

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

IN THE MATTER OF THE FILING BY) ORDER GRANTING LATE
MIDSTATE TELECOM, INC. FOR AN) FILED INTERVENTION
EXTENSION OF AN EXEMPTION FROM)
DEVELOPING COMPANY SPECIFIC COST-) TC09-009
BASED SWITCHED ACCESS RATES)

On March 2, 2009, the South Dakota Public Utilities Commission (Commission) received a filing from Midstate Telecom, Inc. (Midstate) requesting an extension of its exemption from filing a switched access cost study for a period of six months after the effective date of the new rules adopted by the Commission in RM05-002. Midstate further requested approval of its intrastate switched access rate of 11.5 cents per minute.

On March 5, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of March 20, 2009, to interested individuals and entities. Midcontinent Communications (Midcontinent) filed to intervene on April 7, 2009. On April 14, 2009, the Commission received a Joint Motion for Approval of Settlement Stipulation and Settlement Stipulation from Midstate. On April 20, 2009, the Commission received an Objection to Midcontinent's Petition to Intervene from Midstate.

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 April 21, 2009, the Commission found that the late filed Petition to Intervene demonstrated good cause to grant intervention and voted unanimously to grant intervention to Midcontinent.

It is therefore

ORDERED, that the Petition to Intervene of Midcontinent is hereby granted.

Dated at Pierre, South Dakota, this 8th day of May, 2009.

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: <u>Melaine Kolbo</u>
Date: <u>5/8/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner