

TC04-197

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September 15, 2004

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RECEIVED

SEP 15 2004

HAND DELIVERED

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

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: MIDCONTINENT COMMUNICATIONS
REQUEST FOR UNIVERSAL SERVICE SUPPORT CERTIFICATION
Our file: 0053

Dear Pam:

Enclosed are original and 10 copies of a Request for Certification on behalf on Midcontinent Communications for universal service support, which please file. Also enclosed is confidential Exhibit A. In compliance with ARSD 20:10:01:41, the general subject matter of the material is proprietary operating expense information for the company as a whole; confidentiality is requested for the entire length of time this matter is open for the Commission; the undersigned is the person to be contacted regarding this confidentiality request; confidentiality is requested because the information on Exhibit A constitutes proprietary and business confidential information; and the factual basis for the claim of confidentiality is that the information is in fact business confidential and its release to competitors would give them an unfair advantage.

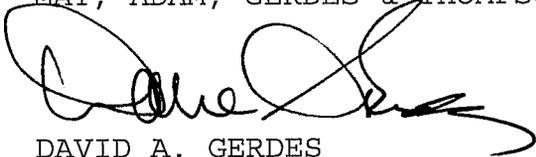
As indicated in the filing, Midcontinent requests that the Commission expedite this matter to permit approval prior to October 1, 2004.

Pam Bonrud
September 15, 2004
Page 2

If you or any member of staff has questions, please contact me or Mary Lohnes of Midcontinent. Thank you very much.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP

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

DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Mary Lohnes

P.S. THE ORIGINAL EXHIBIT B AFFIDAVIT WILL BE
FILED TOMORROW. A FAX COPY IS FILED TODAY.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF SOUTH DAKOTA

RECEIVED

SEP 15 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE REQUEST)
OF MIDCONTINENT COMMUNICATIONS,)
FOR CERTIFICATION REGARDING)
ITS USE OF FEDERAL UNIVERSAL)
SERVICE SUPPORT)

DOCKET NO. _____

REQUEST FOR
CERTIFICATION

Midcontinent Communications ("Midcontinent"), by and through its undersigned counsel submits this Request for Certification to the South Dakota Public Utilities Commission ("Commission") seeking certification from the Commission pursuant to 47 C.F.R. § 54.313. In support of this request, Midcontinent provides the following:

1. Midcontinent is a designated eligible telecommunications carrier providing service in Qwest service areas.

2. The purpose of this filing is to provide information indicating Midcontinent's intended use of federal universal service support and to otherwise verify that the Company will use all universal service support received in a manner that is consistent with the federal universal service provisions of 47 USC § 254.

3. Midcontinent as a designated eligible telecommunications carrier has not yet received federal universal service support, because it has first received this designation in calendar 2004.

Included in Confidential Exhibit A filed herewith, however, are estimated universal service amounts for calendar 2005.

4. Based on the foregoing information, the accompanying Exhibit A and Exhibit B, Affidavit of Thomas Simmons, Midcontinent requests that this Commission issue an appropriate certification to the FCC and USAC indicating that Midcontinent is in compliance with 47 U.S.C. § 254(e) and should receive all federal universal service support determined for distribution to the Company in 2005. In order to ensure that this certification is issued to the FCC prior to October 1, 2004, the Company requests the Commission to expedite the process that is initiated based on this filing.

Dated this 15th day of September, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for Midcontinent

P.O. Box 160

Pierre, South Dakota 57501-0160

Telephone: (605) 224-8803

Telefax: (605) 224-6289

EXHIBIT B

State of South Dakota)
)ss
County of Minnehaha)

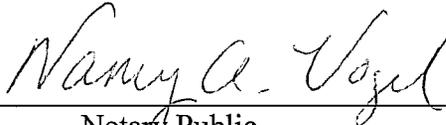
AFFIDAVIT

As an authorized representative of Midcontinent Communications, I, W. Tom Simmons hereby affirm familiarity with and an understanding of the requirements of the Federal Communications Act of 1934 as amended by the Telecommunications Act of 1996 with respect to the receipt of any federal universal service funds received as high-cost loop support, local switching support, safety net additive support, and/or safety valve support and hereby affirm that any such support amounts received by Midcontinent Communications will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended consistent with 47 U.S.C. §254(e).

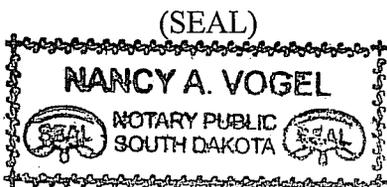


W. Tom Simmons

Subscribed and sworn to before me this ____ day of September, 2004.



Notary Public



Notary Print Name: NANCY A VOGEL
My Commission Expires:

**My Commission Expires
January 24, 2010**

CONFIDENTIAL

/

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September 16, 2004

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HAND DELIVERED

Public Utilities Commission
ATTN: Delaine
500 East Capitol Avenue
Pierre, South Dakota 57501

RE: MIDCONTINENT COMMUNICATIONS
REQUEST FOR UNIVERSAL SERVICE SUPPORT CERTIFICATION
Our file: 0053

Dear Delaine:

Thanks for pointing out that in our recently filed Request for Certification I had said Exhibit B was an affidavit signed by Nancy Vogel, when it was in fact signed by W. Tom Simmons. I have received the original affidavit and attached it to a corrected Request. I have enclosed 10 copies. Thank you for your assistance.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP



DAVID A. GERDES

DAG: (mw)

Enclosures

cc/enc: Mary Lohnes

**South Dakota Public Utilities Commission
WEEKLY FILINGS**

For the Period of September 9, 2004 through September 16, 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

EL04-027 **In the Matter of the Application of Black Hills Power, Inc. for an Order Authorizing it to Enter into Loan Agreements to Assume Liability of the Payment of Pollution Control Revenue Refunding Bonds Issued by Pennington County, South Dakota, Weston County, Wyoming and Campbell County, Wyoming.**

In 1977 and 1984, the South Dakota Public Utilities Commission approved applications by Black Hills Power, Inc. (BHP) allowing assumption of the obligation to pay principal, interest and premium due on bonds issued by Pennington County, South Dakota, Weston and Campbell Counties in Wyoming and the City of Gillette. The bond proceeds were used to pay for pollution control equipment on generating units located within the area of the issuer's jurisdiction. The initial bonds were subsequently refunded by BHP and new bonds were issued. In 1992, the Commission approved BHP's assumption of obligation under the new bonds. BHP now requests to refund the new bonds by entering into loan agreements to assume the liability for bonds to be issued by the above Counties which will be used to refund the bonds which were the subject of the Commission's 1992 Orders.

Staff Analyst: Dave Jacobson
Staff Attorney: Karen Cremer
Date Filed: 09/13/04
Intervention Deadline: 10/01/04

TELECOMMUNICATIONS

TC04-197 **In the Matter of the Request of Midcontinent Communications for Certification Regarding its Use of Federal Universal Service Support.**

On September 15, 2004, Midcontinent Communications provided information constituting Midcontinent Communications' plan for the use of its federal universal service support and to otherwise verify that Midcontinent Communications will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 09/15/04
Intervention Deadline: 09/24/04

**TC04-198 In the Matter of the Request of Farmers Mutual Telephone Company for
Certification Regarding its Use of Federal Universal Service Support.**

On September 16, 2004, Farmers Mutual Telephone Company (Farmers) provided information constituting Farmers' plan for the use of its federal universal service support and to otherwise verify that Farmers will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 09/16/04
Intervention Deadline: 09/24/04

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc>**



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

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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September 30, 2004

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street S.W., Room TW-A306
Washington, DC 20554

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

Ms. Irene Flannery
Universal Service Administrative Company
2000 L Street N.W., Suite 200
Washington, DC 20036

Re: CC Docket No. 96-45

Annual State Certification of Support for Rural Carriers and Non-Rural Carriers

Dear Ms. Dortch and Ms. Flannery:

The South Dakota Public Utilities Commission (Commission) hereby states that the following rural and non-rural incumbent local exchange carriers and/or eligible telecommunications carriers within its jurisdiction have been certified to receive support pursuant to 47 CFR §§ 54.301, 54.305, 54.307, and/or 54.309 and/or part 36, subpart F. The carriers listed below filed requests for certification with the Commission which support their affirmations that all federal high-cost support provided to them will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act.

The Commission has granted certification to the following rural incumbent local exchange carriers and/or eligible telecommunications carriers:

Dickey Rural Communications, Inc. (381611) (co. no. 1681)
Dickey Rural Telephone Cooperative (381611) (co. no. 1611)
Farmers Mutual Telephone Company (361389)
Hills Telephone Company, Inc. (Contingent upon completion of sale of exchanges by Sioux Valley Telephone Company to Hills Telephone - See enclosed order.)

The Commission has granted certification to the following non-rural eligible telecommunications carriers:

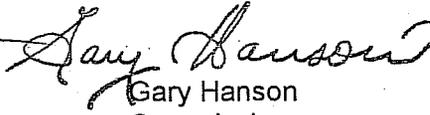
Black Hills FiberCom, L.L.C. (competitive ETC)
Midcontinent Communications (competitive ETC)

Enclosed are the Orders Granting Certification to the above-referenced rural and non-rural incumbent local exchange carriers and/or eligible telecommunications carriers. Should you have any questions, please do not hesitate to contact us for further information.

Sincerely,



Robert K. Sahr
Chairman



Gary Hanson
Commissioner



James A. Burg
Commissioner

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

IN THE MATTER OF THE REQUEST OF)	ORDER GRANTING
MIDCONTINENT COMMUNICATIONS FOR)	CERTIFICATION
CERTIFICATION REGARDING ITS USE OF)	
FEDERAL UNIVERSAL SERVICE SUPPORT)	TC04-197

On September 15, 2004, the South Dakota Public Utilities Commission (Commission) received a filing from Midcontinent Communications Corporation (Company) regarding its Request for Certification Regarding its Use of Federal Universal Service Support. The purpose of this filing was to provide information constituting Company's plan for the use of its federal universal service support and to otherwise verify that Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. As a part of its plan, Company listed estimates of the support it expected to receive from the Universal Service Administrative Company (USAC) as well as its estimated costs for the provision, maintenance, and upgrading of facilities and services. An Affidavit was attached to the Request for Certification.

Pursuant to 47 C.F.R. § 54.313, a state that desires an eligible telecommunications carrier serving lines within the service area of an incumbent non-rural carrier to receive future federal universal service support must file an annual certification with the Federal Communications Commission and USAC stating that federal high cost support provided to such carrier within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. This certification requirement applies to various categories of federal universal service support. Support provided under FCC rules will only be made available if the State Commission files the requisite certification pursuant to § 54.313.

On September 17, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of September 24, 2004, to interested individuals and entities. No parties sought intervention.

At its regularly scheduled meeting of September 30, 2004, 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. § 254. The Commission found that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to approve Company's Request for Certification Regarding Its Use of Federal Universal Service Support. It is therefore

ORDERED, that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and

services for which the support is intended. It is

FURTHER ORDERED, that the Commission approves Company's Request for Certification Regarding Its Use of Federal Universal Service Support.

Dated at Pierre, South Dakota, this 30th day of September, 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>Delvin Kalbo</i></u>
Date:	<u>9/30/04</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