RICHARD A. CUTLER KENT R. CUTLER BRIAN J. DONAHOE *# STEVEN J. SARBACKER *+ IAYNA M. VOSS MICHAEL D. BORNITZ # TRENT A. SWANSON * RYAN I. TAYLOR ° KIMBERLY R. WASSINK MEREDITH A. MOORE DAVID L. EDWARDS NATHAN S. SCHOEN * ONNA B. DOMINIACK # NICHOLE MOHNING ROTHS * WILLIAM D. SIMS # **BOBBI L. THURY *** DANIEL J. DOYLE

CUTLER & DONAHOE, LLP ATTORNEYS AT LAW

Telephone (605) 335-4950 Fax (605) 335-4961

www.cutlerlawfirm.com

February 8, 2010

JEAN BROCKMUELLER, CPA (Inactive) BUSINESS MANAGER

*Also licensed to practice in Minnesota

in Minnesota #Also licensed to practice

in Iowa ‡Also licensed to practice

in Nebraska

+Also licensed to practice in Missouri

% Also licensed to practice in Kansas

†Admitted to practice in United States Tax Court

°Also licensed as a Certified Public Accountant

VIA EMAIL TO <u>PATTY.VANGERPEN@STATE.SD.US</u>

Ms. Patricia Van Gerpen South Dakota Public Utilities Commission Capitol Building, 1st Floor 500 East Capitol Avenue Pierre, SD 57501-5070

RE:

TC10-014

In the Matter of the Investigation of Pricing Regulation for Switched Access Services Provided by Competitive Local Exchange Carriers

Dear Ms. Van Gerpen:

Attached for filing in the above matter, please find the Petition to Intervene of SSTELECOM, Inc.

As indicated above, this document has been sent to you via electronic mail in PDF form. If you have any questions or concerns regarding this document, please do not hesitate to contact me.

Best regards.

Sincerely,

CUTLER & DONAHOE, LLP

Meredith A. Moore

For the Firm

MAM/cmc Attachment

cc:

Service List

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE INVESTIGATION OF PRICING REGULATION FOR SWITCHED ACCESS SERVICES PROVIDED BY COMPETITIVE LOCAL EXCHANGE CARRIERS.

TC10-014

PETITION TO INTERVENE OF SSTELECOM, INC.

COMES NOW, SSTELECOM, Inc. ("SSTELECOM"), by and through its undersigned counsel, and pursuant to A.R.S.D. 20:10:01:15.02, petitions this Commission for leave to intervene in the above-entitled proceeding.

IN SUPPORT THEREOF, Petitioner does state and declare as follows:

- 1. SSTELECOM is incorporated in South Dakota and is a wholly owned subsidiary of Stockholm-Strandburg Telephone Company (SSTC) which is a wholly owned subsidiary of Interstate Telecommunications Cooperative, Inc. (ITC). SSTELECOM is a South Dakota cooperative corporation headquartered in Clear Lake, South Dakota.
- 2. SSTELECOM is a competitive local exchange carrier ("CLEC") which provides local exchange service in certain Qwest exchange territories in South Dakota.
- 3. On January 27, 2010, this Commission issued an Order opening a docket for the purpose of investigating whether pricing regulation is appropriate for switched access services provided by CLECs.
- 4. SSTELECOM has a direct and substantial interest in these proceedings as this Commission's decision may, directly or indirectly, affect the quality or cost of telecommunications services provided by SSTELECOM to its customers.
- 5. Accordingly, SSTELECOM desires to intervene in order that it may receive pleadings and other documents, comment, present testimony, cross-examine witnesses and produce evidence either seeking to clarify or oppose certain positions taken by the parties to this docket, to the extent that such actions are required in the above-entitled proceeding.

CUTLER & DONAHOE, LLP

Attorneys at Law

Ryan J. Taylor Meredith A. Moore

100 N. Phillips Ave., Ste. 901

PO Box 1400

Sioux Falls, SD 57101-1400 Attorneys for SSTELECOM, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served electronically on the 8th day of February, 2010, upon the following:

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
patty.vangerpen@state.sd.us

Telephone: 605-773-3201

Ms. Karen E. Cremer Staff Attorney South Dakota Public Utilities Commission 500 East Capitol Pierre, SD 57501 karen.cremer@state.sd.us

Ms. Terri Labrie Baker Staff Analyst South Dakota Public Utilities Commission 500 East Capitol Pierre, SD 57501

terri.labriebaker@state.sd.us Telephone: 605-773-3201

Telephone: 605-773-3201

Mr. Richard B. Severy
Assistant General Counsel
Verizon
201 Spear Street, 9th Floor
San Francisco, CA 94105
richard.b.severy@verizonbusiness.com

Mr. Thomas F. Dixon Assistant General Counsel Verizon 707 17th Street, #4000 Denver, CO 80202

Telephone: 415-228-1121

thomas.f.dixon@verizon.com Telephone: 303-390-6206

Mr. David Gerdes

May, Adam Gerdes & Thompson, LLP

PO Box 160 Pierre, SD 5750 dag@magt.com

Telephone: 605-224-8803

Mr. James M. Cremer

Bantz, Gosch & Cremer, LLP

PO Box 970

Aberdeen, SD 57402-0970 jcremer@bantzlaw.com

Telephone: 605-225-2232

One of the attorneys for SSTELECOM, Inc.