

TC03-068  
TC03-068

KC/HB

TC03-068

DOCKET NO.

In the Matter of \_\_\_\_\_ IN THE MATTER OF THE  
\_\_\_\_\_ APPLICATION OF MIDCONTINENT  
\_\_\_\_\_ COMMUNICATIONS, INC. FOR  
\_\_\_\_\_ APPROVAL TO EXPAND ITS  
\_\_\_\_\_ CERTIFICATE OF AUTHORITY TO  
\_\_\_\_\_ PROVIDE LOCAL EXCHANGE  
\_\_\_\_\_ SERVICE IN THE SERVICE  
\_\_\_\_\_ TERRITORY OF INTERSTATE  
\_\_\_\_\_ TELECOMMUNICATIONS  
\_\_\_\_\_ COOPERATIVE, INC.

**Public Utilities Commission of the State of South Dakota**

DATE	MEMORANDA
4/17 03	Filed and Docketed;
4/24 03	Weekly Filings;
4/29 03	Letter Requesting Intervention (Interstate Tele.);
5/16 03	Order Granting Intervention;
11/12 03	Stipulation Regarding Application for Rural Certification;
12/17 03	Order Granting Petition to Amend Certificate of Authority, and Order Granting Hearing;
12/17 03	Docket Closed

LAW OFFICES  
MAY, ADAM, GERDES & THOMPSON LLP  
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TC03-068

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April 17, 2003

OF COUNSEL  
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APR 17 2003

HAND DELIVERED

Pamela Bonrud  
Executive Secretary  
Public Utilities Commission  
500 East Capitol Avenue  
Pierre, South Dakota 57501

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: **MIDCONTINENT TELECOMMUNICATIONS; APPLICATION FOR RURAL  
CERTIFICATE OF AUTHORITY IN WEBSTER**  
Our file: 4056

Dear Pam:

Accompanying this letter are original and ten copies of the following:

- Application for Amended Certificate of Authority (to provide local exchange service in a rural area) with Certificate of Service;
- Notice of Application to Provide Local Exchange Service and Request for Interconnection with Certificate of Service;
- Midcontinent's Request for Confidential Treatment of Information with Certificate of Service; and
- Request for Waiver with Certificate of Service.

Please file the enclosures.

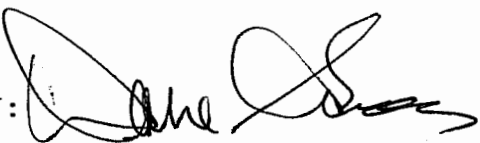
With a copy of this letter, I am mailing to Jerry Heiberger, General Manager of Interstate Telecommunications Cooperative,

Pamela Bonrud  
April 17, 2003  
Page 2

Inc., copies of the enclosures, this being intended as service  
by mailing upon ITC.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAG:mw

Enclosures

cc/enc: Jerry Heiberger  
W. Thomas Simmons

**RECEIVED**

APR 17 2003

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

IN THE MATTER OF THE APPLICATION ) CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS )  
TO PROVIDE LOCAL EXCHANGE SERVICE ) **NOTICE OF APPLICATION TO**  
IN A RURAL SERVICE AREA ) **PROVIDE LOCAL EXCHANGE**  
) **SERVICE AND REQUEST FOR**  
) **INTERCONNECTION**

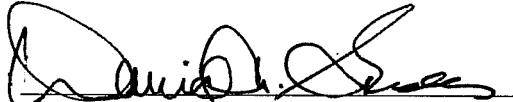
TO: INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC. (ITC),  
312 Forth Street West, P.O. Box 920, Clear Lake, South Dakota,  
57226-0920

YOU WILL PLEASE TAKE NOTICE pursuant ARSD 20:10:32:05 that the undersigned applies to the Commission for a Certificate of Authority to provide local exchange service in a portion of the geographic area wherein you provide local exchange service. A copy of the application accompanies this notice, to which application reference should be made for further particulars.

YOU WILL PLEASE TAKE FURTHER NOTICE that the undersigned requests interconnection pursuant to 47 U.S.C. § 251(f)(1)(A). Midcontinent is applying to provide competitive local exchange and long distance services in the Webster exchange. Midcontinent's application proposes to use a combination of ITC resold services, the structure to be determined by the final interconnection agreement between the parties, and the hybrid fiber coax (HFC) network of its cable plant to provide primary transport for residential telephone services. Midcontinent requests that representatives of ITC meet with representatives of Midcontinent at a mutually agreeable location within two weeks of the date of this notice to establish a schedule and framework for negotiations to develop an interconnection agreement.

Dated this 17 day of April, 2003.

MAY, ADAM, GERDES & THOMPSON LLP

BY   
DAVID A. GERDES  
Attorneys for Midcontinent  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Telefax: (605)224-6289

CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17 day of April, 2003, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

Jerry Heiberger  
General Manager  
Interstate Telecommunications Cooperative, Inc.  
P.O. Box 920  
312 Fourth Street West  
Clear Lake, South Dakota 57226-0920

  
David A. Gerdes

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APR 17 2003

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION ) CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS )  
TO PROVIDE LOCAL EXCHANGE SERVICE ) **MIDCONTINENT'S REQUEST**  
IN A RURAL SERVICE AREA ) **FOR CONFIDENTIAL**  
 ) **TREATMENT OF INFORMATION**

Pursuant to ARSD 20:10:01:41, Midcontinent Communications (Midcontinent), files the following information with the Commission requesting confidential treatment:

1. Exhibit C, Financial Statements and Report of Independent Certified Public Accountants, Midcontinent Communications, August 31, 2002, and 2001, intended to satisfy the requirement of ARSD 20:10:32:03(11) for financial information associated with Midcontinent's application in this docket. The information is identified as Exhibit C in the application.

This request for confidential treatment of information is based upon the following information:

A. The foregoing paragraph constitutes an identification of the documents and the general subject matter of the materials for which confidentiality is being requested.

B. The length of time for which confidentiality is being requested is until this docket and all appeals therefrom have been exhausted. Thereafter, all documents shall be destroyed or returned to the undersigned.

C. The name, address and telephone number of the person to be contacted regarding the confidentiality request is: David A. Gerdes, May, Adam, Gerdes & Thompson, P.O. Box 160, Pierre, South Dakota, 57501-0160, attorneys for Midcontinent.


D. The grounds upon which confidentiality is requested are that the material constitutes confidential and proprietary information owned by Midcontinent, the release of which would be detrimental to Midcontinent and cause irreparable injury. The release of any such information would create a competitive disadvantage for Midcontinent with its competitors. Further, the information is susceptible to no beneficial or legitimate business purpose to anyone other than the parties to the documents.

E. The factual basis that qualifies the information for confidentiality is that the information was requested as part of the application process in this docket. The information serves no useful purpose except as it may relate to the issues between the parties in this docket. Any outside use of this information will be in violation of Midcontinent's confidential rights.

WHEREFORE Midcontinent prays that the Commission keep the accompanying information confidential under its rules, and that any person or party viewing such information may do so only under a confidentiality agreement approved by Midcontinent or its authorized representative.

Dated this 17 day of April, 2003.

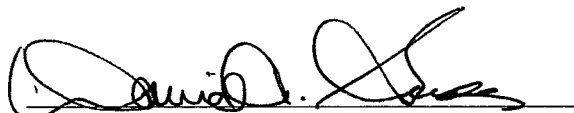
MAY, ADAM, GERDES & THOMPSON LLP

BY:   
DAVID A. GERDES  
Attorneys for Midcontinent  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Telefax: (605)224-6289

CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17 day of April, 2003, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

Jerry Heiberger  
General Manager  
Interstate Telecommunications Cooperative, Inc.  
P.O. Box 920  
312 Fourth Street West  
Clear Lake, South Dakota 57226-0920

  
David A. Gerdes

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APR 17 2003

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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

IN THE MATTER OF THE APPLICATION ) CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS )  
TO PROVIDE LOCAL EXCHANGE SERVICE ) **APPLICATION FOR WAIVER**  
IN A RURAL SERVICE AREA )

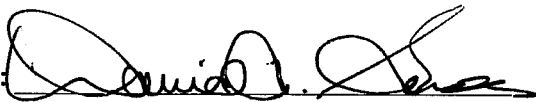
Pursuant to ARSD 20:10:32:03(22), Midcontinent Communications ("Midcontinent") requests the following waivers associated with its application:

1. By its application in this docket, Midcontinent is seeking authority to provide local exchange service in the Webster exchange of the ITC service area. Midcontinent is able to satisfy the local service obligations provided in ARSD 20:10:32:10, as well as those provided by 47 U.S.C. § 214(e)(1). Midcontinent is not aware that the Commission has by rule established minimum service areas. However, to the extent that service of less than the entire ITC study area requires a waiver, Midcontinent requests such a waiver under ARSD 20:10:21:18.

WHEREFORE, Midcontinent prays that the Commission in its final order grant such waivers as may be necessary for Midcontinent to serve the area applied for.

Dated this 17 day of April, 2003.

MAY, ADAM, GERDES & THOMPSON LLP

BY:   
DAVID A. GERDES  
Attorneys for Midcontinent  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Telefax: (605)224-6289



CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17 day of April, 2003, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

Jerry Heiberger  
General Manager  
Interstate Telecommunications Cooperative, Inc.  
P.O. Box 920  
312 Fourth Street West  
Clear Lake, South Dakota 57226-0920

  
David A. Gerdes

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

IN THE MATTER OF THE APPLICATION     )     CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS     )  
TO PROVIDE LOCAL EXCHANGE SERVICE   )  
IN A RURAL SERVICE AREA             )

**APPLICATION FOR AMENDED  
CERTIFICATE OF AUTHORITY**

**RECEIVED**

APR 17 2003

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Midcontinent Communications  
5001 West 41<sup>st</sup> Street  
Sioux Falls, SD 57106  
Telephone: 800-888-1300  
Fax: (605)339-4419  
e-mail: mccomm@midco.net

Attorneys for the Applicant:

David A. Gerdes  
May, Adam, Gerdes & Thompson LLP  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Fax: (605)224-6289

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

IN THE MATTER OF THE APPLICATION     )     CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS     )  
TO PROVIDE LOCAL EXCHANGE SERVICE   )     **APPLICATION FOR AMENDED**  
IN A RURAL SERVICE AREA             )     **CERTIFICATE OF AUTHORITY**

**I. INTRODUCTION**

Midcontinent Communications files this petition to amend its certificate of authority to provide local exchange service in the rural exchange area of Webster, South Dakota pursuant to ARSD 20:10:32:03, 20:10:32:15 and 20:10:32:18.

Among other things, this application is a competitive response to the provision of video programming in the geographical area applied for by the incumbent carrier, Interstate Telecommunications Cooperative, Inc. ("ITC"), 312 4<sup>th</sup> West Street, Clear Lake, South Dakota, 57226. 47 U.S.C. § 251(f)(1)(C) is applicable to the application. As such, the exemption provided by 47 U.S.C. § 251(f)(1)(A) does not apply to ITC.

**APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY**

1. The Applicant's name and address, telephone number, facsimile number, e-mail address and whether the applicant is a sole proprietorship, partnership, corporation, limited liability corporation or a limited liability partnership (ARSD 20:10:32:03(1)):

Midcontinent Communications  
5001 West 41<sup>st</sup> Street  
Sioux Falls, SD 57106  
Phone: 800-888-1300  
Fax: (605)339-4419  
e-mail: mcomm@midco.net

Midcontinent Communications is a General Partnership

2. **If a partnership, the full name and business address of each partner (ARSD 20:10:32:03(2)):**

Midcontinent Communications Investor, LLC  
3600 Minnesota Drive, Suite 700  
Edina, MN 55435

TCI Midcontinent, LLC  
1500 Market Street  
Philadelphia, PA 19102

Ownership is in equal shares (50-50).

3. **The name under which the applicant will provide telecommunications services in the state of South Dakota, including local exchange services (ARSD 20:10:32:03(3)):**

Midcontinent Communications

4. **A description of the applicant's experience providing any telecommunications services in South Dakota or in other jurisdictions, including the types of services provided, and the dates and nature of state or federal authorization to provide the services (ARSD 20:10:32:03(5)):**

The present Midcontinent Communications was originally certificated as MidcoTel in 1982 as a provider of interexchange service in South Dakota. MidcoTel became Midco Communications, and Midco Communications filed for and received a certificate to provide resold local exchange service in South Dakota in 1997 and a facilities based certificate in 1999.

Midcontinent Media was the parent company of Midco Communications. Another division of Midcontinent Media was Sioux Falls Cable. Sioux Falls Cable filed for and received a certificate as a local exchange carrier in 1999.

In 2000, Sioux Falls Cable and Midco Communications merged to Midcontinent Communications and a new certificate was granted September 2000.

Midcontinent Communications is also certificated in North Dakota for local and long distance services. The company

received a certificate for resold services in 1998 and facilities in 1999.

In 2002, Midcontinent Communications applied for and received a certificate of authority in Minnesota for resold local service. Midcontinent is also certificated for long distance service in Minnesota.

**5. Names and addresses of applicant's affiliates, subsidiaries and parent organizations, if any (ARSD 20:10:32:03(6)):**

The parent companies of Midcontinent Communications are noted in 2 above. The parent organizations are indirect wholly-owned subsidiaries of Comcast and Midcontinent Media, Inc., respectively. In addition to Midcontinent Communications, other Midcontinent Media subsidiaries include:

Midcontinent Corporation  
Midcontinent Radio of South Dakota, Inc.  
Midco Call Center Services, Inc.  
Midcontinent Media Foundation

**6. A list and specific description of the types of services the applicant seeks to offer and the means by which the services will be provided including (ARSD 20:10:32:03(7)):**

- (a) Information indicating the classes of customers the applicant intends to serve;
- (b) Information indicating the extent to and time-frame by which applicant will provide service through the use of its own network facilities, the purchase of unbundled network elements, or resale;
- (c) A description of all facilities that the applicant will utilize to furnish the proposed local exchange services, including and facilities of underlying carriers; and
- (d) Information identifying the types of services it seeks authority to provide by reference to the general nature of the service.

Midcontinent Communications is currently certificated to provide local exchange and long distance services throughout the state of South Dakota in the Qwest service areas. In the Webster exchange Midcontinent will use a

combination of ITC resold services, the structure to be determined by the final interconnection agreement between the parties, and the hybrid fiber coax (HFC) network of its cable plant to provide primary transport for residential telephone services. In addition to providing local exchange services for commercial and residential customers, Midcontinent also provides intrastate interexchange services for commercial and residential customers and interstate interexchange services for commercial and residential customers, which will be available in Webster.

By this application, Midcontinent seeks to provide local exchange service in the Webster exchange of ITC. As indicated above this is a competitive filing. ITC is offering cable services in the Webster exchange.

Midcontinent has been a provider of cable TV services in Webster since April, 1974. Midcontinent's cable facilities have been upgraded to 750 megahertz, which provides the capacity for both high speed Internet service and telephony. Midcontinent has been providing like services in Sioux Falls since February, 2000, and in Madison and Canton since August, 2002.

ARSD 20:10:32:15 requires Midcontinent, by seeking authority to provide local exchange service in the service area of a rural telephone company, to satisfy the service requirements imposed on eligible telecommunications carriers pursuant to 47 U.S.C. § 214(a)(1) and applicable federal regulations. That section further permits application for a waiver under ARSD 20:10:21:18.

Midcontinent is able to satisfy the local exchange service obligations provided in ARSD 20:10:32:10, as well as those provided in 47 U.S.C. § 214(e)(1). However, to the extent that service of less than the entire study area of ITC requires a waiver, Midcontinent requests such a waiver under ARSD 20:10:21:18. At the present time, Midcontinent applies only to provide local exchange services in the Webster exchange.

Midcontinent satisfies the ETC requirements as follows:

**(1) Voice grade access to the public switched telephone network**

Midcontinent Communications currently provides resold and unbundled services of Qwest Communications in the ILEC's exchange areas, and through its own facilities in Sioux Falls, Madison and Canton, SD. The intent is to provision services in Webster through Midcontinent's facilities switched from the Aberdeen central office. Midcontinent's switch is a Taqua switch which is capable of providing local dial tone as well as standard calling features such as call forwarding, call waiting, caller identification, three-way calling, speed calling, and call transfer.

**(2) Local usage meaning a prescribed amount of minutes of use of exchange service provided free of charge to end users**

Midcontinent Communications charges a flat monthly service fee for local service with no limit to the number of calls made or received, or minutes of usage.

**(3) Dual tone multi-frequency signaling or its functional equivalent**

Midcontinent will provide DTMF signaling for all customers in the Webster exchange.

**(4) Single-party service or its functional equivalent**

Midcontinent Communications provides only single-party service in all areas served.

**(5) Access to emergency services**

Midcontinent Communications intends to have agreements and connectivity to all appropriate Public Safety Answering Points. In Webster, details will depend upon interconnection with the incumbent carrier.

**(6) Access to operator services**

Midcontinent Communications provides operator services to all customers through Prairie Wave Communications. This agreement provides all Midcontinent customers access to 0- and 0+ services. Equal access will also be provided to other long distance carriers.

**(7) Access to interexchange service**

Midcontinent Communications has provided interexchange service in South Dakota since 1982. Long distance and toll free services are resold through a carrier(s) where a negotiated agreement has been reached so a fair and reasonable rate may be given to the end user.

**(8) Access to directory assistance**

Midcontinent Communications has an agreement with Prairie Wave Communications for directory assistance.

**(9) Toll limitation for qualifying low-income consumers**

Midcontinent Communications participates in the Telephone Assistance Program. The ability to request toll restriction is available.

**7. A service area map and narrative description indicating with particularity the geographic area proposed to be served by the applicant (ARSD 20:10:32:03(8)):**

In addition to Midcontinent's current certificated territory, attached as Exhibit A is a map of ITC's Webster exchange, which Midcontinent proposes to serve. Additionally, attached as Exhibit B is a Midco facilities map, showing Midcontinent's facilities in the state of South Dakota.

**8. Information regarding the technical competence of the applicant to provide its proposed local exchange services including (ARSD 20:10:32:03(9)):**

- (a) A description of the education and experience of the applicant's management personnel who will oversee the proposed local exchange services; and
- (b) Information regarding policies, personnel, or arrangements made by the applicant which demonstrates the applicant's ability to respond to customer complaints and inquiries promptly and to perform facility and equipment maintenance necessary to ensure compliance with any Commission quality of service requirements.

Midcontinent Communications Management Team includes:



N. Larry Bentson, Chairman

Mr. Bentson is a founder of Midcontinent Media, Inc., and has been active in the ownership and management of television and radio stations, cable TV systems, conventional theatres, satellite transmission and reception, and other communications related companies in Minnesota, North Dakota, South Dakota and Wisconsin. Mr. Bentson graduated from the Institute of Technology at the University of Minnesota in 1943. He served as a naval officer for three years in the South Pacific during World War II. He has served as a board member of numerous industry and non-profit organizations.

Joseph H. Floyd, Vice Chariman

Mr. Floyd has been active in the ownership and management of television and radio stations, cable television systems, conventional theatres, satellite transmission and reception, and other communications related companies in Minnesota, North Dakota, South Dakota, and Wisconsin. He has held a number of positions with Midcontinent, including President and COO, and has been involved with Midcontinent since 1968. He is presently a member of the Board of Directors of the National Cable Television Association and C-SPAN. Previous employers include Martin Marietta Corporation and Public Service Co. of Colorado. Mr. Floyd holds undergraduate degrees in physics from Augustana College and electrical engineering from the University of Denver.

Mark S. Niblick, President and CEO

Mr. Niblick has been with Midcontinent since 1985 and in his current position since July 2001. Prior to his current position, he was Executive Vice President and General Counsel for the company and was responsible for the financial and legal management of the company. Mr. Niblick was previously employed as an attorney and CPA. Mr. Niblick earned a BS in accounting (1975) and a JD (1978) from Indiana University.

Steven Grosser, Sr. Vice President Finance

Mr. Grosser has been with Midcontinent in his current capacity since July 2001. He is responsible for company accounting, management reporting, financial policies and procedures, budgeting, and financial management. Mr. Grosser

started with Midcontinent in 1990 and held the position of Assistant Controller, Controller, and Vice President of Finance prior to his current position. He was previously employed by Grant Thornton as an audit supervisor. Mr. Grosser earned a BS in accounting from St. Cloud State University in St. Cloud, MN in December 1985. He is a CPA.

Patrick McAdaragh, Sr. Vice President Operations

Mr. McAdaragh has served in his current position since July 2001. He is responsible for the day to day operations of all of the company's cable and telecommunications operations including field operations, customer services, sales, marketing, and public relations. Mr. McAdaragh joined the company in 1981 as a staff accountant and held the positions of Controller, Director of Treasury Operations, and Vice President of Operations, prior to current position. Mr. McAdaragh joined the company in June, 1981 after graduating from Augustana College in May 1981 with a BA in accounting.

Dick Busch, Sr. Vice President Technology

Mr. Busch was named Sr. Vice President Technology in July 2001. He joined Midcontinent Media in 1976 and has served in many capacities within data processing and information technology. Mr. Busch is responsible for the technical operations of Midcontinent including engineering, construction, network maintenance, and information systems. He is a 1976 computer science graduate of the North Dakota State School of Science and a 1995 degree completion program graduate at Sioux Falls College.

W. Thomas Simmons, Vice President of Public Policy

Mr. Simmons joined MMI in 1987 as the general manager of Midcontinent Media's South Dakota radio group. Prior thereto, Mr. Simmons worked in radio broadcasting as an engineer, producer, announcer, operations manager, and general manager. His total radio experience covered 25 years, 16 of which were in general management. In 1995, Mr. Simmons joined Midco Communications, Midcontinent's telecommunications company, as Vice President and General Manager. Mr. Simmons holds BA and MS degrees in psychology from Concordia College, Moorhead, MN and North Dakota State University.

Mark Powell, Director of Sales

Mr. Powell began his career with Midco Communications in 1993 as an account manager in long distance resale. In 1995, he became local sales manager. In 1999, he became director of Commercial Sales, and in May 2000, he was promoted to director of sales for all Midcontinent Communications products and services. Mr. Powell holds BA degrees from Augustana College and the University of Central Oklahoma, and an MBA from the University of Sioux Falls.

Kristina Viggers, Director of Customer Service

Ms. Viggers has been with Midcontinent since October of 1999. She is responsible for the customer service organization. Kristina earned her BS in business administration from the University of South Dakota in May, 1985. She previously worked in the banking and telecommunications industries. Prior to joining Midcontinent she was employed seven years with MCI Telecommunications as a senior manager for their International Customer Service Center.

Nancy Vogel, Business Director

Ms. Vogel joined Midco Communications in 1986. She has served as the controller of the telephony division since that time. Her responsibilities include financial reporting, budgeting, pricing and billing. Nancy graduated from Dakota State University with a BS degree in business administration. Nancy is a CPA, and, before joining Midcontinent, was employed as a senior auditor with the Minnesota State Auditors Office and First Bank System

9. **Information explaining how the applicant will provide customers with access to emergency services such as 911 or enhanced 911, operator services, interexchange services, directory assistance, and telecommunications relay services (ARSD 20:10:32:03(10)):**

Service	Resold ITC Local Exchange Services	Facilities Based Services using ITC Unbundled Local Loops	Facilities Based Services using Midcontinent HFC Network
---------	--	---	--

<b>911</b>	Provided as a bundled service of ITC	Provided by direct redundant trunks to 911 service center (PSAP)	Provided by direct redundant trunks to 911 service center (PSAP)
<b>Enhanced 911</b>	Provided as a bundled service of ITC	Provided by direct redundant trunks to 911 service center (PSAP)	Provided by direct redundant trunks to 911 service center (PSAP)
<b>Operator Services</b>	Provided as a contracted service of Prairie Wave	Provided by Prairie Wave through direct trunks under separate vendor agreement.	Provided by Prairie Wave through direct trunks under separate vendor agreement.
<b>Interexchange Services</b>	In state long distance provided by interconnection with ITC and SDN (independent telephone company transport). Interstate long distance service provided by interconnection with MCI Worldcom. Interconnection with other IXC providers provided by ITC.	In state long distance provided by interconnection with ITC and SDN (independent telephone company transport). Interstate long distance service provided by interconnection with MCI Worldcom. Interconnection with other IXC carriers to guarantee intraLATA and interLATA	In state long distance provided by interconnection with ITC and SDN (independent telephone company transport). Interstate long distance service provided by interconnection with MCI Worldcom. Interconnection with other IXC carriers to guarantee intraLATA and interLATA

		dialing parity is provided through direct trunking with the ITC access tandem.	dialing parity is provided through direct trunking with the ITC access tandem.
<b>Directory Assistance</b>	Provided as a contracted service of Prairie Wave	Provided by Prairie Wave or ITC through direct trunks under separate vendor agreement.	Provided by Prairie Wave or ITC through direct trunks under separate vendor agreement.
<b>Telecommunications Relay Services</b>	Provided by as part of the bundled service of ITC.	Provided through local interconnection with ITC.	Provided through local interconnection with ITC.

**10. Financial information including (ARSD 20:10:32:03(11)):**

- (a) For the most recent 12-month period, financial statements consisting of balance sheets, income statements, and cash flow statements;

See financial statements included as Exhibit C. Midcontinent respectfully requests confidential treatment of all financial disclosures.

- (b) If a public corporation, the applicant's latest annual report and report to stockholders.

Midcontinent is a general partnership, and is not a public corporation.

**11. Information detailing the following matters associated with interconnection to provide proposed local exchange services (ARSD 20:10:32:03(12)):**

- (a) The identity of all local exchange carriers with which the applicant plans to interconnect;

- (b) **The likely timing of initiation of interconnection service and a statement as to when negotiation for interconnection started or when negotiations are likely to start; and**
- (c) **A copy of any request for interconnection made by the applicant to any local exchange carrier.**

Midco Communications completed its Agreement for Service Resale with Qwest Communications on August 29, 1997 and its Interconnection Agreement with Qwest Communications, which incorporated the earlier resale agreement, on March 1, 1999. In SD PUC Docket TC99-023, "In the Matter of the Filing by Qwest Communications, Inc. for Approval of an Interconnection Agreement Between Midco Communications, Inc. d/b/a Midcontinent Communications and Qwest Communications, Inc., the Commission approved the negotiated agreement on May 5, 1999.

In the area applied for (the Webster exchange) Midcontinent intends to provide local exchange service where facilities are available and provisioned either through an interconnection agreement with ITC, or by resale of ITC local exchange services.

A formal request for interconnection satisfying 47 U.S.C. § 251(f) (1) (A) has been transmitted to ITC of even date, and is attached hereto as Exhibit D.

- 12. A Tariff or price list indicating the prices, terms, and conditions of each contemplated local service offering (ARSD 20:10:32:03(13)):**

Midcontinent's tariff is attached as Exhibit E.

- 13. Cost support for the rates shown in the company's tariff or price list for rate or price regulated noncompetitive or emerging services (ARSD 20:10:32:03(14)):**

Midcontinent offers no regulated noncompetitive, or emerging services.

- 14. A description of how the applicant intends to market its local exchange services, its target market, whether the applicant engages in multilevel marketing, and copies of**

**any company brochures that will be used to assist in sale of the services (ARSD 20:10:32:03(15)):**

Midcontinent Communications markets local exchange services primarily through trained sales personnel. Midcontinent intends to offer local exchange services to residential and commercial customers through direct marketing, either by mail or by direct contact by a Midcontinent representative, or through Midcontinent's inbound sales agents. Midcontinent does not use out-bound telemarketing campaigns by third parties, or multi-level marketing. A copy of Midcontinent's 2003 pricing plan is provided in the form of Exhibits F, G and H.

- 15. If the applicant is seeking authority to provide local exchange service in the service area of a rural telephone company, the date by which the applicant expects to meet the service obligations imposed pursuant to 20:10:32:15 and the applicant's plan for meeting the service obligations (ARSD 20:10:32:03(16)):**

By this application, Midcontinent is seeking authority to provide local exchange service in the Webster exchange of the ITC service area. Midcontinent is currently able to provide those services enumerated in response to paragraph 6 of this application, and proposes to begin service within 180 days of the Commission's favorable consideration of the application.

- 16. A list of states in which the applicant is registered or certified to provide telecommunications services, whether the applicant has ever been denied registration or certification in any state and the reasons for any such denial, a statement as to whether or not the applicant is in good standing with the appropriate regulatory agency in states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable (ARSD 20:10:32:03(17)):**

In addition to being certificated in South Dakota, as indicated above, Midcontinent is also certificated in North Dakota and Minnesota for commercial and residential intrastate and interstate interexchange services. Midcontinent is also certificated in North Dakota and Minnesota for local exchange services in Qwest areas. No

Midcontinent application for state certification has been denied, and Midcontinent is in good standing with the regulatory agency in each state where it holds a state certification.

17. **The names, addresses, telephone numbers, e-mail addresses, and facsimile numbers of the applicant's representatives to whom all inquiries must be made regarding customers complaints and other regulatory matters (ARSD 20:10:32:03(18)):**

Complaints should be directed to:

Midcontinent Customer Service  
5001 West 41<sup>st</sup> Street,  
Sioux Falls, SD 57106  
Phone: (800) 888-1300  
Fax: (605) 339-4419  
e-mail: mcomm@midco.net

Or escalated to:

Mary Lohnes  
Regulatory Affairs Manager  
5001 West 41<sup>st</sup> Street,  
Sioux Falls, SD 57104  
Phone: (605) 357-5459  
Fax: (605) 339-4419  
e-mail: mary\_lohnes@mami.net

Regulatory matters should be directed to:

Mary Lohnes  
Regulatory Affairs Manager  
5001 West 41<sup>st</sup> Street,  
Sioux Falls, SD 57104  
Phone: (605) 357-5459  
Fax: (605) 339-4419  
e-mail: mary\_lohnes@mami.net

18. **Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services (ARSD 20:10:32:03(19)):**



Midcontinent prepares its own bills and submits them to customers monthly, usually by U.S. Mail. Payment is due within 15 days of receipt. Accounts are considered past due 30 days after the billing date. Past due amounts are charged 1.5 percent interest, or a minimum of \$3.50, per month on outstanding balances. More detailed information concerning Midcontinent's billing procedures is provided in Section 4.1 of the tariff attached to this application as Exhibit E.

- 19. Information concerning the applicant's policies relating to solicitation of new customers and a description of the efforts the applicant shall use to prevent the unauthorized switching of local service customers by the applicant, its employees or agents (ARSD 20:10:32:03(20)):**

Midcontinent customers will be switched to Midcontinent upon written request or through an order placed through its contracted third party verification company. The switching will be handled in a professional and expeditious manner. Only those customers requesting to have Midcontinent as their service provider will be switched. Midcontinent has not, and will not, practice "slamming". Errors, however, can occur. If Midcontinent is informed that a party is switched to Midcontinent in error, that party will be switched back to their previous provider as quickly as possible, and at no cost.

- 20. The number and nature of complaints filed against the applicant with any state or federal commission regarding the unauthorized switching of a customer's telecommunications provided and the act of charging customers for services that have not been ordered (ARSD 20:10:32:03(21)):**

See the FCC Slam Reports dated August 10, 2001, January 30, 2002, July 22, 2002 and January 23, 2003, attached as Exhibit I.

- 21. A written request for waiver of those rules believed to be inapplicable (ARSD 20:10:32:03(22)):**

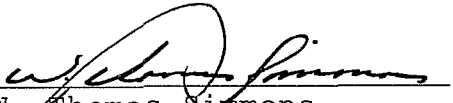
A written request for a waiver of rules is filed separately with this application.

22. Federal tax identification number (ARSD 20:10:32:03(23)):

The Federal Tax ID for Midcontinent Communications is 41-1957148.

Dated this 17th day of April, 2003.


MIDCONTINENT COMMUNICATIONS

By:   
Mr. W. Thomas Simmons  
Vice President, Public Policy  
Midcontinent Communications  
5001 West 41<sup>st</sup> Street  
Sioux Falls, SD 57106

Copies of all filings with the Commission by the parties to this proceeding should be served upon W. Thomas Simmons at the address set forth immediately above and, additionally, upon the undersigned counsel for the applicant.

Dated this 17th day of April, 2003.

MAY, ADAM, GERDES & THOMPSON LLP

BY:   
DAVID A. GERDES  
Attorneys for Midcontinent  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Telefax: (605)224-6289

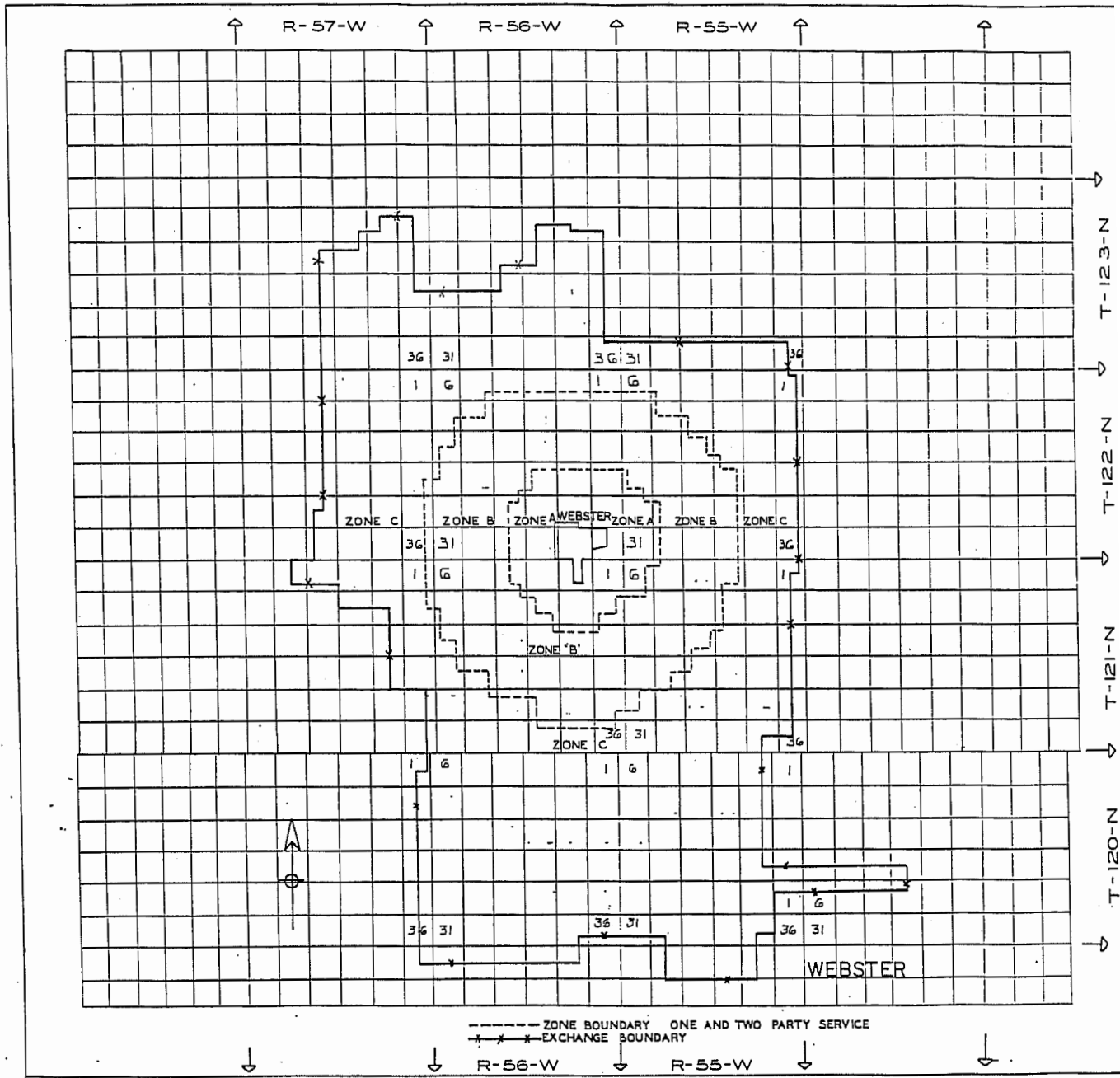
CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17th day of April, 2003, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

Jerry Heiberger  
General Manager  
Interstate Telecommunications Cooperative, Inc.  
P.O. Box 920  
312 Fourth Street West  
Clear Lake, South Dakota 57226-0920



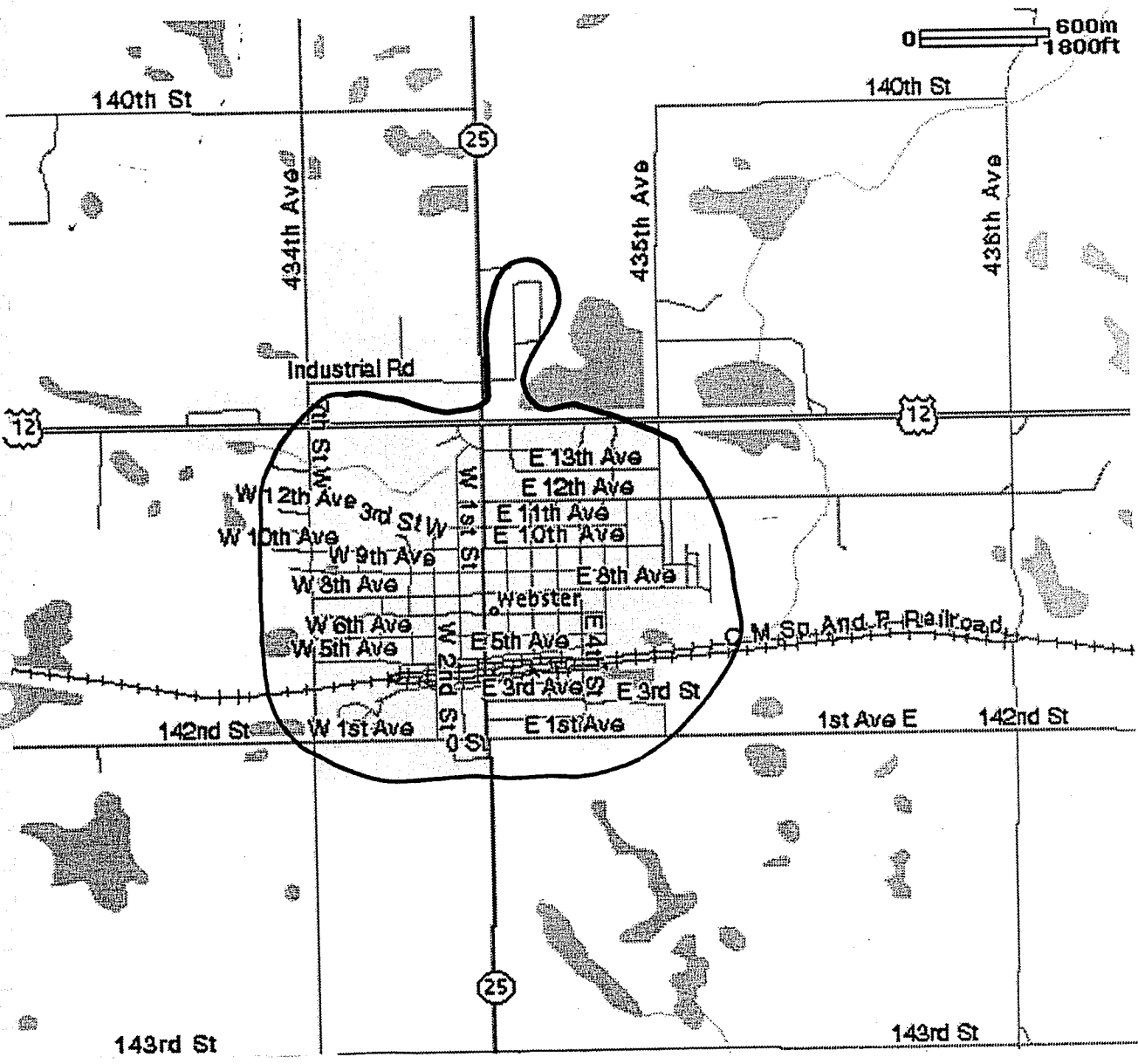
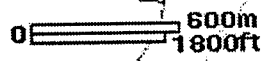
David A. Gerdes



ISSUED December 16, 1987 EFFECTIVE January 16, 1988

F-3652-30

Exhibit A



140th St

140th St

434th Ave

435th Ave

436th Ave

Industrial Rd

12

12

25

25

E 13th Ave  
E 12th Ave  
E 11th Ave  
E 10th Ave  
E 8th Ave  
E 5th Ave  
E 3rd Ave  
E 3rd St  
E 1st Ave  
W 12th Ave  
W 10th Ave  
W 9th Ave  
W 8th Ave  
W 6th Ave  
W 5th Ave  
W 3rd St  
W 1st St  
W 1st Ave

