow Lake is not within you licensed area. Was your map revised? Does Swiftel intend to serve the Willow Lake wire center?

Response: Yes, Petitioner does intend to serve the Willow Lake wire center. The most recent version of Petitioner's proposed ETC service area map, which reflects Willow Lake as in was submitted to the Commission on March 29, 2005. A copy is attached for your use.

4. The Hendricks wire center is listed as in the service area of ITC-MN. Does ITC-MN have a separate service area from ITC-SD?

Response: Yes, ITC-MN is a Minnesota carrier with a study area that is primarily within Minnesota and ITC-SD is a separate South Dakota carrier with a separate study area. We understand that there is common ownership among the two entities.

5. Of all of the telephone companies listed on revised Exhibit D, which have disaggregated?

Response:

Citizens Telecommunications Company (MN) d/b/a Frontier
Communications of Minnesota
Interstate Telecommunications Cooperative, Inc. – South Dakota
Sioux Valley Telephone Company

Alliance Communications Cooperative, Inc.
Heartland Telephone Company of Iowa d/b/a HickoryTech

6. For the companies of Citizens Telecom, Farmers Mutual, Heartland Telecom, ITC – MN, and Hills Telephone, the wire centers that Swiftel would like ETC designation for are listed as partially located out-of-state. These wire centers are also listed on Exhibit D as wire centers that Swiftel is requesting redefinition for. First, which of these companies have additional wire centers located in other states? Second is it Swiftel's position that the Commission can redefine the wire centers located in South Dakota from wire centers located in other states? If, so is the Commission required to conduct a creamskimming analysis taking into account the wire centers located in other states that Swiftel will not serve?

Response: All of the companies listed on the current version of Exhibit D attached hereto have wire centers in other states and the wire centers listed overlap the state boundaries into South Dakota, except for Alliance Communications Cooperative, Inc. For those companies with out-of-state wire centers, South Dakota only has jurisdiction to designate carriers as an ETC within its own borders and it is permissible for a state commission to do so, irrespective of a carrier's ETC status in the neighboring state. Designations have been made in this way in a variety of states including Colorado¹ and Wyoming² and also by the FCC in Alabama.³ With respect to Alliance Communications Cooperative, Inc., please see response to question number 2 above.

7. Has Swiftel conducted and provide to the Commission a creamskimming analysis for all of the companies listed on Exhibit D? If not, explain why Swiftel believes it does not need to do an analysis for each of the companies listed on Exhibit D.

Response: With its original petition, Petitioner provided a creamskimming analysis and population density data for Fort Randall, Sioux Valley and Interstate Telecom – South Dakota. Population density data is irrelevant for single wire centers that cross state boundaries where the remainder of the wire center is across state lines, because the South Dakota Commission does not have jurisdiction over areas outside of the state. (See also, response to question 6 above.)

8. Is the current service area for Alliance (Splitrock) comprised of Brandon, Garretson, Howard and Oldham? If so, why was Alliance Splitrock place on revised Exhibit C when Swiftel does not intend to serve the entire service area? On the other hand, I would also note that the Alliance (Splitrock) service area was part of the petition for redefinition that is currently pending before the FCC in the RCC/WALLC case. The redefinition petition would redefine Brandon and Garretson as a separate service area. If the FCC allows those redefinitions to go into effect, is it Swiftel's position that Alliance (Splitrock) could remain on Exhibit C for immediate designation?

¹ *Recommended Decision In the Matter of the Application of N.E. Colorado Cellular, Inc., For Designation as an Eligible Provider Carrier Under 4 CCR 723-41*, Docket No. 00A-491T, Decision No. R01-1298, December 21, 2001.

² *Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, 16 FCC Rcd 48, 55 (2000), *aff'd*, 24 CR 1216 (Oct. 19, 2001).

³ *RCC Holdings, Inc.*, DA 02-3181 (W.C.B. rel. Nov. 25, 2002) ; *Cellular South License, Inc.*, DA 02-3317 (W.C.B. rel. Dec. 4, 2002) .

Response: As of November 14, 2005, the FCC approved the RCC Minnesota, Inc./Wireless Alliance, LLC ("RCC/WALLC") Petition for Redefinition. As such, Brandon and Garretson are now deemed separate service areas and should remain on Petitioner's Exhibit C for immediate designation.

9. For Qwest wire centers, Arlington is listed as a partial wire center. In its RCC/WALLC order, for wire centers located entirely within South Dakota that the prospective ETC could only serve partially, the Commission required the prospective ETC to serve the entire wire center. Does Swiftel commit to serving the entire Arlington wire center or would it prefer to leave it off of Exhibit B? For all of the other wire centers listed as partial on revised Exhibit B, is the reason they are partial because the parts that Swiftel does not intend to serve are outside of South Dakota?

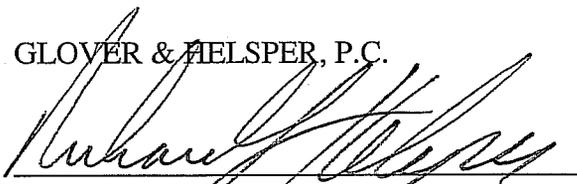
Response: Petitioner is only licensed to serve half of the Arlington wire center and therefore only sought ETC designation in the half in which it provides service. However, based on the decision in the RCC/WALLC case, Petitioner is now opting to not serve the Arlington wire center as it is unable to guarantee the ability to provide service in the remainder of the wire center upon reasonable request. The other Qwest wire centers which Petitioner has noted as partial on its Exhibit B are partial because the remainder of the wire center is outside of South Dakota and Petitioner is only asking this Commission for ETC designation within South Dakota. (See also, response to question 6 above.)

10. Does Swiftel agree to the conditions imposed on RCC/WALLC?

Response: Yes, a confirmation of agreement with those conditions was given to Commission staff on October 27, 2005.

Respectfully submitted this 30th day of November, 2005.

GLOVER & HELSPER, P.C.



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Exhibit C
Rural LECs For Immediate Designation

WC Code	Company Name	Locality		
BRNDSDXA	ALLIANCE COMM. COOPEATIVE, INC. (SPLIT ROCK)	BRANDON		
GRNSDXA	ALLIANCE COMM. COOPEATIVE, INC. (SPLIT ROCK)	GARRETSON		
ALCSSDXA	ALLIANCE COMMUNICATIONS COOPERATIVE, INC. (BALTIC)	ALCESTER		
BLTCSDXA	ALLIANCE COMMUNICATIONS COOPERATIVE, INC. (BALTIC)	BALTIC		
CRKSSDXA	ALLIANCE COMMUNICATIONS COOPERATIVE, INC. (BALTIC)	CROOKS		
HDSNSDXA	ALLIANCE COMMUNICATIONS COOPERATIVE, INC. (BALTIC)	HUDSON		
BRFRSDXA	BERESFORD MUNICIPAL TELEPHONE CO.	BERESFORD		
BKNGSDXC	CITY OF BROOKINGS MUNICIPAL TELEPHONE DEPT.	BROOKINGS		
BKNGSDXN	CITY OF BROOKINGS MUNICIPAL TELEPHONE DEPT.	BROOKINGS		
BKNGSDXS	CITY OF BROOKINGS MUNICIPAL TELEPHONE DEPT.	BROOKINGS		
BKNGSDXE	CITY OF BROOKINGS MUNICIPAL TELEPHONE DEPT.	BROOKINGS		
JFSNSDXA	JEFFERSON TELEPHONE CO.	JEFFERSON		
RVLLSDXA	STOCKHOLM - STRANDBURG TELEPHONE CO.	REVILLO		
SSHRSDXA	STOCKHOLM - STRANDBURG TELEPHONE CO.	SOUTHSHORE		
STKHSDXA	STOCKHOLM - STRANDBURG TELEPHONE CO.	STOCKHOLM		
HRFRSDXA	UNION TELEPHONE CO.	HARTFORD		
HRFRSDXS	UNION TELEPHONE CO.	WALL LAKE		
IRENSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	IRENE	Entire	In
LNNXSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	WORTHING	Entire	In
PRKRSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	PARKER	Entire	In
		HURLEY/ ALSEN/ FLYGER		
VBRGSDAA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	FLYGER	Entire	In
WKNDSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	WAKONDA	Entire	In
FLYGSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	FLYGER	Entire	In
BRFRSDXA	PRAIRIEWAVE COMMUNITY TELEPHONE, INC.	RUR BERESFR	Entire	In

Exhibit D
Rural LECs Requiring Disaggregation

WCtr Code	Company Name	Locality	Partial/ Entire	In/Out	
JSPRMNXJ	CITIZENS TELECOM CO MN-FRONTIER CITIZENS COM-MN	W. JASPER	Partial	In	Out of State
MRTTMNXM	FARMERS MUTUAL TELEPHONE COMPANY	W MARIETTA	Partial	In	Out of State
CNVLSDXA	FORT RANDALL TELEPHONE COMPANY	CENTERVL	Entire	In	
HRMSSDXA	FORT RANDALL TELEPHONE COMPANY	HERMOSA		Out	
LKANSDXA	FORT RANDALL TELEPHONE COMPANY	LAKE ANDES		Out	
TABRSDXA	FORT RANDALL TELEPHONE COMPANY	TABOR	Entire	In	
TYNDSDXA	FORT RANDALL TELEPHONE COMPANY	TYNDALL	Entire	In	
VBRGSDXA	FORT RANDALL TELEPHONE COMPANY	VIBORG	Entire	In	
WGNRSDXA	FORT RANDALL TELEPHONE COMPANY	WAGNER		Out	
AKRNIAAE	HEARTLAND TELECOM COMPANY OF IOWA DBA HICKORYTE	WEST AKRON	Partial	In	Out of State
HWRDIAAE	HEARTLAND TELECOM COMPANY OF IOWA DBA HICKORYTE	W HAWARDEN	Partial	In	Out of State
HNDRMNXH	INTERSTATE TELECOM. COOP., INC. - MINNESOTA	W. HENDRICKS	Partial	In	Out of State
ASTRSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	ASTORIA	Partial	In	Out of State
BKNGSDXB	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	BROOKINGS	Entire	In	
BRDLSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	BRADLEY	Entire	In	
BRNTSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	BRANDT	Entire	In	
BRYNSD01	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	BRYANT	Entire	In	
CHESSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	CHESTER	Entire	In	
CLLKSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	CLEAR LAKE	Entire	In	
CLRKSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	CLARK	Entire	In	
CSWSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	CASTLEWOOD	Entire	In	
EKTNSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	ELKTON	Partial	In	Out of State
ESTLSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	ESTELLINE	Entire	In	
FLRNSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	FLORENCE	Entire	In	
GARYSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	GARY	Partial	In	Out of State
GDWNSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	GOODWIN	Entire	In	
HAYTSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	HAYTI	Entire	In	
LKNRSD01	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	LAKENORDEN	Entire	In	
NUNSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	NUNDA	Entire	In	
SINASDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	SINAI	Entire	In	
TOROSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	TORONTO	Entire	In	
WABYSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	WAUBAY		Out	
WBSTSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	WEBSTER		Out	
WHTESDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	WHITE	Entire	In	
WLLKSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	WILLOWLAKE	Entire	In	
WNWOSDXA	INTERSTATE TELECOM. COOP., INC. - SOUTH DAKOTA	WENTWORTH	Entire	In	
COTNSDXA	SIoux VALLEY TELEPHONE CO.	COLTON	Entire	In	
CRSCSDXA	SIoux VALLEY TELEPHONE CO.	CORSICA		Out	
DLRPSDXA	SIoux VALLEY TELEPHONE CO.	DELLRAPIDS	Entire	In	
HMBLSDXA	SIoux VALLEY TELEPHONE CO.	HUMBOLDT	Entire	In	
PLTNSDXA	SIoux VALLEY TELEPHONE CO.	PLANKINTON		Out	
LRWDIAXO	ALLIANCE COMM. COOPEATIVE, INC. (SPLIT ROCK)	NLARCHWOOD	Partial	In	Out of State
VYSPSDXA	ALLIANCE COMM. COOPEATIVE, INC. (SPLIT ROCK)	VLY SPG	Partial	In	Out of State

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

In the Matter of the Petition of Brookings
Municipal Utilities d/b/a Swiftel
Communications for Designation as an Eligible
Telecommunications Carrier

Docket No. TC04-213

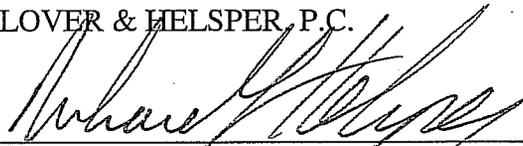
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 30th day of November, 2005, I served a true and correct copy of the **RESPONSE OF BROOKINGS MUNICIPAL UTILITIES D/B/A SWIFTEL COMMUNICATIONS TO PUBLIC UTILITIES COMMISSION STAFF LETTER DATED NOVEMBER 4, 2005** by First Class Mail delivery, prepaid, to:

<p>SDPUC John J. Smith South Dakota Public Utilities Commission 500 East Capitol Pierre SD 57501 Email: john.j.smith@state.sd.us</p>	<p>SD Telecommunications Richard D. Coit SD Telecommunications PO Box 57 320 E Capitol Ave Pierre SD 57501-0057 Email: richcoit@sdaonline.com</p>
<p>Interstate Telecommunications Coop, Inc. PrairieWave Community Telephone, Inc. Sioux Valley Telephone Company Stockholm-Strandburg Telephone Company Union Telephone Company Darla Pollman Rogers Riter, Rogers, Wattier & Brown LLP 319 South Coteau Street PO Box 280 Pierre SD 57501 Email: dprogers@riterlaw.com</p> <p>Beresford Municipal Telephone Company Wayne Akland General Manager 101 North 3rd Street Beresford, South Dakota 57004</p>	<p>Alliance Communications Cooperative, Inc. Meredith A. Moore Cutler & Donahoe, LLP 100 N Phillips Avenue – 9th Floor Sioux Falls, SD 57104-6725 Email: meredithm@cutlerlawfirm.com</p> <p>Qwest Corporation Colleen Sevold 125b South Dakota Avenue Sioux Falls, South Dakota 57104</p> <p>Farmers Mutual Telephone Company Robert J. Hoffman P.O. Box 368 Bellingham, Minnesota 56212</p>

<p>Jefferson Telephone Company Tom Connors, Manager P.O. Box 128 Jefferson, South Dakota 57038-0128</p>	<p>Citizens Telecommunications Company of Minnesota, Inc. John Lass Vice President and General Manager 2378 Wilshire Boulevard Mound City, Minnesota 55354</p>
<p>Heartland Telecommunications Company of Iowa d/b/a Hickory Tech Corporation David Christensen 221 East Hickory Street Mankato, MN 56002</p>	<p>Fort Randall Telephone Company Bruce Hanson General Manager 909 Willmar Avenue SW Willmar, MN 56201</p>

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