

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)
LEVEL 3 COMMUNICATIONS, LLC FOR)
APPROVAL TO EXPAND ITS CERTIFICATE OF)
AUTHORITY TO PROVIDE FACILITIES-BASED)
LOCAL EXCHANGE SERVICES IN THE)
SERVICE TERRITORY OF BERESFORD)
MUNICIPAL TELEPHONE CO.)

ORDER GRANTING LATE
FILED INTERVENTION

TC02-018

On February 19, 2002, the Public Utilities Commission (Commission) received an Application from Level 3 Communications, LLC (Level 3) for approval to expand its certificate of authority to provide local exchange services in the service territory of Beresford Municipal Telephone Co.

On February 21, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of March 8, 2002, to interested individuals and entities. Beresford Municipal Telephone Co. (Beresford) filed a Petition to Intervene on March 4, 2002. At a regularly scheduled meeting of March 28, 2002, the Commission granted intervention to Beresford. On May 9, 2002, the Commission received a Petition for Late Intervention from the South Dakota Telecommunications Association (SDTA).

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05.

At a regularly scheduled meeting of May 30, 2002, the Commission found that the Petition for Late Intervention shall be granted. It is therefore

ORDERED, that the Petition for Late Intervention of SDTA is hereby granted.

Dated at Pierre, South Dakota, this 7th day of June, 2002.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Helaine Kolbs</i></u>
Date: <u>6/10/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner