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September 24, 2010

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

Re: In The Matter of the Petition of Cellco Partnership and its Subsidiaries and
Affiliates To Amend and Consolidate Eligible Telecommunications Carrier
Designations in the State of South Dakota and to Partially Relinquish ETC
Designation (TC10-090)

Dear Ms. Van Gerpen,

Enclosed for filing in the above stated docket, please find the Petition to Intervene on
behalf of South Dakota Telecommunications Association.

Very truly,

RITER, ROGERS, WATTIER &
NORTHROP, LLP

By: *Darla Pollman Rogers*
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DPR/dk

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Robert D. Hofer, Of Counsel

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

**IN THE MATTER OF THE PETITION OF)
CELLCO PARTNERSHIP AND ITS)
SUBSIDIARIES AND AFFILIATES TO)
AMEND AND CONSOLIDATE ELIGIBLE)
TELECOMMUNICATIONS CARRIER)
DESIGNATIONS IN THE STATE OF)
SOUTH DAKOTA AND TO PARTIALLY)
RELINQUISH ETC DESIGNATION)**

DOCKET TC10-090

**PETITION TO INTERVENE ON BEHALF OF SOUTH DAKOTA
TELECOMMUNICATIONS ASSOCIATION**

The South Dakota Telecommunications Association (“SDTA”) hereby petitions the South Dakota Public Utilities Commission (“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 thereof, SDTA states as follows:

1. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. On September 3, 2010, the Commission received a Petition from Cellco Partnership d/b/a Verizon Wireless (“Cellco”), on behalf of its subsidiaries and affiliates offering commercial mobile radio services (“CMRS”) in the State of South Dakota (collectively, “Verizon Wireless”), to amend and consolidate the eligible telecommunications carrier (“ETC”) designations currently held separately in the name of WWC License, LLC, successor to GCC License Corporation (“WWC”), and RCC Minnesota, Inc. (“RCC”) in the State of South Dakota (collectively, the “ETC Designations”) to reflect Cellco and its affiliated legal entities as the designated entity. Verizon Wireless further requested partial relinquishment of its ETC status in the Golden

West Telecommunications Cooperative, Inc. (“Golden West”) Study Area Code (“SAC”) 391659 to be deemed effective immediately.

3. SDTA seeks intervention in this proceeding based on the interests of all of the SDTA member companies that operate as incumbent local exchange carriers and “rural telephone companies” in the service areas that would be covered by the requested amended, partially relinquished, or consolidated ETC status. All of these SDTA member companies have the potential to be “bound and affected favorably or adversely” by decisions made in this proceeding. (See ARSD § 20:10:01:15.05). As is shown by Exhibit B of the Application, this filing affects many of the service areas currently served by SDTA members.

4. To our knowledge, Celco d/b/a Verizon Wireless has never applied for CETC status in any service areas within South Dakota. Prior to granting any competitive ETC designation, this Commission is required to undertake an analysis regarding whether the application is consistent with the public interest, convenience, and necessity. There are specific criteria at which the Commission must look pursuant to the established statutes and administrative rules, including benefits of increased consumer choice, the unique advantages and disadvantages of the applicant’s service offering, commitments made regarding the quality of the telephone service provided by the applicant, and the applicant’s ability to provide the supported services throughout the designated service area within a reasonable time frame. Further, the Commission must look at whether the designation of the applicant will have detrimental effects on the provision of universal service by the affected incumbent local exchange carriers. (See ARSD § 20:10:32:43.07).

This analysis was undoubtedly completed by the Commission in its review of the individual applications of WWC in TC98-146 and TC03-191 and RCC in TC03-193.

The decisions of the Commission were made based upon the specific factual situations presented in each of those dockets. Factual evidence was presented through separate hearings and specific Findings of Fact and Conclusions of Law were made based on a complete record.

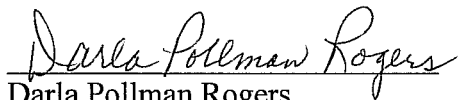
5. As is explained in the current Application, RCC and WWC now “operate and conduct business as Verizon Wireless”. In seeking merely an amendment to and consolidation of the existing ETC designations that were granted to WWC and RCC, Verizon Wireless is, in essence, asking for a simple transfer of these prior designations. Verizon Wireless has not to this point, in South Dakota, ever held ETC status in any incumbent LEC service area, but is now asking that it receive ETC status for a large portion of the State without having to follow the specific procedures and criteria that are applicable to competitive ETC designations under the South Dakota statutes and administrative rules. It is significant that the prior ETC designations were granted based on an analysis of the network and service capabilities of Alltel and RCC, and not based on a review of the co-existing Verizon Wireless network or the service capabilities of that company. In effect, Verizon Wireless is asking this Commission to transfer prior ETC designations that were granted for entirely separate wireless networks and which resulted in universal service support to customers served by those separate networks. This is being requested even though Verizon Wireless is not now, or will not in the future, be operating these networks given its divestiture of the Alltel network assets and customers to AT&T Communications.

6. It is the position of SDTA that Verizon Wireless, in order to properly receive ETC status, must follow the established process and that this Commission must complete a fresh analysis of the criteria in ARSD § 20:10:32:43 through ARSD § 20:10:32:55. In essence, the request of Verizon Wireless should be viewed and treated as a new ETC

Application because Verizon Wireless does not currently hold any ETC status in South Dakota and its specific network and service capabilities have never been examined for purposes of determining whether Verizon Wireless is able to meet the ETC service requirements and conditions that are established under the federal and state law.

7. Based on all the foregoing, SDTA alleges that it is an interested party in this matter and would seek intervening party status.

Respectfully submitted this 24th day of September, 2010.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Petition to Intervene, dated September 24th, 2010, filed in Commission Docket TC10-090 was served upon the Commission electronically, directed to the attention of:

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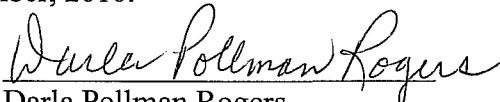
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Dated this 24th day of September, 2010.


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