

**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 AND FOR A WAIVER OF )  
ARSD 20:10:32:15 )

DOCKET NO. TC17-005

**Valley Telecommunications Cooperative Association's Petition to Intervene**

Valley Telecommunications Cooperative Association, Inc. ("Valley"), by and through its undersigned counsel, and pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:02:15.03, and 20:10:01:15.05, petitions this Commission for leave to intervene in the above entitled proceeding.

IN SUPPORT THEREOF, Petitioner states and declares as follows:

1. Valley is a South Dakota cooperative corporation headquartered in Herreid, South Dakota. Valley is an incumbent local exchange carrier ("ILEC") presently operating nine (9) local telephone exchanges serving approximately 2,831 access lines in the State of South Dakota. Valley is also a "rural telephone company" as defined in 47 U.S.C. 153(37) and SDCL 49-31-1(22).

2. On February 10, 2017, Midcontinent Communications ("Midcontinent") filed an Amended Application with this Commission seeking to amend its certificate of authority to provide competitive local exchange service in the rural exchange area of Ipswich, South Dakota (the "Application"), an exchange area served by and existing within the rural service area of Valley.

3. The Application was received by Valley on or about February 10, 2017. Valley is the incumbent local exchange carrier in the Ipswich rural exchange area. Pursuant to the provisions of each of SDCL 1-26-17.1, 49-31-70, ARSD 20:10:01:15.02, 20:10:01:15.05, and 20:10:32:04, Valley is entitled to “Intervener Status” in the above entitled proceeding.

4. In its Application, Midcontinent alleges that it is able to satisfy the local exchange service obligations of an eligible telecommunications carrier under 47 U.S.C. 214(e)(1) as required by 20:10:32:10, and should therefore be granted authorization to provide service in the rural area of Ipswich. See Petition at page 4<sup>1</sup>. However, Valley does not currently have sufficient information to conclude that all of these requirements are satisfied.

5. Pursuant to 47 C.F.R. 54.101(a) and (b), SDCL 49-31-73, SDCL 49-31-75, and ARSD 20:10:32:15 this Commission is vested with the authority to grant or deny Midcontinent’s Application.

6. Valley has a direct and substantial interest in this proceeding as this Commission’s decision may, directly or indirectly, affect the quality or cost of telecommunications services proved by Valley to its customers. Valley is the certified telecommunications company in the geographic area of Ipswich and is thus entitled to intervenor status, upon request.

7. Valley hereby requests intervention in this docket. Valley desires to intervene in order that it may fully review the application, receive documents, comment, present testimony, cross-examine witnesses and produce evidence either seeking to clarify or oppose Midcontinent’s Application, to the extent that such actions are required in the above entitled

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<sup>1</sup> The pages of the Application are not numbered, but Midcontinent’s allegations with regard to 47 U.S.C 214(e)(1) as required by ARSD 20:10:32:15 are contained in Paragraph 8 of the Petition, page 4.

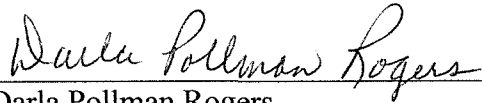
proceeding. Valley seeks to make certain that Midcontinent's Application fully complies with all legal requirements and Commission orders.

WHEREFORE, Valley respectfully requests that the Commission grant as follows:

A. Valley's Petition to Intervene in the above entitled proceeding with full rights to participate as a formal party; and

B. Such other relief as the Commission may deem proper.

Dated this 28<sup>th</sup> day of February, 2017.



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