



221 East Hickory Street P.O. Box 3248 Mankato, MN 56002-3248

RECEIVED

JUL 03 2006

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

June 29, 2006

Ph: 507.387.1151

Fax: 507.625.4551

[www.hickorytech.com](http://www.hickorytech.com)

Nasdaq: HICO

Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

RE: In the Matter of a Petition by Heartland Telecommunications of Iowa d/b/a  
HickoryTech Docket No. \_\_\_\_ For a Waiver of ARSD §§ 20:10:32:52 – 20:10:32:54

Dear Ms. Van Gerpen:

Enclosed is one original and ten copies of a Petition by Heartland Telecommunications of Iowa d/b/a HickoryTech.

Please feel free to contact me at 507-386-3667 or via e-mail  
([carrie.rice@hickorytech.com](mailto:carrie.rice@hickorytech.com)) if there are any questions concerning this filing.

Very truly yours,

A handwritten signature in cursive script that reads 'Carrie Rice'.

HICKORYTECH

Carrie Rice  
Regulatory Affairs Administrator

**SOUTH DAKOTA  
PUBLIC UTILITIES COMMISSION**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

In the Matter of a Petition by Heartland Telecommunications of Iowa d/b/a HickoryTech For a Waiver of ARSD §§ 20:10:32:52 – 20:10:32:54	Docket No. _____
---	------------------

Pursuant to rule § 20:10:32:56 approved and adopted by the South Dakota Public Utilities Commission on June 6, 2007 in Docket No. RM-06-001, Heartland Telecommunications of Iowa d/b/a HickoryTech (“Heartland”) hereby seeks a waiver of the annual certification requirements for designated eligible telecommunications carriers as required by ARSD §§ 20:10:32:52, 20:10:32:53, 20:10:32:54.

In support of its petition, Heartland states:

1. Heartland was certified as an eligible telecommunications carrier (“ETC”) in its South Dakota service area by the South Dakota Public Utilities Commission on December 30, 1997 in Docket TC 97-195.
2. Heartland’s service area in South Dakota consists of West Akron and West Hawarden. These are rural portions of exchanges where the larger portion of the exchange and the central office is located in Iowa.
3. Heartland’s lines that are located in South Dakota comprise approximately 2% of the total access lines in its study area.
4. Heartland’s study area number is 351096. Heartland’s study area is comprised primarily of a geographic area contained within the state of Iowa, but also includes small portions of rural territory in South Dakota and Minnesota.

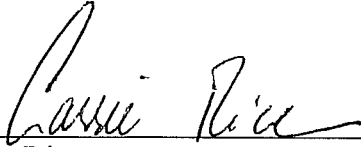
5. The Iowa Utilities Board currently has a rulemaking proceeding underway to determine the annual reporting and certification requirements for all carriers with ETC designation (RMU 06-1). Heartland will comply with the final order of the Board when it is issued.
6. For companies such as ours, who have a very small portion of their overall study area in South Dakota, the requirement of certifying the use of USF monies per the requirements of newly adopted ARSD §§ 20:10:32:52 – 20:10:32:54 is unduly burdensome and unnecessary for the commission in order for the Commission certify that we are using the federal high cost support for the uses it is intended.
7. In its Report and Order released March 17, 2005 in CC Docket N95-45, FCC 05-46, the FCC encourages states ...”to avoid duplicative or inapplicable reporting requirements.” The FCC further states, “Individual state commissions are uniquely qualified to determine what information is necessary to ensure that ETCs are complying with all applicable requirements, including state-specific ETC eligibility requirements.” (§71)
8. Because its study area is largely contained within the state of Iowa and because it will comply with the Iowa Utilities Board requirements for ETC certification, Heartland requests that it be allowed to file a copy of its Iowa ETC certification with the South Dakota Public Utilities Commission; and that the South Dakota Public Utilities Commission accept such filing as sufficient to make the determination as to include Heartland on the list of certified carriers it provides to the FCC on or before October 1 of each year.

9. Heartland requests that it be granted such a waiver from ARSD §§

20:10:32:52 – 20:10:32:54

Respectfully submitted this 29th day of June 2006,

HEARTLAND TELECOMMUNICATIONS OF IOWA d/b/a HickoryTech

A handwritten signature in cursive script, reading "Carrie Rice", written over a horizontal line.

Carrie Rice  
Regulatory Affairs Administrator  
221 E. Hickory Street  
Mankato, MN 56001  
507-386-3667