

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

<b>IN THE MATTER OF THE PETITION OF WEST )</b>	<b>ORDER GRANTING</b>
<b>RIVER COOPERATIVE TELEPHONE )</b>	<b>MOTION TO WITHDRAW</b>
<b>COMPANY FOR SUSPENSION OR )</b>	<b>INTERVENTION</b>
<b>MODIFICATION OF 47 U.S.C. § 251(b)(2) OF )</b>	
<b>THE COMMUNICATIONS ACT OF 1934 AS )</b>	<b>TC04-061</b>
<b>AMENDED )</b>	

On March 17, 2004, West River Cooperative Telephone Company (West River) filed a petition seeking suspension or modification of its requirement to implement local number portability (LNP) pursuant to Section 251(b)(2) of the Telecommunications Act of 1996. According to West River, it has received a request to deploy LNP from Verizon Wireless. West River states that it is a small telephone company that serves less than two percent of the nation's subscriber lines installed in the aggregate nationwide, therefore under Section 251(f)(2) West River may petition the Commission for suspension or modification of its obligation to implement LNP within six months of a request to deploy LNP. West River "requests the Commission to (1) issue an interim order that suspends any obligation that may exist for West River to provide LNP until six months after entry of a final order herein; (2) issue a final order that grants a permanent suspension for West River's obligation to implement LNP until conditions are met as described herein; and (3) grant West River such other and further relief that may be proper."

On March 18, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of April 2, 2004, to interested individuals and entities. Midcontinent Communications (Midcontinent) filed to intervene on March 24, 2004, WWC License LLC d/b/a CellularOne (Western Wireless) filed to intervene on March 30, 2004, and the South Dakota Telecommunications Association (SDTA) filed to intervene on March 31, 2004. At its regularly scheduled meeting of April 6, 2004, the Commission granted the Petitions to Intervene. On May 25, 2004, the Commission received a Motion to Withdraw Intervention from Midcontinent.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31, including 1-26-18, 1-26-19, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-78, 49-31-81; ARSD 20:10:32:42 through 20:10:32:46, inclusive; and 47 U.S.C. § 214(e)(1) through (5).

At its June 8, 2004, meeting, the Commission considered this motion. The Commission voted to grant the Motion to Withdraw Intervention. It is therefore

ORDERED, that the Motion to Withdraw Intervention is granted.

Dated at Pierre, South Dakota, this 11th day of June, 2004.

**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: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

\_\_\_\_\_  
ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner