



South Dakota Telecommunications Association
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Rural roots, global connections

September 16, 2005

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SEP 16 2005

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Ms. Pamela Bonrud, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Ave.
State Capitol Building
Pierre, SD 57501

RE: Docket TC05-161, Application of Midcontinent Communications for
Amended COA relating to the Wolsey Exchange

Dear Ms. Bonrud:

Attached for filing with the Commission in the above referenced docket are the original and ten (10) copies of a Petition to Intervene of the South Dakota Telecommunications Association.

You will also find attached to the Petition a certificate of service verifying service of this document, by mail, on counsel for Midcontinent Communications and counsel for Santel Communications, Inc.

Thank you for your assistance in filing and distributing these documents.

Sincerely,

Richard D. Coit
Executive Director and General Counsel
SDTA

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

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
MIDCONTINENT COMMUNICATIONS TO)
PROVIDE LOCAL EXCHANGE SERVICE IN A)
RURAL SERVICE AREA)
)
)

**DOCKET TC05-161
PETITION TO INTERVENE**

SDTA Petition for Intervention

The South Dakota Telecommunications Association ("SDTA") hereby petitions the Commission for intervention in the above captioned proceeding pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, SDTA states as follows:

1. Midcontinent Communications ("Midcontinent") has filed with the Commission an "Application for Amended Certificate of Authority" pursuant to ARSD §§ 20:10:32:03, 20:10:32:15 and 20:10:32:18, specifically, seeking authorization to provide local exchange services in the rural exchange of Wolsey, South Dakota. The Wolsey exchange is served by Santel Communications, Inc. ("Santel"), an incumbent rural telephone company that is a member of the SDTA.

2. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota as "rural telephone companies" as defined in 47 U.S.C. § 153(37).

3. A reading of the Midcontinent Application filed in this matter indicates that, presently, the company is intending to provide competitive local exchange services in the Wolsey exchange through the purchase and resale of Santel's local exchange service offerings. Reference to the resale of the services of Santel is made throughout the Application (see paragraphs 6, 9 and 11). Given this intent on the part of Midcontinent to rely on resale of the incumbent carrier services, issues of first impression with this Commission relating to the precise resale obligations of Santel, a rural telephone company, could arise. SDTA believes that any such issues, if addressed by the Commission in this proceeding, have the potential to affect the interests of other rural telephone company members of SDTA in future similar proceedings.

4. In addition, it is also indicated in paragraph 6 of the Application that Midcontinent is seeking a waiver of the additional service obligations imposed on competitive LECs entering rural service areas (see ARSD §§ 20:10:32:15 and 20:10:32:18). At the present time, it is SDTA's understanding that Santel has not yet determined its position with respect to the request by Midcontinent for a waiver of the established service obligations. Depending on the position taken by Santel, issues over the service obligations that should be imposed on Midcontinent as a condition of its entry into the Wolsey exchange could also be presented. Commission decisions on these issues could as well, in the future, affect other SDTA member companies.

5. SDTA seeks intervention in this proceeding based on the forgoing and also based on the direct interests of Santel, a present member of the Association.

Dated September 16th, 2005.

Respectfully submitted:

THE SOUTH DAKOTA
TELECOMMUNICATIONS ASSOCIATION

By: 

Richard D. Coit
Executive Director and General Counsel

CERTIFICATE OF SERVICE

I hereby certify that an original and ten (10) copies of the foregoing document were hand delivered on September 16th, 2005 to the South Dakota Public Utilities Commission, in care of:

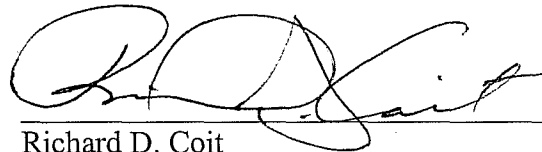
Pam Bonrud
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

A copy was sent by First Class Mail via US Postal Service to:

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