BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF BROOKINGS MUNICIPAL UTILITIES D/B/A SWIFTEL COMMUNICATIONS FOR SUSPENSION OR MODIFICATION OF DIALING PARITY, NUMBER PORTABILITY AND RECIPROCAL COMPENSATION OBLIGATIONS	)	**ORDER APPROVING STIPULATION REGARDING PROCEDURE** **TC07-007**

On January 30, 2007, Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel) filed with the Public Utilities Commission (Commission) a Petition for Suspension or Modification of Local Dialing Parity, Number Portability and Reciprocal Compensation Obligations. In its Petition, Swiftel states that it requests the Commission grant a suspension or modification of 47 U.S.C. Sections 251(b)(2), (3) and (5) of the Communications Act of 1934, as amended. "Swiftel requests modification of the local number portability requirement such that it is not required to implement wireline local number portability until 4 months after a competitive LEC is certificated to provide service in Swiftel's service territory. Swiftel also requests modification of the local number portability requirement such that Swiftel is not required to transport numbers beyond its service territory. Swiftel requests modification of the dialing parity requirement such that Swiftel is not required to provide local dialing and it is not required to transport traffic outside of its service territory. Swiftel also requests modification of the toll dialing parity requirement such that Swiftel is not required to perform the equal access function at the end office or establish access traffic transport facilities other than the common trunks to South Dakota Network (SDN). Swiftel also asks the Commission to modify any requirement that Swiftel would not be able to collect access charges for toll traffic. Swiftel requests a modification of the reciprocal compensation requirements such that it is not required to pay reciprocal compensation on traffic terminating to a wireless carrier within the MTA that is handed off to an IXC in accordance with Swiftel's wireline local calling areas. Swiftel also requests immediate temporary suspension of the 251(b)(2), (3) and (5) requirements as described [in its Petition] pending this Commission's consideration of this request."

On February 1, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of February 16, 2007, to interested individuals and entities. On February 12, 2007, the Commission received Petitions to Intervene from Alltel Communications, Inc. (Alltel) and Sprint Communications Company L.P. (Sprint). On February 14, 2007, the Commission received a Petition to Intervene from Midcontinent Communications (Midcontinent). On February 15, 2007, the Commission received a Petition to Intervene from South Dakota Network, LLC (SDN). On February 16, 2007, the Commission received Petitions to Intervene from MCC Telephony of the Midwest, Inc. d/b/a Mediacom (MCC) and South Dakota Telecommunications Association (SDTA). On March 5, 2007, the Commission received an Opposition of Brookings Municipal Utilities d/b/a Swiftel Communications to Petition to Intervene filed by Midcontinent Communications. On March 9, 2007, the Commission received Midcontinent's Reply to Swiftel's Opposition to Midcontinent's Intervention Petition. On March 13, 2007, the Commission received a Withdrawal of Opposition of Brookings Municipal Utilities d/b/a Swiftel Communications to Petition to Intervene filed by Midcontinent Communications. At its March 13, 2007 meeting, the Commission granted all of the Petitions to Intervene. On April 2, 2007, the Commission issued a protective order. On April 13, 2007, the Commission issued a Procedural Schedule; Notice and Order for Hearing.

On April 17, 2007, the Commission received Alltel's Response to the Swiftel Petition for Suspension or Modification, Sprint's Response to Swiftel's Petition for Suspension or Modification and a General Response of Intervenor South Dakota Network, LLP to Swiftel's Petition. On April 18, 2007, the Commission received SDTA Answer to Petition and Mediacom's General Response to Swiftel's Petition. On April 19, 2007, the Commission received a General Response of Midcontinent to Swiftel's Petition. On June 19, 2007, the Commission issued an Amended Procedural Schedule; Notice and Order for Hearing. On July 9, 2007, the Commission received a Stipulation signed by all of the parties requesting that the deadlines be continued for a period of seven months.

At its August 7, 2007, meeting, the Commission considered this matter. The Commission unanimously voted to approve the Stipulation.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. sections 251 and 252. It is therefore

ORDERED, that the Stipulation is hereby approved.

Dated at Pierre, South Dakota, this 14th day of August, 2007.

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, electronically.

By: Delaine Kolbo

Date: 8/16/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner