



South Dakota Telecommunications Association
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February 13, 2009

Mr. David Gerdes, Attorney
May, Adam Gerdes & Thompson, LLP
PO Box 160
Pierre, SD 57501

*Re: Docket No. TC08-105: In the Matter of the Application of Midcontinent
Communications to Provide Local Exchange Service in a Rural Service Area*

Dear Dave:

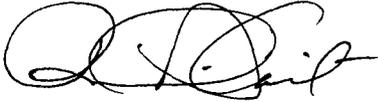
With this letter I would like to respond to your letter of February 9th. You are correct that SDTA had earlier agreed to not participate in any discovery in the above referenced proceeding. I have now fully reviewed both the letter/stipulation of October 6th attached to your letter and the Commission's "Order Granting Intervention" in this matter dated October 21, 2008. Based on these documents it is clear that I owe an apology to both you and your client for permitting the addition of SDTA's name to the discovery that was filed. When asked whether SDTA wanted to join in the data requests, I was out of the State attending an industry conference and, regrettably, forgot of the earlier stipulation agreeing to restrictions, including the restriction related to SDTA participation in discovery.

With respect to the filed Data Requests (First Set), I would concur with the statements of Ms. Moore offered in response to your letter. Although, SDTA is listed as a signing party on the discovery document, my participation and that of SDTA was limited to reviewing the data requests after they had been drafted by Ms. Moore. I had no discussions with her or anyone else during this drafting process. The initial drafting of the Data Requests was done completely by Ms. Moore, without any SDTA input, and even after having reviewed the draft, I offered only one suggestion and that was the addition of a question that would establish more clearly the actual interconnection services being requested by Midcontinent of Alliance. This single additional item, she addressed by drafting and adding Data Request 39.

Under the circumstances, while I could agree to the elimination of Data Request 39, I cannot agree to SDTA completely withdrawing from the Docket. Further, I would continue to oppose the position you continue to advocate, that SDTA is "simply a trade association" that does not meet either the statutory or administrative rule criteria for intervening party status. Our opposition to this position, concerning SDTA's rights to seek party status, was noted very

specifically in my letter to you of October 6th and is also reflected in the Commission's Order Granting Intervention of October 21st. The Order states specifically that "[t]he acceptance of these restrictions by SDTA may not be interpreted as any concession by SDTA concerning the challenge by Midcontinent of SDTA's interest in these proceedings or legal basis to request intervention in the proceeding."

Sincerely,

A handwritten signature in black ink, appearing to read "R. D. Coit", written in a cursive style.

Richard D. Coit
Executive Director and General Counsel
South Dakota Telecommunications Association

CC: Patty Van Gerpen, PUC Executive Director
Karen Cremer, Staff Attorney
Meredith Moore, Attorney