

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

TC04-003

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

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January 8, 2004

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

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JAN 8 8 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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Pam Bonrud, Executive Secretary
Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

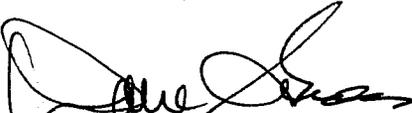
RE: **IN THE MATTER OF THE APPLICATION BY MIDCONTINENT
COMMUNICATIONS FOR ELIGIBLE TELECOMMUNICATIONS CARRIER
DESIGNATION WITHIN QWEST SERVICE AREAS**
Our file: 0053

Dear Pam:

Enclosed are original and ten copies of Midcontinent's
Application for Eligible Telecommunications Carrier
Designation within Qwest Service Areas. Please file the
enclosure.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP



DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Tom Simmons
Mary Lohnes

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

JAN 06 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
BY MIDCONTINENT COMMUNICATIONS)
FOR ELIGIBLE TELECOMMUNICATIONS)
CARRIER DESIGNATION WITHIN)
QWEST SERVICE AREAS)

PETITION

Pursuant to ARSD 20:10:32:43 Midcontinent Communications petitions for its designation as an eligible telecommunications carrier by the Commission, as follows:

1. The name, address, and telephone number of the local service provider and its designated contact person:

Midcontinent Communications, 5001 West 41st Street, Sioux Falls, South Dakota, 57106, telephone: (800)888-1300, fax: (605)339-4419, e-mail: mccomm@midco.net; designated contact person: Mary Lohnes, Regulatory Affairs Manager, telephone (605)357-5459.

Midcontinent Communications is a general partnership owned in equal shares by Midcontinent Communications Investor, LLC, 3600 Minnesota Drive, Suite 700, Edina, Minnesota, 55435, and TCI Midcontinent, LLC, 1500 Market Street, Philadelphia, Pennsylvania, 19102.

2. The proposed effective date of designation of eligible telecommunications carrier status:

Upon approval by the Commission.

3. Identification of the service area for which the designation is sought:

All US West service areas, except Arlington, Chamberlain, Colman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morrystown, Vermillion, Volga-Bruce, Whitewood and Yankton.

4. A statement supporting the petition which specifies why the requested designation satisfies the requirements for eligible telecommunications designation and receiving federal universal service support under 47 CFR § 54.201 (September 10, 1998):

The requested designation satisfies the requirements for ETC designation because it is in the public interest and the service offered by Midcontinent provides all services enumerated in 47 CFR § 54.101(a).

5. If the provider is seeking a waiver of any eligible telecommunications carrier service requirements pursuant to 47 CFR § 54.101 (September 10, 1998), the specific reasons for the waiver, and the length of time for which the waiver is requested:

Midcontinent seeks no waivers, except to the extent that the Commission believes a waiver is necessary to permit Midcontinent to serve less than all of Qwest's service areas as mentioned in paragraph 3 above.

6. If the local service provider is requesting designation in an area served by a rural telephone company and the rural

company has already been designated an eligible telecommunications carrier, a statement specifying why its proposed additional designation is in the public interest.

Midcontinent is not applying for any service area served by a rural telephone company.

WHEREFORE Midcontinent prays that the commission grant the petition and approve eligible telecommunications carrier status for it in the areas described above.

Dated this 8th day of January, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for Petitioner

503 South Pierre Street

P.O. Box 160

Pierre, South Dakota 57501-0160

Telephone: (605)224-8803

Telefax: (605)224-6289

South Dakota Public Utilities Commission

WEEKLY FILINGS

For the Period of January 8, 2004 through January 14, 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

ELECTRIC

EL04-001 In the Matter of the Filing by Otter Tail Power Company for Approval of Tariff Revisions.

Application by Otter Tail Power Company for approval to revise its tariffed Summary List of Contracts with Deviations. The existing contract with the City of Erwin will expire on February 1, 2004. Otter Tail states the new agreement does not contain any deviations from Otter Tail's currently filed tariff and therefore requests that reference to a contract with the City of Erwin be removed from the Summary List of Contracts with Deviations and requests permission to file with less than 30 days notice.

Staff Analyst: Dave Jacobson
Staff Attorney: Karen Cremer
Date Docketed: 01/09/04
Intervention Deadline: 01/19/04

TELECOMMUNICATIONS

TC04-003 In the Matter of the Filing by Midcontinent Communications for Designation as an Eligible Telecommunications Carrier within Qwest Service Areas.

On January 8, 2004, Midcontinent Communications filed a petition to be designated as an eligible telecommunications carrier (ETC) for purposes of qualifying to obtain federal universal service support in the Qwest Corporation service areas, except Arlington, Chamberlain, Colman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morrystown, Vermillion, Volga-Bruce, Whitewood, and Yankton.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Docketed: 01/08/04
Intervention Deadline: 01/30/04

TC04-004 In the Matter of the Filing for Approval of a Reciprocal Transport and Termination Agreement between Brookings Municipal Utilities d/b/a Swiftel Communications and PrairieWave Telecommunications, Inc.

On January 9, 2004, the Commission received a Filing for Approval of a Reciprocal Transport and Termination Agreement between Brookings Municipal Utilities d/b/a Swiftel Communications and PrairieWave Telecommunications, Inc. According to the

filing, the parties wish to put in place an arrangement for the mutual exchange and reciprocal compensation of local telecommunications traffic in accord with the 1996 Telecommunications Act, which is intended to supersede any previous arrangements between the parties relating to such traffic. 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 January 29, 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: Kelly Frazier

Date Docketed: 01/09/04

Initial Comments Due: 01/29/04

TC04-005 In the Matter of the Filing for Approval of a Reciprocal Transport and Termination Agreement between Brookings Municipal Utilities d/b/a Swiftel Communications and PrairieWave Community Telephone, Inc.

On January 9, 2004, the Commission received a Filing for Approval of a Reciprocal Transport and Termination Agreement between Brookings Municipal Utilities d/b/a Swiftel Communications and PrairieWave Community Telephone, Inc. According to the filing, the parties wish to put in place an arrangement for the mutual exchange and reciprocal compensation of local telecommunications traffic in accord with the 1996 Telecommunications Act, which is intended to supersede any previous arrangements between the parties relating to such traffic. 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 January 29, 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: Kelly Frazier

Date Docketed: 01/09/04

Initial Comments Due: 01/29/04

**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>**

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www.magt.com

January 21, 2004

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

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JAN 22 2004

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Pam Bonrud, Executive Secretary
Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: MIDCONTINENT ETC APPLICATION FOR QWEST SERVICE AREAS
Docket TC04-003
Our file: 0053

Dear Pam:

Enclosed are original and ten copies of Midcontinent's Notice of Filing ETC Petition with Certificate of Service. Please file the enclosure.

With a copy of this letter, service by mailing is made upon the service list. Thank you.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP


DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Service List
Mary Lohnes

RECEIVED

JAN 22 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION) DOCKET TC04-003
BY MIDCONTINENT COMMUNICATIONS)
FOR ELIGIBLE TELECOMMUNICATIONS) NOTICE OF FILING
CARRIER DESIGNATION WITHIN) ETC PETITION
QWEST SERVICE AREAS)

TO QWEST CORPORATION AND OTHER INTERESTED CARRIERS

YOU WILL PLEASE TAKE NOTICE that Midcontinent Communications has filed a petition, a copy of which is attached hereto and incorporated herein by this reference, for designation as an eligible telecommunications carrier in all US West service areas except Arlington, Chamberlain, Coleman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morristown, Vermillion, Volga-Bruce, Whitewood and Yankton. This notice is being given pursuant to ARSD 20:10:32:46.

Dated this 21st day of January, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

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

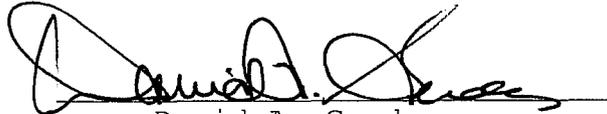
CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 21st day of January, 2004, 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:

Qwest Corporation
ATTN: Colleen Sevold
125 South Dakota Avenue
Sioux Falls, South Dakota 57194

B. Lynn F. Ratnavale
Lukas, Nace, Gutierrez & Sachs
1111 19th Street NW, Suite 1200
Washington, D.C. 20036
ATTORNEYS FOR RCC MINNESOTA, INC.
AND WIRELESS ALLIANCE, LLC DBA UNICEL

Talbot J. Wieczorek
Gunderson, Palmer, Goodsell & Nelson
P.O. Box 8045
Rapid City, South Dakota 57709
ATTORNEYS FOR WESTERN WIRELESS



David A. Gerdes

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

JAN 22 2004

IN THE MATTER OF THE APPLICATION)
BY MIDCONTINENT COMMUNICATIONS)
FOR ELIGIBLE TELECOMMUNICATIONS) PETITION
CARRIER DESIGNATION WITHIN)
QWEST SERVICE AREAS)

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Pursuant to ARSD 20:10:32:43 Midcontinent Communications petitions for its designation as an eligible telecommunications carrier by the Commission, as follows:

1. The name, address, and telephone number of the local service provider and its designated contact person:

Midcontinent Communications, 5001 West 41st Street, Sioux Falls, South Dakota, 57106, telephone: (800)888-1300, fax: (605)339-4419, e-mail: mccomm@midco.net; designated contact person: Mary Lohnes, Regulatory Affairs Manager, telephone (605)357-5459.

Midcontinent Communications is a general partnership owned in equal shares by Midcontinent Communications Investor, LLC, 3600 Minnesota Drive, Suite 700, Edina, Minnesota, 55435, and TCI Midcontinent, LLC, 1500 Market Street, Philadelphia, Pennsylvania, 19102.

2. The proposed effective date of designation of eligible telecommunications carrier status:

Upon approval by the Commission.

3. Identification of the service area for which the designation is sought:

All US West service areas, except Arlington, Chamberlain, Colman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morrystown, Vermillion, Volga-Bruce, Whitewood and Yankton.

4. A statement supporting the petition which specifies why the requested designation satisfies the requirements for eligible telecommunications designation and receiving federal universal service support under 47 CFR § 54.201 (September 10, 1998):

The requested designation satisfies the requirements for ETC designation because it is in the public interest and the service offered by Midcontinent provides all services enumerated in 47 CFR § 54.101(a).

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Midcontinent seeks no waivers, except to the extent that the Commission believes a waiver is necessary to permit Midcontinent to serve less than all of Qwest's service areas as mentioned in paragraph 3 above.

6. If the local service provider is requesting designation in an area served by a rural telephone company and the rural

company has already been designated an eligible telecommunications carrier, a statement specifying why its proposed additional designation is in the public interest.

Midcontinent is not applying for any service area served by a rural telephone company.

WHEREFORE Midcontinent prays that the commission grant the petition and approve eligible telecommunications carrier status for it in the areas described above.

Dated this 8th day of January, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for Petitioner

503 South Pierre Street

P.O. Box 160

Pierre, South Dakota 57501-0160

Telephone: (605)224-8803

Telefax: (605)224-6289

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP

503 SOUTH PIERRE STREET
P.O. BOX 160
PIERRE, SOUTH DAKOTA 57501-0160

THOMAS C. ADAM
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ROBERT B. ANDERSON
BRENT A. WILBUR
TIMOTHY M. ENGEL
MICHAEL F. SHAW
NEIL FULTON
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March 24, 2004

OF COUNSEL
WARREN W. MAY

GLENN W. MARTENS 1881-1963
KARL GOLDSMITH 1885-1966

TELEPHONE
605 224-8803

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605 224-6289

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MAR 24 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Pam Bonrud, Executive Secretary
Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

RE: MIDCONTINENT ETC APPLICATION FOR QWEST SERVICE AREAS
Docket TC04-003
Our file: 0053

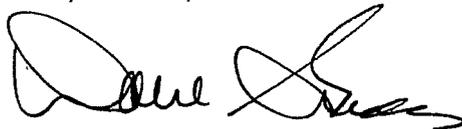
Dear Pam:

Enclosed are original and ten copies of a motion to amend Midcontinent's Petition in this docket. Please file the enclosure.

With a copy of this letter, I am forwarding copies of the motion to the service list.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP



DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Service List
Mary Lohnes
Tom Simmons
Nancy Vogel

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BEFORE THE PUBLIC UTILITIES COMMISSION MAR 24 2004
OF THE

STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION) DOCKET TC04-003
BY MIDCONTINENT COMMUNICATIONS)
FOR ELIGIBLE TELECOMMUNICATIONS) MOTION TO AMEND
CARRIER DESIGNATION WITHIN) PETITION
QWEST SERVICE AREAS)

COMES NOW Midcontinent Communications and moves the Commission for an order permitting it to amend its petition in this docket. The requested amendment would change paragraph 3 of the petition to read as follows:

"3. Identification of the service area for which the designation is sought:

All US West service areas, except Arlington, Chamberlain, Colman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morrystown, North Sioux City, North Valentine, Vermillion, Volga-Bruce, Whitewood and Yankton."

By this amendment, the towns of North Sioux City and North Valentine would be added to those US West service areas excluded from Midcontinent's application for ETC status.

The motion should be granted because the two cities added to the list of exchanges excluded from Midcontinent's application were omitted by oversight when the petition was drafted. Beyond the requested amendment, the petition would stand as stated. The motion should be granted in the interest of substantial justice.

WHEREFORE Midcontinent prays that the Commission grant the motion and permit the amendment to Midcontinent's ETC application in this docket.

Dated this 24 day of March, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for Midcontinent Communications

503 South Pierre Street

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 24 day of March, 2004, 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
Pierre, SD 57501

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

Qwest Corporation
ATTN: Colleen Sevold
125 South Dakota Avenue
Sioux Falls, South Dakota 57194

B. Lynn F. Ratnavale
Lukas, Nace, Gutierrez & Sachs
1111 19th Street NW, Suite 1200
Washington, D.C. 20036
ATTORNEYS FOR RCC MINNESOTA, INC.
AND WIRELESS ALLIANCE, LLC DBA UNICEL

Talbot J. Wieczorek
Gunderson, Palmer, Goodsell & Nelson
P.O. Box 8045
Rapid City, South Dakota 57709
ATTORNEYS FOR WESTERN WIRELESS

A handwritten signature in black ink, appearing to read "David A. Gerdes", written over a horizontal line.

David A. Gerdes

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING MOTION
MIDCONTINENT COMMUNICATIONS FOR)	TO AMEND PETITION
DESIGNATION AS AN ELIGIBLE)	
TELECOMMUNICATIONS CARRIER WITHIN)	TC04-003
QWEST SERVICE AREAS)	

On January 8, 2004, Midcontinent Communications filed a petition to be designated as an eligible telecommunications carrier (ETC) for purposes of qualifying to obtain federal universal service support in the Qwest Corporation service areas, except Arlington, Chamberlain, Colman, DeSmet, Elk Point, Flandreau, Hill City, Lake Preston, Morristown, Vermillion, Volga-Bruce, Whitewood, and Yankton.

On January 15, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of January 30, 2004, to interested individuals and entities. No petitions to intervene or comments were filed. On March 24, 2004, Midcontinent filed a Motion to Amend Petition to add the towns of North Sioux City and North Valentine to its petition of service areas not included for ETC.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31.

At its regularly scheduled meeting of April 6, 2004, the Commission considered the Motion to Amend Petition. The Commission voted to grant the Motion to Amend Petition. It is therefore

ORDERED, that the Motion to Amend Petition shall be granted.

Dated at Pierre, South Dakota, this 19th day of April, 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><i>Melaine Kolbo</i></u>
Date: <u>4/20/04</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

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP

503 SOUTH PIERRE STREET
P.O. BOX 160
PIERRE, SOUTH DAKOTA 57501-0160

THOMAS C. ADAM
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March 24, 2004

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

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MAR 24 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Ms. Karen Cremer
Staff Attorney
Public Utilities Commission
500 State Capitol Avenue
Pierre, South Dakota 57501

RE: IN THE MATTER OF THE FILING BY MIDCONTINENT
COMMUNICATIONS FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER WITHIN QWEST SERVICE AREAS
Docket: TC04-003
Our file: 0053

Dear Karen:

This responds to your letter of March 11, 2004. Insofar as the North Sioux City and North Valentine exchanges are concerned, Midcontinent proposes to exclude those service areas from the service area for which the ETC designation is sought for Midcontinent. They were overlooked when the petition was prepared. Midcontinent will serve West Ortonville. I am filing a motion to amend the application.

Midcontinent is able to satisfy the local exchange service obligations provided in ARSD 20:10:32:10, as well as those provided in 47 U.S.C. § 214(e)(1) as follows:

(1) *Voice grade access to the public switched telephone network.*

Midcontinent Communications currently provides resold and unbundled services of Qwest Communications in the ILEC's exchange areas, and through its own facilities in Sioux Falls, Madison, Canton, Aberdeen, Redfield, the Spring Creek area of Harrisburg, and the rural exchange of Webster SD. Midcontinent's switch is a Nortel DMS500 which is capable of providing local dial tone as well as

standard calling features such as call forwarding, call waiting, caller identification, three-way calling, speed calling, and call transfer.

(2) **Local usage meaning a prescribed amount of minutes of use of exchange service provided free of charge to end users**
Midcontinent Communications charges a flat monthly service fee for local service with no limit to the number calls made or received, or minutes of usage.

(3) **Dual tone multi-frequency signaling or its functional equivalent**
Midcontinent provides DTMF signaling for all customers.

(4) **Single-party service or its functional equivalent**
Midcontinent Communications provides only single-party service in all areas served.

(5) **Access to emergency services**
Midcontinent Communications has agreements and connectivity to all appropriate Public Service Area Providers.

(6) **Access to operator services**
Midcontinent Communications provides operator services to all customers through Qwest Communications and PrairieWave Communications. Agreements with these companies provides all Midcontinent customers access to 0- and 0+ services.

(7) **Access to interexchange service**
Midcontinent Communications has provided interexchange service in South Dakota since 1982. Long distance and toll free services are resold through a carrier(s) where a negotiated agreement has been reached so a fair and reasonable rate may be given to the end user.

Karen Cremer
March 24, 2004
Page 3

(8) Access to a directory assistance

Midcontinent Communications has an agreement with Qwest Communications and PrairieWave Communications for directory assistance.

(9) Toll limitation for qualifying low-income consumers

Midcontinent Communications participates in the Telephone Assistance Program. The ability to request toll restriction is available.

(10) Availability of Lifeline and Link Up Services to qualifying low-income consumers

Midcontinent Communications makes available Lifeline and Link-Up services to consumers that qualify for low-income assistance.

(11) Publicize the availability of the services within the exchange

Midcontinent Communications has booklets available showing all products and prices available to the consumer, and can be found on our web site as well.

