BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA, LLC FOR A WAIVER OF ARSD § 20:10:32:56	))))	**ORDER GRANTING WAIVER AND CERTIFICATION** **TC07-086**

On July 27, 2007, Citizens Telecommunications Company of Minnesota, LLC (Citizens) filed for a waiver of the Commission's ETC filing requirements pursuant to ARSD Section 20:10:32:56, on the grounds that the reporting requirements in support of ETC certification are unduly burdensome and unnecessary. Citizens' study area consists primarily of a geographic area contained within the state of Minnesota. Citizens' service area in South Dakota consists of the West Jasper exchange. West Jasper is the rural portion of an exchange where the larger portion of the exchange and the central office is located in Minnesota. Citizens has no wire centers in South Dakota. For companies such as Citizens which have a very small portion of its overall study area in South Dakota, the requirement of certifying the use of universal service fund monies in accordance with the requirements of ARSD sections 20:10:32:52 through 20:10:32:54 are unduly burdensome and unnecessary for the Commission to certify that Citizens is using federal high cost support for its intended purposes. Because its study area is largely contained within the state of Minnesota and because it will comply with the Minnesota Public Utilities Commission requirements for ETC certification, Citizens requests that the SDPUC grant the waiver and include Citizens on the list of certified carriers it provides to the FCC and the USAC on or before October 1.

On August 2, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of August 17, 2007, to interested individuals and entities. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254.

On August 28, 2007, at its regularly scheduled meeting, the Commission considered this matter. Commission Staff had no objection to granting the waiver and recommended granting certification. The Commission voted to grant a waiver of ARSD Section 20:10:32:56, finding that compliance is unduly burdensome and unnecessary. The Commission also voted to approve Citizens' request for certification regarding the use of federal universal service support. The Commission found Citizens 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. It is therefore

ORDERED, that the request for a waiver of ARSD Section 20:10:32:56 is hereby granted. It is

FURTHER ORDERED, that the Commission approves Citizens' Request for Certification Regarding Its Use of Federal Universal Service Support.

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, electronically..

By: Delaine Kolbo

Date: 9/18/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner