

interconnection agreements and/or other agreements with other service providers as permitted under the federal Telecommunications Act of 1996, 47 U.S.C. § 251(c).”

4. In general, SDTA does not oppose the granting of the Certificate of Authority requested by Vesta in this Docket provided that the Commission makes the necessary findings to justify granting the Certificate and provided that any final order issued by the Commission is consistent with and recognizes the terms set forth herein.

5. Vesta notes in its Application that it proposes to serve the entire State of South Dakota and thus seeks a statewide certification from this Commission. Regarding the geographic scope of any certificate granted to Vesta in this proceeding, SDTA does not oppose a certification extending to all areas of the State, provided that the certification is appropriately limited to cover only those specific telecommunications services that are necessary for Vesta to provision its 9-1-1 emergency services, including the NG9-1-1 related services as described in its Application. Vesta agrees that its certification should be so limited and affirms that it does not intend to provide in South Dakota any retail “telephone exchange services” to either residential or business end user customers or to provide any wholesale “exchange access services” to other carriers or service providers (as such terms are defined under 47 U.S.C. § 153). Vesta also agrees that if at any time in the future it chooses to provide these additional services within any rural telephone company service area in South Dakota, it will come back before the Commission with an amended application seeking additional local exchange service authority. This further proceeding would give the Commission the ability to consider and determine whether or not it should apply the rural safeguard protections provided by 47 U.S.C. § 253(f), SDCL § 49-31-73 and ARSD §§ 20:10:32:15 through 20:10:32:17 within any rural telephone company service area affected by the amended application.

6. Vesta as part of its Application has requested a waiver of the service obligations imposed on providers of local exchange services in South Dakota pursuant to ARSD 20:10:32:10. SDTA does not object to this waiver request and agrees that the Commission should grant such waiver to the extent the service requirements/obligations listed are not related to Vesta’s provisioning of 9-1-1 emergency services.

7. With the submission of this Joint Stipulation, the Parties request that the Commission approve the requested certification(s), subject to the agreed-upon limitations set forth herein.

IN WITNESS WHEREOF, the undersigned have caused this Joint Stipulation to be
duly executed as of the date hereof.

South Dakota Telecommunications Association

Signature:  _____

Name: Richard D. Coit

Title: Executive Director and General Counsel

Date: 3/27/2019

Vesta Solutions, Inc.

Signature:  _____

Name: Paula Pileggi

Title: Assistant Secretary

Date: 3-26-19