BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF CITY OF BROOKINGS MUNICIPAL TELEPHONE DBA SWIFTEL COMMUNICATIONS FOR AN AMENDED CERTIFICATE OF AUTHORITY	))))))))))	ORDER GRANTING AMENDED CERTIFICATE OF AUTHORITY, APPROVING REVISED SERVICE TERRITORY AS A RESULT OF ANNEXATION, AND GRANTING WAIVERS TC11-018

On April 28, 2011, the Public Utilities Commission (Commission) received an Application for Approval of an Amendment to Certificate of Authority from City of Brookings Municipal Telephone dba Swiftel Communications. On May 5, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of May 20, 2011, to interested individuals and entities. No petitions to intervene were filed.

Swiftel requested an amendment to its Certificate of Authority, based on new telephone service territory resulting from the annexation of land by the City of Brookings. Swiftel also requested a waiver of ARSD 20:10:32:03 (1-8); (10-22); and (24). The legal description of Resolution No. 40-11 (Mr. Dean Christie, 2432 Main Ave. S., Brookings, SD 57006) describes the area to be included in the Amended Certificate of Authority. This area is undeveloped land and contains no customers being served by either Interstate Telecommunications Cooperative or Swiftel. The annexation described in Brookings City Resolution No. 40-11 is as follows:

Resolution No. 40-11

A Resolution to Annex the north 1,580 feet of the E1/2 of the NW1/4 of Section 2-T109N R50W and the abutting rights-of-way of 20th Street South and Main Avenue South but excluding Lot C, Christie Addition and Outlots A, 1A, B, and 1B, Brookings County, South Dakota

At its June 14, 2011, meeting the Commission considered Swiftel's request for approval of a revision to its service territory, the request for an Amended Certificate of Authority, and a waiver of subparagraphs 1 through 8, 10 through 22, and 24 of ARSD 20:10:32:03. Staff recommended approval of the revisions to the local exchange area, granting the application to amend the certificate of authority, and the requested waivers. The Commission voted unanimously to grant Swiftel's amended certificate of authority, approve a revision to its service territory, and grant the requested waivers.

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 Swiftel has met the legal requirements established for the granting of an Amended Certificate of Authority. Swiftel 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 subparagraphs 1 through 8, 10 through 22 and 24 of ARSD 20:10:32:03. Further, the Commission finds that pursuant to SDCL 49-31-69 through 73, the Amended Certificate of Authority shall be granted, that the proposed revision to

Swiftel's service territory is in the public interest and the request shall be granted, and ARSD 20:10:32:03, subparagraphs 1 through 8, 10 through 22 and 24 shall be waived.

It is therefore

ORDERED, that the request for an Amended Certificate of Authority shall be granted; and it is

FURTHER ORDERED, that the proposed revision to Swiftel's service territory shall be granted; and it is

FURTHER ORDERED, that ARSD 20:10:32:03, parts 1 through 8, 10 through 22 and 24 shall be waived; and it is

FURTHER ORDERED, that Interstate Telecommunications Cooperative's Certificate of Authority shall be amended to reflect the corresponding revision to its service territory.

Dated at Pierre, South Dakota, this 21st day of July, 2011.

BY ORDER OF THE COMMISSION:

_____
GARY HANSON, Vice Chairman

_____
CHRIS NELSON, Commissioner

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: _____

Date: _____7-21-11_____

(OFFICIAL SEAL)

2