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Lindsey Riter-Rapp

Of Counsel:  
Robert D. Hofer

September 26, 2008

Ms. Patricia Van Gerpen  
Public Utilities Commission  
500 E. Capitol  
Pierre, SD 57501

Re: In the Matter of the Application of Native American Telecom,  
LLC for a Certificate of Authority to Provide Local Exchange  
Service on the Crow Creek Indian Reservation  
TC 08-110

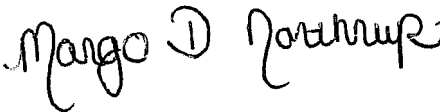
Dear Ms. Van Gerpen:

Enclosed herewith for filing please find Midstate Communications Petition to Intervene.

By copy of this letter I am providing electronic copies to the parties involved.

Sincerely yours,

RITER, ROGERS, WATTIER & NORTHRUP,  
LLP

By:   
for Darla Pollman Rogers

DPR-wb

Enclosure

Cc: All interested parties

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

IN THE MATTER OF THE APPLICATION )  
OF NATIVE AMERICAN TELECOM, LLC )  
FOR A CERTIFICATE OF AUTHORITY ) DOCKET NO. TC08-110  
TO PROVIDE LOCAL EXCHANGE )  
SERVICE ON THE CROW CREEK )  
INDIAN RESERVATION )

**MIDSTATE COMMUNICATIONS**

**PETITION TO INTERVENE**

Midstate Communications (Midstate), hereby petitions to intervene as a party in this matter pursuant to ARSD 20:10:01:15.02 and 20:10:32:04. In support of this Petition, Midstate states as follows:

1. In its Petition, Native American Telecom, LLC (Native Telecom) requests authority to provide local exchange service on the Crow Creek Indian reservation which may include Midstate’s service area.

2. Midstate is a telecommunications company that already holds a certificate of authority to provide local exchange service in the geographic area where Native Telecom seeks to provide local exchange service.

3. Midstate, by this petition, requests intervener status in this proceeding.

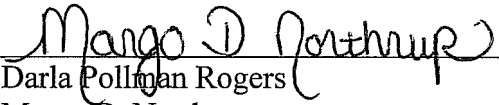
4. ARSD 20:10:32:04 provides that the Commission “shall, upon request, grant each of the already certified telecommunications companies intervener status in any commission proceeding held on the application”.

5. In addition, because Native Telecom’s Petition seeks certification for local exchange services within Midstate’s service territory, Midstate has an interest in and may be impacted by this proceeding.

6. Based on the foregoing, Midstate is an interested party in this matter entitled to intervening party status.

WHEREFORE, Midstate requests that the Commission grant its Petition and allow it to intervene and be granted party status in this proceeding.

Dated this 26 day of September, 2008.

  
\_\_\_\_\_  
Darla Pollman Rogers  
Margo D. Northrup  
Riter, Rogers, Wattier & Northrup, LLP  
319 S. Coteau – P.O. Box 280  
Pierre, South Dakota 57501  
605-224-5825

Attorneys for Midstate Communications

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of MIDSTATE COMMUNICATIONS PETITION TO INTERVENE was served via the method(s) indicated below, on the 26 day of September, 2008, addressed to:

Ms. Patricia Van Gerpen, Executive Director ( ) First Class Mail  
South Dakota Public Utilities Commission ( ) Hand Delivery  
500 East Capitol ( ) Facsimile  
Pierre, SD 57501 ( ) Overnight Delivery  
(X) E-Mail

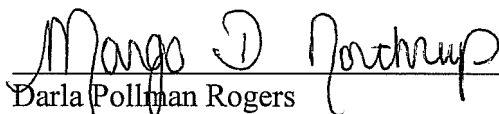
Ms. Karen E. Cremer, Attorney ( ) First Class Mail  
South Dakota Public Utilities Commission ( ) Hand Delivery  
500 East Capitol ( ) Facsimile  
Pierre, SD 57501 ( ) Overnight Delivery  
(y) E-Mail

Mr. Bob Knadle, Analyst ( ) First Class Mail  
South Dakota Public Utilities Commission ( ) Hand Delivery  
500 East Capitol ( ) Facsimile  
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Ms. Terri Labrie Baker, Analyst ( ) First Class Mail  
South Dakota Public Utilities Commission ( ) Hand Delivery  
500 East Capitol ( ) Facsimile  
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(y) E-Mail

Mr. Gene DeJordy (X) First Class Mail  
Native American Telecom LLC ( ) Hand Delivery  
6710 East Split Rock Circle ( ) Facsimile  
Sioux Falls, SD 57110 ( ) Overnight Delivery  
(V) E-Mail

Dated this 26 day of September, 2008.

  
\_\_\_\_\_  
Darla Pollman Rogers  
Margo D. Northrup