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SEP 13 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

September 10, 1999

Bill Bullard, Executive Director  
SD Public Utilities Commission  
500 East Capitol Ave.  
Pierre, SD 57501-5070

**RE: NORTHERN VALLEY COMMUNICATION'S (NVC) INTRASTATE SWITCHED  
ACCESS TARIFF AND REQUEST FOR EXEMPTION FROM DEVELOPMENT  
OF COMPANY SPECIFIC COST-BASED RATES**

Dear Mr. Bullard:

Enclosed please find an original and 10 copies of NVC's proposed Intrastate Switched Access Tariff No. 1 submitted by NVC for Commission approval consistent with SDCL 49-31-19. NVC has proposed an effective date of October 1. NVC's tariff filing herein is a concurrence in the rates, terms and conditions of the current LECA Tariff No. 1, with the exception of the switched access rates, which are based on a statewide average in accordance with 20:10:27:12.

By this letter, NVC also petitions the Commission, pursuant to ARSD 20:10:27:11, requesting an exemption from the requirement to develop intrastate switched access rates based on company specific costs.

NVC is a small start-up CLEC currently without any customers. NVC plans to initially operate in the Aberdeen USWC exchange. NVC is currently constructing its network to provide services and plans to initiate its first switched access services in early October. NVC currently has no historical data, as required by 20:10:27:14, to establish company specific cost-based rates. Further, the process of determining company specific cost-based rates would require NVC to predict future customers and usage, the allocated investment and expenses and revenue for an undetermined customer profile. All of which would be very difficult, to impossible, for NVC to do at this time. Furthermore, such estimates would be unlikely to produce accurate results or rates. Requiring cost based rates of NVC would create excessive costs for NVC without any benefit to NVC's customers.

Therefore, NVC asks that the Commission set NVC's initial switched access rates consistent with ARSD 20:10:27:12, which requires an average rate of all South Dakota



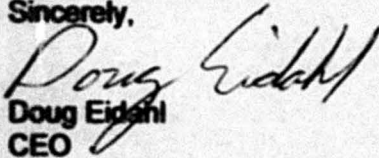
cost companies under 100,000 access lines. NVC's adoption of LECA Tariff No. 1 with the current statewide average originating and terminating switched access rates complies with ARSD 20:10:27:12. Also, this request is consistent with the Commission's treatment of other similarly situated CLEC's such as the Commission's recent action on Fiber Comm's Intrastate Access Tariff in Docket TC99-031, wherein the Commission granted a very similar request to NVC's.

NVC's concurrence in the rates, terms and conditions (with the exceptions noted above) of the current LECA Tariff No. 1 is also based on the fact that IXCs and other LECs operating in the state should be very familiar with it. LECA Tariff No. 1 has already been used by the vast majority of local exchange carriers in the state for many years.

NVC respectfully requests that the Commission approve this petition for exemption from the development of company specific cost-based switched access rates consistent with ARSD 20:10:27:11 and that the Commission approve NVC's Tariff No. 1 as filed herein, which contains switched access rates that are consistent with ARSD 20:10:27:12.

If you have any questions, please contact me at 225-0310 or Larry Hettinger of Martin and Associates, Inc. at 995-2574. Thank you in advance for your consideration of this request.

Sincerely,

  
Doug Eidahl  
CEO

Cc: Colleen Sevoid, USWC  
Brenda Lewis, USWC  
Steve Sheahan, USWC  
Larry Hettinger, Martin and Associates, Inc.

**SOUTH DAKOTA SWITCHED ACCESS SERVICES**

**A. CONCURRENCE IN RATES, TERMS AND CONDITIONS OF LOCAL EXCHANGE  
CARRIER ASSOCIATION, INC. TARIFF NO. 1**

1. Northern Valley Communications, LLC concurs in the rates, terms and conditions, except as noted below, of Local Exchange Carrier Association, Inc. Tariff No. 1 governing Intrastate Access Service as filed by the Local Exchange Carrier Association, Inc. in the State of South Dakota. Northern Valley Communications, LLC concurs in the current Local Exchange Carrier Association, Inc. Tariff No. 1 as of September 10, 1999 as shown by the attached TARIFF CHECKLIST pages. The only exceptions to this concurrence are the attached pages 17-1 and 17-4, which replace the current Local Exchange Carrier Association, Inc. Tariff No. 1 pages 17-1 and 17-4.
2. Northern Valley Communications, LLC hereby expressly reserves the right to cancel or void this statement of concurrence at any time consistent with state law and the best interests of Northern Valley Communications, LLC by filing a replacement tariff with the South Dakota Public Utilities Commission.

TARIFF CHECKLIST  
All Pages Are Original Unless Otherwise Noted

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\* New This Issue

Issued: November 30, 1998

Effective: January 1, 1999

By: Dean Anderson  
President  
P.O. Box 920  
Clear Lake, SD 57226

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Issued: November 30, 1998

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## TARIFF CHECKLIST

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\* New This Issue

Issued: December 21, 1998

Effective: January 1, 1999

By: Dean Anderson  
 President  
 P.O. Box 920  
 Clear Lake, SD 57226

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SOUTH DAKOTA SWITCHED ACCESS SERVICES

17. Rates and Charges

17.1 Common Line Access Service

17.1.1 Carrier Common Line Access Service

Rate

Regulations concerning Carrier Common Line Access  
are set forth in Section 3. Preceding.

Per Access Minute

\$0.0320

17.1.2 Reserved for Future Use



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SOUTH DAKOTA SWITCHED ACCESS SERVICES

17. Rates and Charges (Cont'd)

17.2 Switched Access Service

17.2.1 Nonrecurring Charges

Rate

(A) Local Transport Element -  
Installation Per Line or Trunk

\$295.00

(B) Reserved for Future Use

(C) Interim NXX Translation Per Order

\$181.00

Per LATA or Market Area

17.2.2 Traffic Sensitive

Local Switching (End Office)

Per Access Minute

\$0.0203

Local Transport

Per Access Minute

\$0.0285

Network Blocking Per Blocked Call

Applies to FGD only

\$0.0271

8XX Data Base Query Service

Per Query

Basic

\$0.0079

Vertical Feature

\$0.0082



PO Box 455 • Bath, SD 57427-0455 • 605-225-0310 • 1-800-529-0310 • FAX 605-225-1684

September 10, 1999

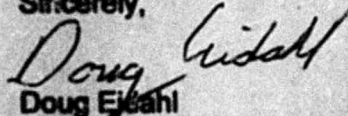
Colleen Sevold  
US West Communications  
125 S. Dakota Ave.  
Sioux Falls, SD 57194

Dear Ms. Sevold:

Enclosed please find a copy of Northern Valley Communications, LLC's proposed Intrastate Switched Access Tariff No. 1, which was filed with the Commission. NVC is a CLEC constructing new facilities in the Aberdeen USWC exchange. USWC and NVC have recently established a mid-span meet Interconnection within the Aberdeen Exchange. The intrastate rates enclosed will apply to USWC and other intrastate IXC's.

Steve Sheahan and Brenda Lewis have been NVC's account managers regarding interconnection matters and I am also sending them a copy of this letter and our Commission filing by email. If you have any questions please contact me.

Sincerely,

  
Doug Ejeahl  
CEO

Cc: Steve Sheahan, USWC  
Brenda Lewis, USWC  
Larry Hettinger, Martin and Associates



South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of September 9, 1999 through September 15, 1999

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing. Phone: 605-773-3705 Fax: 605-773-3809

**TELECOMMUNICATIONS**

**TC99-092 In the Matter of the Filing by Northern Valley Communications, LLC for Approval of its Intrastate Switched Access Tariff and for an Exemption from Developing Company Specific Cost-Based Switched Access Rates.**

Northern Valley Communications has filed an Intrastate Switched Access Tariff No. 1 concurrent with the rates, terms, and conditions of the current LECA Tariff No. 1 with the exception of the switched access rates, which are based upon a statewide average. The Company has also requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs.

Staff Analyst: Heather Forney  
Staff Attorney: Camron Hoseck  
Date Filed: 09/13/99  
Intervention Date: 10/01/99

**TC99-093 In the Matter of the Application of Corporate Billing Management, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Corporate Billing Management, Inc. intends to provide intrastate inbound and outbound long distance telecommunication services by reselling telecommunication facilities of the underlying common carrier Sprint.

Staff Analyst: Keith Senger  
Staff Attorney: Karen Cremer  
Date Filed: 09/15/99  
Intervention Date: 10/01/99

**TC99-094 In the Matter of the Application of Small Business Billing, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Small Business Billing, Inc. has filed a request for a Certificate of Authority to offer resold interexchange services, including, message telecommunications service and post-paid calling card services to business and residential customers.

Staff Analyst: Michele Farris  
Staff Attorney: Camron Hoseck  
Date Filed: 09/15/99  
Intervention Date: 10/01/99

South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of September 9, 1999 through September 15, 1999

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing. Phone: 605-773-3705 Fax: 605-773-3809

**TELECOMMUNICATIONS**

**TC99-092 In the Matter of the Filing by Northern Valley Communications, LLC for Approval of its Intrastate Switched Access Tariff and for an Exemption from Developing Company Specific Cost-Based Switched Access Rates.**

Northern Valley Communications has filed an Intrastate Switched Access Tariff No. 1 concurrent with the rates, terms, and conditions of the current LECA Tariff No. 1 with the exception of the switched access rates, which are based upon a statewide average. The Company has also requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs.

Staff Analyst: Heather Forney  
Staff Attorney: Camron Hoseck  
Date Filed: 09/13/99  
Intervention Date: 10/01/99

**TC99-093 In the Matter of the Application of Corporate Billing Management, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Corporate Billing Management, Inc. intends to provide intrastate inbound and outbound long distance telecommunication services by reselling telecommunication facilities of the underlying common carrier Sprint.

Staff Analyst: Keith Senger  
Staff Attorney: Karen Cremer  
Date Filed: 09/15/99  
Intervention Date: 10/01/99

**TC99-094 In the Matter of the Application of Small Business Billing, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Small Business Billing, Inc. has filed a request for a Certificate of Authority to offer resold interexchange services, including, message telecommunications service and post-paid calling card services to business and residential customers.

Staff Analyst: Michele Farris  
Staff Attorney: Camron Hoseck  
Date Filed: 09/15/99  
Intervention Date: 10/01/99

**TC99-095 In the Matter of the Application of P.D.S., Inc. d/b/a Phone Debit Systems, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

P.D.S., Inc. d/b/a Phone Debit Systems, Inc. has filed a request for a Certificate of Authority to offer resold interexchange services to residential and business customers. Phone Debit Systems also intends to offer debit card services.

Staff Analyst: Heather Forney  
Staff Attorney: Karen Cremer  
Date Filed: 09/15/99  
Intervention Date: 10/01/99

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>**

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

**IN THE MATTER OF THE FILING BY )  
NORTHERN VALLEY COMMUNICATIONS, LLC )  
FOR APPROVAL OF ITS INTRASTATE )  
SWITCHED ACCESS TARIFF AND FOR AN )  
EXEMPTION FROM DEVELOPING COMPANY )  
SPECIFIC COST-BASED SWITCHED ACCESS )  
RATES )**

**ORDER GRANTING  
PETITION FOR WAIVER**

**TC99-092**

On September 13, 1999, the Public Utilities Commission (Commission) received a petition from Northern Valley Communications, LLC (Northern Valley) for approval of its intrastate switched access tariff no. 1 which is concurrent with the rates, terms, and conditions of the current LECA tariff no. 1, with the exception of the switched access rates, which are based upon a statewide average. Additionally, Northern Valley requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs.

On October 7, 1999, the Commission considered Northern Valley's request for approval of its intrastate switched access tariff no. 1 and a waiver from establishing switched access rates based on company specific costs. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19, and ARSD 20:10:27:11. The Commission voted to grant the petition for exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 and approve Northern Valley's intrastate switched access tariff no. 1 pursuant to ARSD 20:10:27:12. The Commission further ordered that Northern Valley, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based rates. Commissioners Burg and Nelson voted to grant the petition for exemption as conditioned herein and approve the tariff; Commissioner Schoenfelder abstained. It is therefore

**ORDERED**, that Northern Valley's petition to be exempt from establishing company specific cost-based switched access rates is granted and its intrastate switched access tariff no. 1 is approved; and it is further

**ORDERED**, that Northern Valley shall, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 20<sup>th</sup> day of October, 1999.

<b>CERTIFICATE OF SERVICE</b>
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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Debrae Kees</u>
Date: <u>10/20/99</u>
(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner  
Abstaining