

**BEFORE THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

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<b>IN THE MATTER OF THE REQUEST OF ) MIDSTATE TELECOM, INC. FOR ) CERTIFICATION REGARDING ITS USE ) OF FEDERAL UNIVERSAL SERVICE ) SUPPORT. )</b>	<b>ANNUAL ETC CERTIFICATION FILING</b>
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Midstate Telecom, Inc. (the "Company"), by and through its attorney, makes this filing to seek certification from the South Dakota Public Utilities Commission (the "Commission") as is required under 47 C.F.R. § 54.314 and to comply with the provisions of ARSD §§ 20:10:32:52 and 20:10:32:54 of the Commission's rules pertaining to eligible telecommunications carriers ("ETCs").

In accordance with 47 C.F.R. § 54.314, federal universal service support provided to carriers pursuant to 47 C.F.R. §§ 54.301, 54.305 and/or 54.307 and/or Part 36, Subpart F (high-cost loop support, local switching support, safety net additive support and safety valve support) will be made available only if the State Commission files the requisite annual certification with the FCC and USAC. The certification required specifically for rural carriers to receive federal universal service support for all four quarters during calendar year 2012 is currently due to be filed with the FCC and USAC on or before October 1, 2011. The certification may be presented to these entities in the form of a letter from the State Commission. The letter must identify which carriers in the State are eligible to receive federal support during the 12-month period and must certify that the carriers listed will only use the support for the provision, maintenance and upgrading of facilities and services for which the support is intended.

As part of its annual request to the Commission for certification, the Company provides the following information:

1. The Company is a rural telephone company that has previously been designated by this Commission as an ETC. The Company provides local exchange telephone services, including all of the essential services that are included in the federal definition of universal service, to approximately 1,159 access lines within its established rural service area in South Dakota.

2. The provisions of ARSD § 20:10:32:54 addressing the annual "Certification requirements" set forth by this Commission indicate in part that the ETC must show "how much universal service support was received." Accordingly, the Company's 2010 federal universal service receipts are reflected on Exhibit A hereto (presented as part of the Company's "Progress Report"). This same Exhibit also shows total expenditures of the Company in 2010 related to the provision, maintenance and upgrading of the facilities and services that are supported by federal

universal service funding. In addition, to the extent changes have occurred, to date, with respect to the Company's planned 2011 investments noted in last year's two-year plan, the changes are referenced in that Exhibit. Estimates of the expenditures to be made by the Company for calendar year 2012, related to the provision, maintenance, and upgrading of facilities and services supported by federal universal service, are provided on Exhibit B hereto as part of the Company's current Two-Year Plan. Consistent with federal universal service principles, the Company will use federal universal service amounts received in 2012 to offset a portion of these 2012 expenditures. This use of federal universal service support will enable the Company to: (1) maintain rates for its local exchange services that are affordable and reasonably comparable to rates being charged for the same services in urban areas; and (2) to upgrade its telecommunications facilities and equipment as necessary to meet evolving service requirements and maintain high quality service. The use of federal universal service support for these purposes is clearly consistent with the federal universal service provisions.

3. In addition to the information included in Exhibits A and B, the following information is provided to meet the Commission's "Certification requirements" set forth in § 20:10:32:54:

- During calendar year 2010, the Company experienced no service outages affecting at least 10 percent of its end user customers, for a period lasting longer than 30 minutes.
- The Company was able to provide service to all potential customers that requested service during 2010, and as of December 31, 2010 the Company had no unfulfilled requests for service.
- During 2010, the Company's customer service department received an estimated five complaints from consumers. None of these complaints were received by the Company more formally as written complaints or as complaints that needed to be resolved with the involvement of other Company representatives outside of the customer service department.
- Also attached as "Exhibit C" is a document containing other certifications, including those required under the provisions of ARSD §§ 20:10:32:54(6), 20:10:32:54(7), 20:10:32:54(8) and 20:10:32:54(9).

4. Based on all of the foregoing information, including the information provided on Exhibits A, B and C, the Company requests that this Commission issue an appropriate certification to the FCC and USAC indicating that Midstate Telecom, Inc. is in compliance with 47 U.S.C. § 254(e) and should receive all federal universal service support determined for distribution to the Company in 2011. In order to ensure that this certification is issued to the FCC prior to October 1, 2011, the Company would further ask the Commission to expedite the process that is initiated based on this filing.

Dated this 26<sup>th</sup> day of May 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan J. Taylor", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

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