

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

**IN THE MATTER OF THE REQUEST OF CITIZENS) ORDER GRANTING WAIVER
TELECOMMUNICATIONS COMPANY OF) AND CERTIFICATION
MINNESOTA, LLC FOR CERTIFICATION)
REGARDING ITS USE OF FEDERAL UNIVERSAL) TC12-079
SERVICE SUPPORT)**

On May 31, 2012, the Public Utilities Commission (Commission) received an application from Citizens Telecommunications Company of Minnesota, LLC (Citizens) requesting the Commission grant a waiver of the Commission's ETC filing requirements pursuant to ARSD 20:10:32:56, on the grounds that the reporting requirements in support of ETC certification are unduly burdensome and unnecessary. Citizens also requests that the Commission issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to Citizens in 2013. Citizens requests that the Commission grant the permanent waiver and include Citizens on the list of certified carriers it provides to the FCC and the USAC on or before October 1, 2012. On June 7, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of June 22, 2012, to interested individuals and entities. No parties sought intervention.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254.

On August 28, 2012, at its regularly scheduled meeting, the Commission considered this matter. Commission Staff had no objection to granting a one year waiver and recommended granting certification. The Commission voted unanimously to grant a one year waiver pursuant to ARSD Section 20:10:32:56, finding that compliance with the certification requirements is unduly burdensome and unnecessary. The Commission also voted unanimously to approve Citizens' request for certification regarding the use of federal universal service support. The Commission found Citizens is eligible to receive federal support as it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is therefore

ORDERED, that a one year waiver pursuant to ARSD Section 20:10:32:56 is hereby granted. It is further

ORDERED, that the Commission approves Citizens' Request for Certification Regarding Its Use of Federal Universal Service Support.

Dated at Pierre, South Dakota, this 5th day of September, 2012.

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| 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>[Signature]</u> |
| Date: <u>9.5.12</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

[Signature]
CHRIS NELSON, Chairman

[Signature]
KRISTIE FIEGEN, Commissioner

[Signature]
GARY HANSON, Commissioner