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

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| IN THE MATTER OF THE PETITION OF     | ) | STIPULATION         |
|--------------------------------------|---|---------------------|
| CHEYENNE RIVER SIOUX TRIBE TELEPHONE | ) |                     |
| AUTHORITY FOR SUSPENSION             | ) | •                   |
| OF INTERMODAL LOCAL NUMBER           | ) |                     |
| PORTABILITY OBLIGATIONS              | ) | Docket No. TC04-085 |

This stipulation is made and entered into by and between the following parties through their attorneys of record:

Petitioner:

Cheyenne River Sioux Telephone Authority (hereinafter "CRST")

Darla Pollman Rogers

Riter, Rogers, Wattier & Brown

Intervenors:

WWC License LLC (hereinafter "WW")

Talbot J. Wieczorek

Gunderson, Palmer, Goodsell & Nelson, LLP

The above named parties orally presented the following stipulation to the Commission on June 30, 2004, and hereby request that the Commission adopt the stipulation for the purposes set forth herein. Wherefore, the parties hereby stipulate and agree as follows:

- 1. <u>LNP Compliance</u>. CRST shall be LNP capable by October 1, 2004, for all CRST customers. The Parties request that the Commission grant a suspension of Section 251(b)(2) to CRST until October 1, 2004.
- 2. <u>Use of Interconnection</u>. The Parties agree that CRST shall deliver calls to numbers ported to a wireless carrier as local calls only when the wireless carrier establishes a direct connection with CRST. CRST shall use WW's existing point(s) of interconnection in Eagle Butte, for originating traffic from CRST landline customers to numbers that have been ported from CRST to WW.
- 3. <u>Numbering resources.</u> Porting carriers may only port active numbers from CRST and will return disconnected numbers within a reasonable time.
- 4. <u>Non-intervenors.</u> CRST shall offer the same terms and conditions as contained in Paragraph 2 to any other wireless carrier requesting LNP. If such other wireless carrier rejects such terms, CRST or the rejecting wireless carrier shall have the right to petition the Commission for modification of the Order entered pursuant to this Stipulation to seek relief or modification from the terms of Paragraphs 1 and 2 of this Stipulation.

5. <u>Modification</u>. Should CRST and WW in the future determine to route traffic in a different manner, the parties may, upon mutual agreement, provide for transport of ported numbers using existing or new facilities.

RITER, ROGERS, WATTIER & BROWN

Dated: 8/16/04

Darla Pollman Rogers
Attorney for CRST

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GUNDERSON, PALMER, GOODSELL &

NELSON, LLP

Dated: 7/21/04

Talbot J. Wieczorek

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