

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

**IN THE MATTER OF THE APPLICATION OF
NEW CINGULAR WIRELESS PCS, LLC, A
SUBSIDIARY OF AT&T MOBILITY LLC, FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN NON-
RURAL STUDY AREAS**

**ORDER GRANTING
INTERVENTION**

TC11-072

On June 13, 2011, the Public Utilities Commission (Commission) received an application from New Cingular Wireless PCS, LLC, a subsidiary of AT&T Mobility LLC, (AT&T Mobility) requesting approval to designate AT&T Mobility as an eligible telecommunications carrier pursuant to SDCL § 49-31-78 and Section 214(e) of the Federal Communications Act of 1934, as amended, for the purpose of qualifying to obtain all available federal universal service support including, but not limited to, support for non-rural, insular and high costs areas, and for low-income customers. On June 16, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of July 1, 2011. On July 1, 2011, the Commission received a Petition to Intervene from James Valley Wireless, LLC. On July 25, 2011, Native Yes We Can Foundation (Yes We Can) filed a Petition to Intervene.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, 47 U.S.C § 214(e), and ARSD 20:10:01:15.05.

At its regularly scheduled meeting of July 26, 2011, the Commission found that the Petition to Intervene of James Valley Wireless, LLC demonstrated good cause to grant intervention and voted unanimously to grant intervention to James Valley Wireless, LLC. The Commission found that Yes We Can did not demonstrate good cause for intervention and voted unanimously to deny Yes We Can's petition to intervene.

It is therefore

ORDERED, that the Petition to Intervene of James Valley Wireless, LLC is hereby granted.

It is further

ORDERED, that the Petition to Intervene of Yes We Can is hereby denied.

Dated at Pierre, South Dakota, this 15th day of August, 2011.

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><i>Paul Ardahl</i></u>
Date:	<u>8.1.11</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Vice Chairman