

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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In the Matter of the Petition for a	)	
Declaratory Ruling Determining	)	Docket No. TC17-063
Responsibility for Rural Carrier	)	
Interconnection to the	)	Petition to Intervene
Next Generation 9-1-1 System	)	

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**Petition to Intervene of NextGen Communications, Inc.**

NextGen Communications, Inc. ("NextGen") hereby petitions the Public Utilities Commission of the State of South Dakota ("Commission") for intervention in the above captioned proceeding pursuant to SDCL 1-2617.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, NextGen states as follows:

1. NextGen is an incorporated organization duly registered in South Dakota.
2. On December 23, 2015, in file TC15-062, the Commission granted NextGen a Certificate of Authority to operate in South Dakota.
3. Effective December 18, 2014, NextGen was contracted by the Department of Public Safety to design and maintain an NG911 system for South Dakota, and has proceeded under this contract since that time.
4. On October 27, 2018, pursuant to ARSD 20:10:01:34, the South Dakota 911 Coordination Board ("Board"), which is administratively attached to the Department of Public Safety, petitioned the Commission to issue the instant declaratory ruling ("Petition").
5. In its Petition, the Board cites the critical unique and material interest of NextGen, "The Board requests that the Commission rule as to whether it is NextGen or the rural carriers comprising SDTA that has the responsibility to transport 911 traffic between the rural carriers' service areas and NextGen's centralized points of interconnection."

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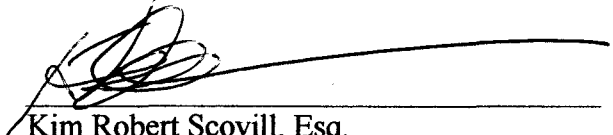
6. ARSD § 20:10:01:15.05 states that the Commission will grant an intervention petition if, “. . . by the outcome of the proceeding the petitioner will be bound and affected either favorably or adversely with respect to an interest peculiar to the petitioner . . .”

7. As evidenced by the Board’s Petition, the outcome of this matter will directly and uniquely impact NexGen in satisfaction of the condition stated in ARSD § 20:10:01:15.05.

8. Based on the foregoing, NextGen alleges that it is an interested party in this matter and seeks intervening party status.

Dated this 30<sup>th</sup> day of October 2017.

Respectfully Submitted,



Kim Robert Scovill, Esq.  
Vice President Legal and Regulatory, and  
Assistant Treasurer  
NextGen Communications, Inc.  
275 West Street  
Annapolis, MD 21401

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**CERTIFICATE OF SERVICE**

I hereby certify that an original of the Petition for Intervention, dated October 30, 2018, filed in PUC Docket TC17-063, was served upon the PUC electronically, directed to the attention of:

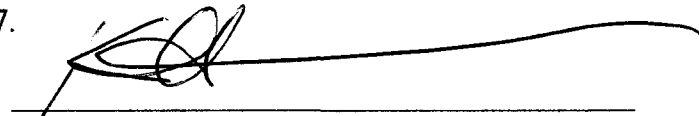
Ms. Patricia Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501  
[patty.vangerpen@state.sd.us](mailto:patty.vangerpen@state.sd.us)

A copy was also sent by e-mail to each of the following individuals:

Mr. Russell Frisby, Attorney Stinson, Leonard, Street LLP Ste. 800 1175 Pennsylvania Ave. NW Washington, DC 20006-4605 <a href="mailto:Russell.frisbey@stinsonleonard.com">Russell.frisbey@stinsonleonard.com</a>	Jenna E. Howell, Special Assistant Attorney General Attorney- South Dakota Dept. of Public Safety 118 West Capitol Avenue Pierre, SD 57501 <a href="mailto:jenna.howell@state.sd.us">jenna.howell@state.sd.us</a>
Richard D. Coit, General Counsel SD Telecommunications Association PO Box 57 320 East Capitol Avenue Pierre, SD 57501-0057 <a href="mailto:richcoit@sdtaonline.com">richcoit@sdtaonline.com</a>	Ms. Amanda Reiss Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 <a href="mailto:amanda.reiss@state.sd.us">amanda.reiss@state.sd.us</a>
Ms. Kristen Edwards Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 <a href="mailto:Kristen.edwards@state.sd.us">Kristen.edwards@state.sd.us</a>	Mr. Joseph Rezac Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 <a href="mailto:joseph.rezac@state.sd.us">joseph.rezac@state.sd.us</a>
Mr. Patrick Steffensen Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 <a href="mailto:patrick.steffensen@state.sd.us">patrick.steffensen@state.sd.us</a>	

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Dated this 30<sup>th</sup> day of October 2017.



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Vice President Legal and Regulatory, and Assistant Treasurer  
NextGen Communications, Inc.  
275 West Street  
Annapolis, MD 21401  
[kim.scovill@comtechtel.com](mailto:kim.scovill@comtechtel.com)