

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

IN THE MATTER OF THE)	ORDER OPENING DOCKET;
CONSIDERATION OF ELIGIBLE)	ORDER SETTING COMMENT
TELECOMMUNICATIONS CARRIER)	DEADLINE
CERTIFICATION REQUIREMENTS)	
)	TC13-027

Comments of AT&T Corp.

In the above-captioned proceeding, the Public Utilities Commission of South Dakota has requested comments on whether to revise or waive any of its Eligible Telecommunications Carrier (“ETC”) annual reporting requirements, including its June 1, 2013 deadline, in light of the Federal Communications Commission (“FCC”)’s new annual reporting requirements. AT&T Corp. recommends that the Commission revise or waive its requirements to conform to the new federal requirements.

The South Dakota rules require that annual certification requirements be consistent with 47 CFR Sections 54.313 and 54.314 (**January 1, 2006**). ARSD 20:10:32:52. (Emphasis added) However, as the Commission is aware, 47 CFR Sections 54.313 and 54.314 were significantly changed in 2011.¹ For example, Phase 1 Mobility Fund recipients are no longer covered by Section 47 CFR Section 54.313 as indicated in subsection (k). The annual reporting requirements for Phase I Mobility Fund recipients are set forth in 47 CFR Section 54.1009. There are other differences between the 2006 and 2011 versions of the federal rules as well as differences between the new federal rules and the state rules. In the interest of efficiency and to eliminate any confusion, AT&T Corp. recommends that the Commission revise or waive its ETC reporting requirements to conform the annual state reporting requirements to the federal rules adopted in 2011 in the USF/ICC Transformation Order.²

¹ See *Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform-Mobility Fund; WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, GN Docket No. 09-51, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking*, 26 FCC Red 17663 (2011) (USF/ICC Transformation Order), *pets. for review pending sub nom. In re: FCC 11-161, No.11-9900 (10th Cir. filed Dec. 8, 2011)*.

² *In order to make permanent the necessary changes to the state rules, AT&T Corp. recommends that the Commission initiate a rule-making on this issue.*

Dated this 16th day of April, 2013.

electronically filed
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent electronically to the following on the 16TH day of April, 2013:

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