If there is anything further which you require, please let me know. I am expecting that you will share this information with Harlan Best. This response is prepared in triplicate as you requested.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAG: mw

Enclosures

cc: Mary Lohnes

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP

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OF COUNSEL
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TELEPHONE
605 224-8803

TELECOPIER
605 224-6289

June 3, 2004

e-mail
koenecke@magt.com

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JUN 03 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Pam Bonrud
Executive Secretary
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

RE: In the Matter of the Filing by Midcontinent Communications for Designation as an
Eligible Telecommunications Carrier within Qwest Service Areas
Our file: 0053

Dear Pam:

Enclosed for filing please find an original and 10 copies of a Supplemental Filing in the above
referenced matter.

Very truly yours.

MAY, ADAM, GERDES & THOMPSON LLP



BRETT M. KOENECKE

BMK:njh

Enclosures

cc: Mary Lohnes

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JUN 03 2004

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE FILING BY)	TC04-003
MIDCONTINENT COMMUNICATIONS FOR)	
DESIGNATION AS AN ELIGIBLE)	SUPPLEMENTAL
TELECOMMUNICATIONS CARRIER)	FILING
WITHIN QWEST SERVICE AREAS)	

COMES NOW Midcontinent Communications by and through its attorneys of record, Brett Koenecke, of May, Adam, Gerdes & Thompson, Pierre, South Dakota, and hereby makes a supplemental filing with respect to the Petition as Amended, April 6, 2004.

Midcontinent seeks to specifically delineate those Qwest Corporation service areas for which it seeks eligible telecommunications carrier status for purposes of qualifying to obtain Federal Universal Service Support. Those exchanges are:

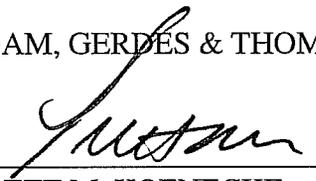
Aberdeen	Huron	Redfield
Bath	Lead	Renner
Belle Fourche	Madison	St. Lawrence
Big Stone City	McIntosh	Sioux Falls
Black Hawk	Milbank	Spearfish
Box Elder	Miller	Sturgis
Canton	Mina	Tea
Central City	Mitchell	Timber Lake
Deadwood	Piedmont	Warner
Ellsworth AFB	Pierre	Watertown
Ft. Pierre	Rapid City	West Ortonville
Harrisburg	Rapid Valley	

Midcontinent is currently providing phone service in each listed community.

Dated this 3 day of June, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: _____



BRETT M. KOENECKE
Attorneys for Midcontinent
Communications
503 S. Pierre Street
PO Box 160
Pierre, South Dakota 57501-0160
(605) 224-8803



Bob Sahr, Chair
Gary Hanson, Vice-Chair
Jim Burg, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.state.sd.us/puc

Capitol Office
(605) 773-3201
(605) 773-3809 fax

Transportation/Warehouse
(605) 773-5280
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Consumer Hotline
1-800-332-1782

June 3, 2004

Brett Koenecke
May, Adam, Gerdes & Thompson LLP
503 South Pierre Street
PO Box 160
Pierre, SD 57501

RE: Docket TC04-003

Dear Mr. Koenecke:

On June 3, 2004, the Public Utilities Commission (Commission) received your supplemental filing in Docket TC04-003. Based on your entire filing, I have some additional questions. In your March 24, 2004 response to a Staff request for additional information, Midcontinent states that it "*currently* provides resold and unbundled services of Qwest Communications *in the ILEC's exchange areas*, and through its own facilities in Sioux Falls, Madison, Canton, Aberdeen, Redfield, and the Spring Creek area of Harrisburg. . . ."

However, according to Midcontinent's website, it is not currently offering telephone services in all of the exchanges listed on its supplemental filing dated June 3, 2004 (e.g. McIntosh, Timber Lake, Harrisburg, and Tea). Could you please clarify whether Midcontinent is currently offering telephone services in *each* of the exchanges that it is requesting ETC designation for? If Midcontinent does not currently offer the supported services in all of the requested exchanges, does it intend to in the near future?

In addition, according to FCC rules, the Commission may not designate a carrier as an ETC if the carrier offers the supported services "exclusively through the resale of another carrier's services." 47 C.F.R. § 54.201(i). Could you please clarify whether Midcontinent is offering telephone services exclusively through resale in any of the requested exchanges?

Finally, in your response to Staff, Midcontinent stated that a consumer can request "toll restriction." Under the FCC's rules, "toll limitation" generally denotes either toll blocking or toll control. 47 C.F.R. § 54.400(d). However, if a carrier is capable of providing both services then both toll blocking and toll control must be provided. *Id.* Please state whether Midcontinent will provide toll control, toll blocking, or both.

Sincerely,

A handwritten signature in black ink that reads "Rolayne Ailts Wiest". The signature is written in a cursive, flowing style.

Rolayne Ailts Wiest
Commission Attorney

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
BRETT KOENECKE

SINCE 1881
www.magt.com

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

TELEPHONE
605 224-8803

TELECOPIER
605 224-6289

e-mail
koenecke@magt.com

June 8, RECEIVED

JUN 09 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Rolayne Wiest
Public Utilities Commission
500 E. Capitol
Pierre, SD 57501

RE: Midcontinent Communications, Inc., ETC Request, Docket TC04-003
Our file: 0053

Dear Rolayne:

I am in receipt of your letter of June 3. In response I am advised that Midcontinent's web site lists the communities in which they have facilities but does not list the communities in which they offer service on a UNE-P basis. Further I am advised that the Midcontinent Services Offer include toll blocking and not toll control.

Very truly yours.

MAY, ADAM, GERDES & THOMPSON LLP



BRETT M. KOENECKE

BMK:njh

cc: Tom Simmons
Mary Lohnes

Kolbo, Delaine

From: Cremer, Karen
Sent: Thursday, June 17, 2004 2:14 PM
To: Wiest, Rolayne; Kolbo, Delaine
Subject: RE: TC04-003

Rolayne—did you want this in the docket?

-----Original Message-----

From: Brett Koenecke [mailto:KOENECKE@MAGT.COM]
Sent: Tuesday, June 15, 2004 2:05 PM
To: Karen.Cremer@state.sd.us; Rolayne.Wiest@state.sd.us
Subject: RE: TC04-003

There are no exchanges where services are exclusively through resold.

Brett Koenecke
May, Adam, Gerdes and Thompson, LLP
Box 160
Pierre SD 57501
605-224-8803 Phone
605-224-6289 Fax

-----Original Message-----

From: Karen.Cremer@state.sd.us [mailto:Karen.Cremer@state.sd.us]
Sent: Tuesday, June 15, 2004 1:24 PM
To: Brett Koenecke
Subject: TC04-003

Did you want this matter on the June 22 agenda? I didn't know if you were going to answer Rolayne's question about whether Midco is offering telephone services exclusively through resale in any of the exchanges (see June 3 letter). Just let me know-thanks.

Karen E. Cremer

Staff Attorney

Public Utilities Commission



Bob Sahr, Chair
Gary Hanson, Vice-Chair
Jim Burg, Commissioner

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June 29, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Irene Flannery
Universal Service Administrative Company
2000 L Street, NW - Suite 200
Washington, DC 20036

Re: Federal-State Joint Board on Universal Service, CC Docket No. 96-45

Dear Ms. Dortch and Ms. Flannery:

Pursuant to section 214(e)(2) of the Communications Act of 1934, as amended, and 47 C.F.R. section 54.201, the South Dakota Public Utilities Commission (SDPUC) has designated Midcontinent Communications as an Eligible Telecommunications Carrier (ETC). Midcontinent was designated as an ETC in South Dakota for certain service areas of Qwest Corporation, a nonrural carrier. The service areas are:

Aberdeen	Huron	Redfield
Bath	Lead	Renner
Belle Fourche	Madison	St. Lawrence
Big Stone City	McIntosh	Sioux Falls
Black Hawk	Milbank	Spearfish
Box Elder	Miller	Sturgis
Canton	Mina	Tea
Central City	Mitchell	Timber Lake
Deadwood	Piedmont	Warner
Ellsworth AFB	Pierre	Watertown
Ft. Pierre	Rapid City	West Ortonville
Harrisburg	Rapid Valley	

A copy of the order is enclosed.

