

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

IN THE MATTER OF THE APPLICATION OF)
MCC TELEPHONY OF THE MIDWEST, INC.)
D/B/A MEDIACOM FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES AND)
LOCAL EXCHANGE SERVICES IN SOUTH)
DAKOTA)

ORDER DENYING
INTERVENTION

TC06-046

On May 12, 2006, the Public Utilities Commission (Commission) received an application for a certificate of authority from MCC Telephony of the Midwest, Inc. d/b/a Mediacom (Mediacom).

On May 18, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of June 2, 2006, to interested individuals and entities. On June 1, 2006, the Commission received a Petition to Intervene from Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel).

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 June 13, 2006, the Commission considered this matter. The Commission found that the Petition to Intervene should be denied on the grounds that Mediacom is not seeking in this filing to provide service in Swiftel's service area. It is therefore

ORDERED, that the Petition to Intervene of Swiftel is hereby denied.

Dated at Pierre, South Dakota, this 21st day of June, 2006.

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>Debra K. Kolbo</u>
Date: <u>6/23/06</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner