BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF MIDCONTINENT COMMUNICATIONS FOR APPROVAL TO EXPAND ITS CERTIFICATE OF AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICE IN THE GAYVILLE RURAL SERVICE AREA	))))))	**ORDER GRANTING PETITION TO AMEND CERTIFICATE OF AUTHORITY AND ORDER GRANTING WAIVER TC07-057**

On May 29, 2007, the Public Utilities Commission (Commission) received an Application for an Amended Certificate of Authority from Midcontinent Communications (Midcontinent) for approval to provide local exchange service in the rural exchange area of Gayville, South Dakota. Midcontinent also requested a waiver of ARSD 20:10:32:18. Midcontinent stated that among other things, the application is a competitive response to the provision of video programming in the geographical area by the incumbent carrier, PrairieWave Community Telephone, Inc. Midcontinent also stated that Section 47 U.S.C. 251(f)(1)(C) is applicable to the application and as such, the exemption provided by 47 U.S.C. 251(f)(1)(A) does not apply to PrairieWave

On May 31, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of June 15, 2007, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled August 28, 2007, meeting, the Commission considered Midcontinent's request for an amended certificate of authority. Commission Staff recommended granting the petition to amend the certificate of authority, the request for confidential treatment of ARSD 20:10:32:03(11) and the waiver of ARSD 20:10:32:15 pursuant to ARSD 20:10:32:18.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:32:03. The Commission finds that Midcontinent has met the legal requirements established for the granting of an amended certificate of authority. Midcontinent has in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:32:15 pursuant to ARSD 20:10:32:18 and to grant the request for confidential treatment of ARSD 20:10:32:03(11). Further, the Commission finds that pursuant to SDCL 49-31-69, an Amended Certificate of Authority shall be granted, as it is in the public interest. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request for an Amended Certificate of Authority shall be granted to authorize Midcontinent to provide competitive local exchange service in the city of Gayville ; and it is

FURTHER ORDERED, that ARSD 20:10:32:15 shall be waived pursuant to ARSD 20:10:32:18; and it is

FURTHER ORDERED, that the request for confidential treatment of ARSD 20:10:32:03(11) be granted.

Dated at Pierre, South Dakota, this 18th day of September, 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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Delaine Kolbo

Date: 9/18/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner