

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>MIDCONTINENT COMMUNICATIONS FOR )</b>	<b>INTERVENTION</b>
<b>APPROVAL TO PROVIDE LOCAL EXCHANGE )</b>	
<b>SERVICE IN A RURAL SERVICE AREA )</b>	<b>TC08-105</b>

On August 14, 2008, the Public Utilities Commission (Commission) received an Application from Midcontinent Communications (Midcontinent) for authority to provide local exchange service in a rural service area.

On August 21, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of September 5, 2008, to interested individuals and entities. Alliance Communications Cooperative, Inc. (Alliance) filed to intervene on August 25, 2008. South Dakota Telecommunications Association (SDTA) filed to intervene on September 5, 2008. On September 22, 2008, the Commission received Midcontinent's Reply and Opposition to the SDTA Petition to Intervene. At its regularly scheduled meeting of September 23, 2008, the Commission granted intervention to Alliance and deferred the Petition to Intervene of SDTA. On October 6, 2008, the Commission received a letter response to Midcontinent's Reply and Opposition to the SDTA Petition to Intervene from SDTA.

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 October 7, 2008, the Commission considered SDTA's Petition to Intervene. Midcontinent stated that it would not object to the intervention of SDTA, subject to certain restrictions that had been agreed to by Midcontinent and SDTA. Alliance also stated that it would not object to the intervention of SDTA. The restrictions are that SDTA will not participate in or be compelled to produce discovery but will receive copies of all discovery except confidential material. Confidential material will be provided only in special circumstances to be decided by the parties on an ad hoc basis. SDTA will follow Alliance counsel in argument and examination of witnesses, will not have its own witness or witnesses at the hearing, will not cross-examine Alliance witnesses and cross-examination of Midcontinent witnesses will not be duplicative of matters already addressed by Alliance counsel. SDTA may attend and participate in all hearings and motions on procedural and substantive matters, with witness examination, argument and briefing restricted to issues that affect the interests of the SDTA membership as a whole. The acceptance of these restrictions by SDTA may not be interpreted as any concession by SDTA concerning the challenge by Midcontinent of SDTA's interest in these proceedings or legal basis to request intervention in the proceeding. With these restrictions, the Commission voted to grant intervention to SDTA.

It is therefore

ORDERED, that SDTA's Petition to Intervene is granted, subject to the above referenced restrictions as agreed to by SDTA and Midcontinent.

Dated at Pierre, South Dakota, this 21<sup>st</sup> day of October, 2008.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u><i>Helaine Kalbo</i></u></p> <p>Date: <u><i>10/22/08</i></u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

*Steve Kolbeck*  
STEVE KOLBECK, Commissioner

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner