

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

**IN THE MATTER OF THE FILING BY MIDSTATE)
TELECOM, INC. FOR APPROVAL OF ITS)
INTRASTATE SWITCHED ACCESS TARIFF AND)
FOR A PHASE-IN PERIOD)**

**ORDER DISMISSING AND
CLOSING THE DOCKET**

TC11-075

On June 22, 2011, the Public Utilities Commission (Commission) received an application from Midstate Telecom, Inc. (Midstate) for approval of its new intrastate switched access rates. Per ARSD 20:10:27:02.02, Midstate requested the Commission approve a higher rate than allowed under ARSD 20:10:27:02.01 and filed a cost study in support of the higher rate. Midstate also requested a phase-in period in which its current rate would be approved until November 30, 2011, after which the requested rate would go into effect. On June 2, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of June 17, 2011. On June 24, 2011, MCI Communications Services Inc. d/b/a Verizon Business Services (MCI) filed a Petition to Intervene. On June 28, 2011, Midcontinent Communications (Midcontinent) filed a Petition to Intervene. On June 30, 2011, Qwest Communications Company, LLC (Qwest) filed a Petition to Intervene and on July 7, 2011, AT&T Communications of the Midwest Inc. (AT&T) filed a Petition to Intervene. On July 12, 2012, the Commission granted intervention to MCI, Midcontinent, Qwest, and AT&T. On May 25, 2012, Midstate filed its letter requesting the Commission close the docket.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31.

At its regularly scheduled meeting of June 5, 2012, Commission Staff recommended dismissing and closing of this docket. The Commission voted unanimously to dismiss and close the docket. It is therefore

ORDERED this docket shall be dismissed and closed.

Dated at Pierre, South Dakota, this 15th day of June, 2012.

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>Joy Cherry</u>
Date: <u>June 18, 2012</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner