



319 South Coteau Street
P.O. Box 280
Pierre, SD 57501

Phone: 605-224-5825
Fax: 605-224-7102
www.riterlaw.com

September 27, 2018

Ms. Patricia Van Gerpen
SD Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

Re: NextGen Communications, Inc's Request for Interconnection with Valley
Telecommunications Cooperative Association, Inc. 2018 Info TC 133

Dear Ms. Van Gerpen:

Attached for electronic filing, please find Valley Telecommunications Cooperative Association's Response to NextGen's bona fide request.

If you have any questions, please contact me.

Very truly yours,

RITER, ROGERS, WATTIER &
NORTHRUP, LLP

By: 

Darla Pollman Rogers

DPR-wb

cc: Valley Telecommunications Cooperative Association, Inc.
Kara Semmler

Robert C. Riter, Jr
Margo D. Northrup

Darla Pollman Rogers
Lindsey Riter-Rapp
A. Jason Rumpca, Associate

Jerry L. Wattier
Kody R. Kyriss, Associate



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September 27, 2018

Kara Semmler
May, Adam, Gerdes & Thompson LLP
PO Box 160
Pierre, SD 57501

Re: NextGen Communications, Inc's Request for Interconnection with Valley
Telecommunications Cooperative Association, Inc. 2018 Info TC 133

Dear Ms. Semmler:

On September 17, 2018, Valley Telecommunications Cooperative Association, Inc. ("Valley") received a letter from NextGen Communications, Inc ("NextGen") purporting to serve as a "formal Bona Fide Request" by NextGen to initiate negotiations for an interconnection agreement with Valley "pursuant to Section 251 of the Communications Act (47 U.S.C § 251) and the South Dakota Administrative Code Section 20:10:32:37 (SDLRC (sic) 20:10:32:37)." The request fails to designate under which subdivision of Section 251 the request is made.

At this time, it is not Valley's position that the request is not a bona fide request. Valley does, however, seek clarification from NextGen and the Commission that its request for interconnection is a request made pursuant to 47 U.S.C. § 251(c) and SDCL § 49-31-79 and, as such, is subject to the rural "exemption" review process set forth in 47 U.S.C. § 251(f)(1) and/or the "suspension or modification" procedures available to rural carriers under 47 U.S.C. § 251(f)(2).

If you have any questions, please contact me.

Very truly yours,

RITER, ROGERS, WATTIER &
NORTHTRUP, LLP

By: 

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