

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

IN THE MATTER OF THE FILING BY )	ORDER GRANTING
SSTELECOM, INC. FOR DESIGNATION AS AN )	ELIGIBLE
ELIGIBLE TELECOMMUNICATIONS CARRIER )	TELECOMMUNICATIONS
WITHIN THE QWEST EXCHANGE OF )	DESIGNATION; ORDER
MILBANK )	GRANTING CERTIFICATION
)	TC06-141

On August 9, 2006, the Public Utilities Commission (Commission) received a petition from SSTELECOM, Inc. (SST) for designation as an eligible telecommunications carrier (ETC) for the Milbank, South Dakota exchange. Qwest Corporation (Qwest) is the incumbent non-rural ETC currently serving the Milbank service area.

On August 10, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of August 25, 2006, to interested individual and entities. No Petitions to Intervene were filed.

Pursuant to 47 U.S.C. section 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission. Pursuant to section 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

The Federal Communications Commission (FCC) has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a). As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

SST stated in its Petition that it will provide the following services to all of its customers in the Milbank service area for which it seeks ETC designation:

1. Voice grade access to the public switched network;

2. Local exchange service, including unlimited local usage under a flat-rated local service package;
3. Dual tone multi-frequency signaling;
4. Single party service;
5. Access to emergency services such as 911 or Enhanced 911 public services when such services are available;
6. Access to operator services;
7. Access to interexchange services;
8. Access to directory assistance; and
9. Toll blocking and toll control service to all consumers.

In addition, SST provided the information required by ARSD 20:10:32:43.01 through 20:10:32:43.07. SST further stated it will offer and advertise the availability of Lifeline and Link Up services and all other services via bill inserts, website, newsletters, pamphlets, and newspapers.

With respect to whether the designation is in the public interest, SST states that it "is in the process of overbuilding the Milbank exchange with a Fiber-to-the Home architecture, and this architecture will provide enormous bandwidth for an advanced state of the art network. SST's service will provide the customers with more consumer choices, and SST will have a local customer service office in Milbank to assist the customers in their every day needs."

SST also requested that certification be sent to the FCC and the Universal Service Administrative Company (USAC) stating that SST will use the federal universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support was intended.

At its October 31, 2006, meeting, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 214. The Commission voted to designate SST as an ETC in the Milbank service area and to provide certification to the FCC and USAC. The Commission finds that SST will provide the supported services or functionalities throughout the Milbank service area. The Commission finds that SST has demonstrated its commitment to provide service throughout the service area, has submitted its two year plan, has demonstrated its ability to remain functional in emergency situations, has demonstrated its ability to satisfy consumer protection and service quality standards, will offer a comparable local usage plan, and will be able to provide equal access. The Commission further finds that SST intends to provide

Lifeline and Link Up programs to qualifying customers throughout the Milbank service area consistent with state and federal rules and orders and shall advertise the availability of its other services. The Commission finds it is in the public interest to designate SST as an ETC. Thus, the Commission designates SST as an ETC for the Milbank service area. The Commission also approves SST's request for certification regarding the use of its federal universal service support. It is therefore

ORDERED, that SST is designated as an ETC for the Qwest service area of Milbank; and it is further

ORDERED, that SST is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended; and it is further

ORDERED, that the Commission approves SST's request for certification regarding its use of federal universal service support.

Dated at Pierre, South Dakota, this 17<sup>th</sup> day of November, 2006.

<b>CERTIFICATE OF SERVICE</b>
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>Delaine Kalbo</u>
Date: <u>11/21/06</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