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TC02-111

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AUG 26 2002

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

August 23, 2002

Ms. Deborah Elofson  
Executive Director  
South Dakota Public Utilities Commission  
Capitol Building – 1<sup>st</sup> Floor  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

Dear Ms. Elofson:

Please find enclosed an Affidavit For Certification of federal USF support for Citizens Telecommunications Company of Minnesota, Inc.

If there are any questions, please call me at (585)777-2778.

Sincerely,

Christanne R. Schey  
Regulatory Analyst – Pricing and Tariffs

Enclosure

AFFIDAVIT

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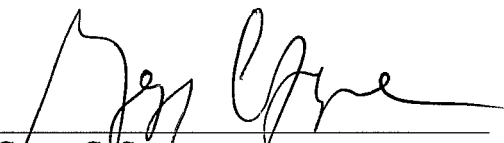
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

STATE OF NEW YORK )  
 )ss.  
COUNTY OF MONROE )

1. My name is Gregg Sayre. I am employed by Citizens Telecommunications Company of Minnesota, Inc., (the "Company") as its Assistant Secretary. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is provided to support the request of the Company for certification by the Minnesota Public Utilities Commission as contemplated in 47 C.F.R. § 54.314.

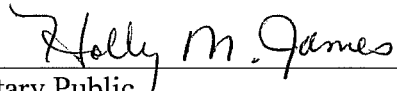
2. During the year 2001, the Company did not receive federal universal service support, and had investments and expense relating to the provision, maintenance and upgrading of facilities and services for which any such support would have been intended. The Company hereby also certifies that it will only use the federal high-cost support it receives during 2003 for the provision, maintenance and upgrading of facilities and services for which such support is intended.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Gregg C. Sayre

STATE OF NEW YORK )  
 )ss.  
COUNTY OF MONROE )

Subscribed and sworn to before me this 23rd day of August, 2002.

  
\_\_\_\_\_  
Notary Public

HOLLY M. JAMES  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires Nov. 30, 2002

South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of August 22, 2002 through August 28, 2002

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 report. Phone: 605-773-3705 Fax: 605-773-3809

**CONSUMER COMPLAINTS**

**CT02-033 In the Matter of the Complaint filed by Denise Haerter, Sioux Falls, South Dakota, against MCIWorldCom and Qwest Corporation Regarding Unauthorized Switching of Services.**

Complainant states that she has three phone lines into her home and two of the lines were switched to MCI without authorization. Complainant wants MCI or Qwest to be fined the \$1,000.00 per line as stated in the South Dakota slamming law, a letter of apology from the company, and a removal of all charges.

Staff Analyst: Mary Healy  
Staff Attorney: Karen Cremer  
Date Docketed: 08/22/02  
Intervention Deadline: N/A

**CT02-034 In the Matter of the Complaint filed by John M. Rice on behalf of Rice Insurance Agency, Inc., Sioux Falls, South Dakota, against McLeodUSA Telecommunications Services, Inc. Regarding Telephone Book Listing, Poor Service, Contract Dispute, No Long Distance or 800# Service.**

Complainant states that it began having problems with McLeod in 2001. After Complainant relocated its business, McLeod omitted putting the Complainant's new address in the McLeod phone book. When Complainant decided to change providers, it contacted McLeod to see if it could match the offer that was made by Qwest, and McLeod did not respond to the offer. Complainant switched its local service to Qwest and left its long distance and 800# with McLeod. Complainant continued to be billed for its service with McLeod and a fee for canceling its local service. Although Complainant paid its long distance charges, its service was disconnected for several days. Complainant switched its remaining service to Sprint, but McLeod would not release its 800# until it paid a termination of contract fee of \$3,245.00 to McLeod. Complainant paid the fee in order to get its 800# working with Sprint. Complainant has now received another termination of contract bill from McLeod for \$10,000.00. Complainant requests a refund of the termination of contract fees that it has paid, the removal of any other penalty from McLeod, and reimbursement for loss of business, down-time and inconvenience to its business.

Staff Analyst: Amy Kayser  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/27/02  
Intervention Deadline: N/A

## NATURAL GAS

### **NG02-006 In the Matter of the Filing by NorthWestern Energy for Approval of Tariff Revisions.**

Application by NorthWestern Energy to update its fuel retention percentage for natural gas transportation service. NorthWestern Energy's tariff provides that the fuel retention percentage be adjusted annually with the updated percentage to be effective October 1 of each year.

Staff Analyst: Dave Jacobson  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/23/02  
Intervention Deadline: 09/13/02

### **NG02-007 In the Matter of the Filing by MidAmerican Energy Company for Approval of Continuation of the IGSP.**

Application by MidAmerican Energy to Continue its Incentive Gas Supply Procurement Program (IGSPP). This program was initially approved by the Commission for a three-year period in 1995, and was approved with modifications for a second three-year period in 1999. This filing proposes to further extend application of the plan, with modifications, to be effective through October 31, 2005. The IGSP compares actual gas supply costs to a benchmark and allows for a sharing of the difference between ratepayers and MidAmerican Energy.

Staff Analyst: Dave Jacobson  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/27/02  
Intervention Deadline: 09/13/02

## TELECOMMUNICATIONS

### **TC02-109 In the Matter of the Application of NECC Telecom, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

NECC Telecom, Inc. has filed an application with the South Dakota Public Utilities Commission for a Certificate of Authority to provide interexchange service in South Dakota. The applicant intends to provide resold interexchange service, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services and travel card service to customers throughout South Dakota.

Staff Analyst: Heather Forney  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/23/02  
Intervention Deadline: 09/13/02

**TC02-110 In the Matter of the Application of Voicecom Telecommunications, LLC to Approve the Transfer of the Certificate of Authority of Premiere Communications, Inc.**

On February 13, 1996, Premiere Communications, Inc. received a Certificate of Authority to provide interexchange telecommunications services in South Dakota. On August 26, 2002, Voicecom Telecommunications, LLC (VTL), Voicecom Telecommunications, Inc. (VTI) and Premiere Communications, Inc. (PCI) filed a joint application to transfer the Certificate of Authority of PCI to VTL. VTL intends to offer post-paid long distance calling card services throughout South Dakota through resale.

Staff Analyst: Keith Senger  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/26/02  
Intervention Deadline: 09/13/02

**TC02-111 In the Matter of the Request of Citizens Telecommunications Company of Minnesota, Inc. For Certification Regarding its Use of Federal Universal Service Support.**

On August 26, 2002, Citizens Telecommunications Company of Minnesota, Inc. (Citizens) provided information constituting Citizens' plan for the use of its federal universal service support and to otherwise verify that Citizens will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best  
Staff Attorney: Karen E. Cremer  
Date Docketed: 08/26/02  
Intervention Deadline: 09/06/02

**TC02-112 In the Matter of the Application of Global Communications Consulting Corp. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

Global Communications Consulting Corp. is seeking a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The Applicant intends to offer a full range of interexchange services on a resale basis. Services include direct dial, MTS, in-WATS, out-WATS and Calling Card services.

Staff Analyst: Keith Senger  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/28/02  
Intervention Deadline: 09/13/02



A Citizens Communications Company

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180 South Clinton Avenue  
Rochester, NY 14646

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**AUG 30 2002**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

August 29, 2002

Ms. Deborah Elofson  
Executive Director  
South Dakota Public Utilities Commission  
Capitol Building – 1<sup>st</sup> Floor  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

Dear Ms. Elofson:

Please find enclosed an and ten copies of the amended Affidavit For Certification of federal USF support for Citizens Telecommunications Company of Minnesota, Inc.

If there are any questions, please call me at (585)777-2778.

Sincerely,

Christanne R. Schey  
Regulatory Analyst – Pricing and Tariffs

CC: Harlan Best

Enclosure

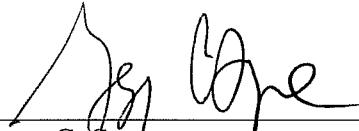
**AFFIDAVIT**

STATE OF NEW YORK        )  
  )ss.  
COUNTY OF MONROE        )

1. My name is Gregg Sayre. I am employed by Citizens Telecommunications Company of Minnesota, Inc., (the "Company") as its Assistant Secretary. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is provided to support the request of the Company for certification by the South Dakota Public Utilities Commission as contemplated in 47 C.F.R. § 54.314.

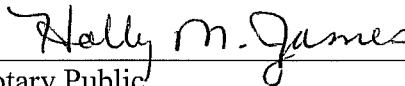
2. During the year 2001, the Company did not receive federal universal service support, and had investments and expense relating to the provision, maintenance and upgrading of facilities and services for which any such support would have been intended. The Company hereby also certifies that it will only use the federal high-cost support it receives during 2003 for the provision, maintenance and upgrading of facilities and services for which such support is intended.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Gregg C. Sayre

STATE OF NEW YORK        )  
  )ss.  
COUNTY OF MONROE        )

Subscribed and sworn to before me this 29th day of August, 2002.

  
\_\_\_\_\_  
Notary Public

HOLLY M. JAMES  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires Nov. 30, 2002



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

<b>IN THE MATTER OF THE REQUEST OF )</b>	<b>ORDER GRANTING</b>
<b>CITIZENS TELECOMMUNICATIONS )</b>	<b>CERTIFICATION</b>
<b>COMPANY OF MINNESOTA, INC. FOR )</b>	
<b>CERTIFICATION REGARDING ITS USE OF )</b>	<b>TC02-111</b>
<b>FEDERAL UNIVERSAL SERVICE SUPPORT )</b>	

On May 23, 2001, the Federal Communications Commission (FCC) released an Order concerning the federal universal service support mechanism for rural carriers.<sup>1</sup> This Order (hereafter referenced as the "Fourteenth Report and Order"), in part, codifies at 47 § C.F.R. 54.314, a requirement for States to provide a certification regarding federal universal service support that is received by rural incumbent local exchange carriers and/or eligible telecommunications carriers providing service in rural service areas. Pursuant to such rule, a state that desires rural carriers within its jurisdiction to receive future federal universal service support must file an annual certification with the FCC and the Universal Service Administrative Company (USAC) stating that federal high cost support provided to such carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. This certification requirement applies to various categories of federal universal service support, including support provided pursuant to 47 C.F.R. §§ 54.301, 54.305, and/or 54.307, and/or 47 C.F.R. Part 36, Subpart F (high-cost loop support, local switching support, safety net additive support, and safety valve support). Support provided under these FCC rule provisions will only be made available in the future if the State Commission files the requisite certification pursuant to § 54.314.

The certification required for rural carriers to receive federal universal support for all four quarters during calendar year 2002 is currently due to be filed with the FCC and USAC on or before October 1, 2002. The certification may be presented to these entities in the form of a letter from the State Commission. The letter must identify which carriers in the state are eligible to receive federal support during the 12-month period and must certify that the carriers listed will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

On August 26, 2002, the South Dakota Public Utilities Commission (Commission) received a filing from Citizens Telecommunications Company of Minnesota, Inc. (Company) regarding its Request for Certification Regarding its Use of Federal Universal Service Support. The purpose of this filing was to provide information constituting

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<sup>1</sup>CC Docket No. 96-45, CC Docket No. 00-256, Fourteenth Report and Order, Twenty Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, FCC 01-157, Released May 23, 2001.

Company's plan for the use of its federal universal service support and to otherwise verify that Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. An Affidavit was attached to the Request for Certification.

On August 29, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of September 6, 2002, to interested individuals and entities. No parties sought intervention. On August 30, 2002, the Commission received an amended affidavit from Company.

At its regularly scheduled meeting of September 24, 2002, the Commission considered this matter.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254. The Commission found that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to approve Company's Request for Certification Regarding Its Use of Federal Universal Service Support. It is therefore

ORDERED, that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is

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

Dated at Pierre, South Dakota, this 27<sup>th</sup> day of September, 2002.

<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>Melaine Kelso</u>
Date:	<u>9/27/02</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Robert K. Sahr  
ROBERT K. SAHR, Commissioner

# South Dakota Public Utilities Commission

State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070



September 27, 2002

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street S.W.  
Washington, DC 20554

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Ms. Irene Flannery  
Universal Service Administrative Company  
2120 L Street N.W., Suite 600  
Washington, DC 20037

Re: CC Docket No. 96-45, CC Docket No. 00-256, Fourteenth Report and Order, Twenty Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, FCC 01-157, Released May 23, 2001

## Annual State Certification of Support for Rural Carriers

Dear Ms. Dortch and Ms. Flannery:

The South Dakota Public Utilities Commission (Commission) hereby states that the following rural incumbent local exchange carriers and/or eligible telecommunications carriers within its jurisdiction have been certified to receive support pursuant to 47 CFR §§ 54.301, 54.305, and/or 54.307 and/or part 36, subpart F. The carriers listed below filed requests for certification with the Commission which support their affirmations that all federal high-cost support provided to them will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act. The Commission has granted certification to the following companies:

Armour Independent Telephone Company (391640)  
Baltic Telecom Cooperative and East Plains Telecom, Inc. (391642)  
Beresford Municipal Telephone Company (391649)  
Bridgewater-Canistota Independent Telephone Company (391640) (co. no. 0158)  
Brookings Municipal Telephone (391650)  
Cheyenne River Sioux Tribe Telephone Authority (391647)  
Citizens Telecommunications Company of Minnesota, Inc. (361123)  
City of Faith Municipal Telephone Company (391653)



Capitol Office  
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FAX (605)773-3809

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Warehouse Division  
Telephone (605)773-5280  
FAX (605)773-3225

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1-800-332-1782

TTY Through  
Relay South Dakota  
1-800-877-1113

Internet Website  
[www.state.sd.us/puc](http://www.state.sd.us/puc)

♦  
Jim Burg  
Chairman  
Pam Nelson  
Vice-Chairman  
Bob Sahr  
Commissioner

Debra Elofson  
Executive Director

Harlan Best  
Martin C. Bettmann  
Karen E. Cremer  
Tina Douglas  
Christopher W. Downs  
Terry Emerson  
Michele M. Farris  
Marlette Fischbach  
Heather K. Forney  
Kelly D. Frazier  
Mary Giddings  
Tom Graham  
Mary A. Healy  
Terri Iverson  
Lisa Hull  
Dave Jacobson  
Amy Kayser  
Bob Knadle  
Delaine Kolbo  
Gregory A. Rislov  
Keith Senger  
John Smith  
Rolayne Ailts Wiest  
♦