If additional information is required, please do not hesitate to call.

Sincerely,


ROLAYNE AILTS WIEST
Commission Attorney

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
MIDCONTINENT COMMUNICATIONS FOR)	ELIGIBLE
DESIGNATION AS AN ELIGIBLE)	TELECOMMUNICATIONS
TELECOMMUNICATIONS CARRIER WITHIN)	DESIGNATION
QWEST SERVICE AREAS)	TC04-003

On January 8, 2004, the Public Utilities Commission (Commission) received a Petition for Eligible Telecommunications Carrier Designation within Qwest Service Areas from Midcontinent Communications (Midcontinent). Midcontinent sought designation as an eligible telecommunications carrier (ETC) for all Qwest Corporation (Qwest) f/k/a U S West Communications, Inc. service areas, except for 13 service areas which were listed in the Petition. On January 22, 2004, Midcontinent filed its Notice of Filing of ETC Petition on Qwest Corporation and Other Interested Carriers. Midcontinent filed a Motion to Amend Petition on March 24, 2004. The purpose of the amendment was to add two exchanges to the Qwest service areas that Midcontinent wanted excluded from its ETC designation. Midcontinent made a Supplemental Filing on June 3, 2004.

On January 15, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of January 30, 2004, to interested individuals and entities. No person or entity filed to intervene.

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. 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.

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).

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.

On March 24, 2004, Midcontinent filed a letter stating that Midcontinent will provide the following services to all of its customers in the Qwest service areas for which it seeks ETC designation:

1. Voice grade access to the public switched network;
2. Local exchange service, including an amount of local usage free of per minute charges under a flat-rated local service package;
3. Dual tone multi-frequency signaling;
4. Single party service;
5. Access to emergency services such as 911 or Enhanced 911 public services when such services are available;
6. Access to operator services;
7. Access to interexchange services;
8. Access to directory assistance; and
9. Toll block service to qualified low-income consumers.

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, Midcontinent stated that it will advertise the availability of its local exchange services in media of general distribution in the Qwest service areas for which it seeks ETC designation. Midcontinent stated it will offer the Lifeline and Link Up service discounts in the Qwest service areas for which it seeks ETC designation. Pursuant to its June 3, 2004, Supplemental Filing, Midcontinent requested ETC status in the following Qwest service areas:

Aberdeen	Huron	Redfield
Bath	Lead	Renner
Belle Fourche	Madison	St. Lawrence
Big Stone City	McIntosh	Sioux Falls
Black Hawk	Milbank	Spearfish
Box Elder	Miller	Sturgis
Canton	Mina	Tea
Central City	Mitchell	Timber Lake
Deadwood	Piedmont	Warner
Ellsworth AFB	Pierre	Watertown
Ft. Pierre	Rapid City	West Ortonville
Harrisburg	Rapid Valley	

At its June 22, 2004, meeting, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 214. The Commission finds that Midcontinent currently provides and will continue to provide the following services or functionalities throughout the Qwest service areas for which it seeks ETC designation: (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.

The Commission finds that Midcontinent intends to provide Lifeline and Link Up programs to qualifying customers throughout the Qwest service areas for which it seeks ETC designation consistent with state and federal rules and orders.

The Commission finds that Midcontinent 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 designates Midcontinent as an ETC for the Qwest service areas as listed above. It is therefore

ORDERED, that Midcontinent is designated as an ETC for the Qwest service areas as listed above; it is

FURTHER ORDERED, that Midcontinent shall follow the advertising requirements as listed above.

Dated at Pierre, South Dakota, this 29th day of June, 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><i>Rebecca Kalbo</i></u>
Date:	<u>6/29/04</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman *dk*

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner