

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

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In the Matter of the Application of Native American Telecom, LLC for Approval of Revisions to its Access Service Tariff No. 2 )	) Docket No. TC15-059
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**CENTURYLINK COMMUNICATIONS, LLC'S PETITION TO INTERVENE**

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CenturyLink Communications, LLC, a Delaware Limited Liability Company, doing business as CenturyLink (CenturyLink), through counsel and pursuant to ARSD 20:10:01:15.02, .03, and .05, hereby petitions this Commission to grant CenturyLink intervention as a party in this Docket. As grounds, CenturyLink states as follows:

1. On July 30, 2015, Native American Telecom, LLC (NAT), submitted tariff pages to its Access Service Tariff No. 2 which revises terminating access rates.

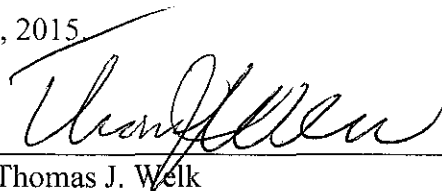
2. Pursuant to ARSD 20:10:01:15:05, which obligates a petitioner to state its position in the proceeding, CenturyLink states that it is an interexchange carrier and either directly or indirectly pays access charges to NAT. Federal law requires that state access tariffs impose the same rates as are contained in federal tariffs. CenturyLink is concerned that certain provisions contained in NAT's tariff could be applied to violate this requirement.

3.. Accordingly, to the extent NAT applies unlawful rates through its revised tariff pages to its Access Service Tariff No. 2, CenturyLink "will be bound and affected ... adversely with respect to an interest peculiar to the petitioner as distinguished from an interest common to the public or to the taxpayers in general," as provided in ARSD 20:10:01:15:05.

5. Also, NAT's revision to Section 3.8.1, Entrance Facilities/Direct-Trunked Transport, sets direct-trunked transport rates on an Individual Case Basis (ICB). Under the FCC's *USF/ICC Transformation Order*,<sup>1</sup> direct-trunked transport rates are capped at interstate levels. This section appears to conflict with the FCC's *USF/ICC Transformation Order*. In addition, NAT removed the definition for direct-trunked transport in Section 1 of its tariff so it is no longer a defined term.

For these reasons, CenturyLink respectfully requests the Commission to grant CenturyLink's petition to intervene as a party in this docket.

Dated this 20<sup>th</sup> day of August, 2015.



Thomas J. Welk  
Jason R. Sutton  
BOYCE LAW FIRM, LLP  
300 S. Main Avenue  
Sioux Falls, SD 57117-5015  
Tel.: 605.336.2424  
Fax: 605.334.0618  
Email: tjwelk@boycelaw.com  
jrsutton@boycelaw.com

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<sup>1</sup> *USF/ICC Transformation Order*, ¶ 801.