

BEFORE THE STATE OF SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION

In the Matter of

Docket Nos. TC 16-009

Application of Clarity Telecom, LLC)
d/b/a Vast Broadband for an Amended)
Certificate of Authority to Provide)
Local Exchange Telecommunications)
Services in the Brookings Rural)
Service Area)

**MCC TELEPHONY OF THE
MIDWEST, INC. d/b/a
MEDIACOM'S PETITION FOR
INTERVENTION**

COMES NOW, MCC Telephony of the Midwest, Inc. d/b/a Mediacom (“Mediacom”), by and through its counsel, and pursuant to A.R.S.D. § 20:10:32:04 and 20:10:01:15:02, files this Petition for Intervention, and in support thereof states as follows:

1. Mediacom is a telecommunication company that currently holds a Certificate of Authority to provide local exchange service in the geographic area where Clarity Telecom, LLC (“Clarity”) has sought to provide local exchange service.

2. Clarity’s Application for an Amended Certificate of Authority is subject to A.R.S.D. § 20:10:32:04. As such, Clarity was required to provide notice of its application to Mediacom.

3. Clarity failed to provide notice pursuant to A.R.S.D. § 20:10:32:04 and, therefore, Mediacom requests intervention at this time even though the deadline for intervention under A.R.S.D. § 20:10:01:15:02 set at the time of the filing has since passed.

4. A.R.S.D. § 20:10:32:04 provides intervention as a matter of right to Mediacom since Mediacom is currently providing local exchange services in this geographic area.

5. As a provider doing business in the Brookings market, Mediacom is an interested party in this proceeding.

WHEREFORE, Mediacom respectfully requests that the Commission grant it status as an Intervenor in this matter and, as such, that Mediacom be allowed to participate in this matter as provided under the South Dakota Public Utilities Commission rules and state and federal laws.

Dated: July 27, 2016.

ATTORNEYS FOR MCC TELEPHONY OF THE
MIDWEST, INC. d/b/a MEDIACOM

By: /s/ Talbot J. Wiczorek

Talbot J. Wiczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
506 Sixth Street
P.O. Box 8045
Rapid City, SD 57709
Telephone: (605) 342-1078
Telefax: (605) 342-9503
E-mail: tjw@gpnlaw.com