

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF MIDCONTINENT COMMUNICATIONS
FOR AN AMENDED CERTIFICATE OF
AUTHORITY TO PROVIDE LOCAL
EXCHANGE SERVICE IN THE LENNOX
RURAL SERVICE AREA

TC 12-035

RESPONSE TO STAFF
DATA REQUEST

On April 27, 2012, Staff of the Commission requested, via email, clarification regarding the certain waivers sought by Midcontinent Communications (“Midcontinent”) in its Application for an Amended Certificate of Authority to allow Midcontinent to provide local exchange services within the rural exchange area of Lennox, SD service area. Specifically, Staff inquired whether Midcontinent was seeking a waiver of ARSD 20:10:32:18. In response, Midcontinent states:

1. Midcontinent seeks a waiver of the eligible telecommunications carrier service requirements pursuant to ARSD 20:10:32:18.
2. ARSD 20:10:32:15 requires Midcontinent, by seeking authority to provide local exchange service in the service area of a rural telephone company, to satisfy the service requirements imposed on eligible telecommunications carriers pursuant to 47 U.S.C. § 214(e)(1) and applicable federal regulations. That section further permits application for a waiver under ARSD 20:10:32:18.
3. Midcontinent is able to satisfy the local exchange service obligations provided in ARSD 20:10:32:10, as well as those provided in 47 U.S.C. § 214(e)(1). However, Midcontinent does not intend to apply for certification as an eligible telecommunications carrier in Lennox, SD. Further, to the extent that service of less than the entire study area of Knology requires a waiver, Midcontinent requests such a waiver.

4. Because Midcontinent can meet the service requirements as set forth in paragraph 3 above, granting a waiver to Midcontinent will not adversely impact universal service or quality of service and is, therefore, in the public interest.

WHEREFORE, Midcontinent respectfully requests that the Commission grant its Application for Amended COA.

Dated this 7th day of May, 2012.

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& SMITH, LLP

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Midcontinent Communications, hereby certifies that a true and correct copy of the foregoing Response to Staff Data Request was served by e-mail upon the following:

Knology Community Telephone
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Dated this 7th day of May, 2012