Webster

C.M. Sp. And P. Railroad

142nd St

1st Ave E

142nd St

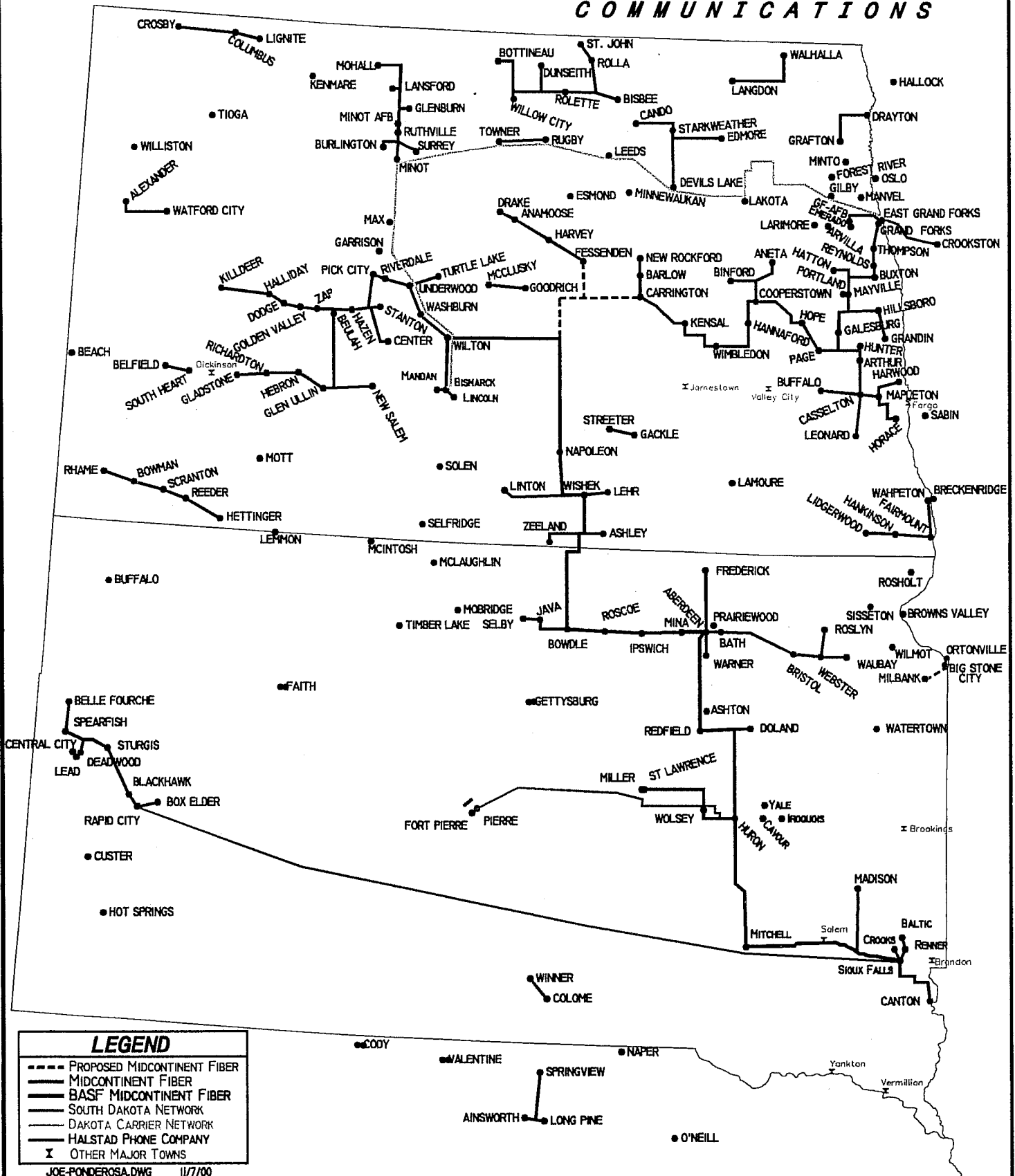
143rd St

143rd St



# Midcontinent

COMMUNICATIONS



CONFIDENTIAL

# 1

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

IN THE MATTER OF THE APPLICATION	)	CT03-_____
OF MIDCONTINENT COMMUNICATIONS	)	
TO PROVIDE LOCAL EXCHANGE SERVICE	)	<b>NOTICE OF APPLICATION TO</b>
IN A RURAL SERVICE AREA	)	<b>PROVIDE LOCAL EXCHANGE</b>
	)	<b>SERVICE AND REQUEST FOR</b>
	)	<b>INTERCONNECTION</b>

TO: INTERSTATE TELECOMMUNICATIONS COOPERATIVE, INC. (ITC),  
312 Forth Street West, P.O. Box 920, Clear Lake, South Dakota,  
57226-0920

YOU WILL PLEASE TAKE NOTICE pursuant ARSD 20:10:32:05 that the undersigned applies to the Commission for a Certificate of Authority to provide local exchange service in a portion of the geographic area wherein you provide local exchange service. A copy of the application accompanies this notice, to which application reference should be made for further particulars.

YOU WILL PLEASE TAKE FURTHER NOTICE that the undersigned requests interconnection pursuant to 47 U.S.C. § 251(f)(1)(A). Midcontinent is applying to provide competitive local exchange and long distance services in the Webster exchange. Midcontinent's application proposes to use a combination of ITC resold services, the structure to be determined by the final interconnection agreement between the parties, and the hybrid fiber coax (HFC) network of its cable plant to provide primary transport for residential telephone services. Midcontinent requests that representatives of ITC meet with representatives of Midcontinent at a mutually agreeable location within two weeks of the date of this notice to establish a schedule and framework for negotiations to develop an interconnection agreement.



Dated this 17th day of April, 2003.

MAY, ADAM, GERDES & THOMPSON LLP

BY

  
DAVID A. GERDES

Attorneys for Midcontinent  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605)224-8803  
Telefax: (605)224-6289

CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 17th day of April, 2003, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at his last known address, to-wit:

Jerry Heiberger  
General Manager  
Interstate Telecommunications Cooperative, Inc.  
P.O. Box 920  
312 Fourth Street West  
Clear Lake, South Dakota 57226-0920

  
David A. Gerdes

MIDCONTINENT COMMUNICATIONS  
SIOUX FALLS, SOUTH DAKOTA

TARIFF S.D.P.U.C. NO. 1  
ORIGINAL TITLE PAGE

TARIFF APPLICABLE TO  
LOCAL EXCHANGE and  
LONG DISTANCE SERVICES  
OF  
MIDCONTINENT COMMUNICATIONS

MIDCONTINENT COMMUNICATIONS  
SIOUX FALLS, SOUTH DAKOTA

TARIFF S.D.P.U.C. NO. 1  
REVISION 2 CHECK PAGE

CHECK SHEET

Original and revised pages, as indicated below, comprise all effective pages of this tariff.

<u>PAGE</u>	<u>REVISION</u>
Title Page	Original
Check Sheet	Original
1	Original
2	Original
3	Original
4	Original
5	Revision 1
6	Revision 1
7	Revision 1
7a	Original
8	Original
9	Original
10	Original
11	Revision 2
12	Revision 1
12a	Original
13	Original
13a	Original
14	Revision 1
15	Original
16	Original
17	Revision 1
18	Revision 1
19	Revision 1
20	Revision 1
21	Revision 1
22	Revision 1
23	Revision 1
24	Revision 1

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Explanation of Symbols	2
1. Application of Tariff	3
2. Definitions	4
3. General Regulations	6
3.1 Use of Service	6
3.2 Limitation of Liability	7
3.3 Customer Obligations	7a
4. Payments and Credit Regulations	10
4.1 Rendering and Payment of Bills	10
4.2 Cancellation and Discontinuance of Service	12
4.3 Deposits and Establishment of Credit	13
4.4 Advance Payments	13a
5. Service Descriptions and Charges	14
5.1 Applications of Usage Rates	14
5.2 Local Service	15
5.3 Message Telecommunications Service	16
5.4 Toll Free Service	17
5.5 Interstate Telecommunications Services	19
5.6 International Telecommunication Services	19
5.7 Directory Assistance	20
6. Local Exchange Service	21
6.1 Local Line Service	21
6.2 Local Service Features	21
6.3 Business Line and Features	23
7. Calling Card	23
8. Customer Inquiries and Complaints	24

EXPLANATION OF SYMBOLS

- (C) Changed regulation
- (D) Discontinued rate or regulation
- (I) Increase in rate
- (M) Material moved without change
- (N) New rate or regulation
- (R) Reduction in rate
- (S) Reissued material
- (T) Change in text only

MIDCONTINENT COMMUNICATIONS  
SIOUX FALLS, SOUTH DAKOTA

TARIFF S.D.P.U.C. NO. 1  
ORIGINAL PAGE 3

1. APPLICATION OF TARIFF

This tariff applies to local exchange and long distance intrastate message telecommunications services provided by MIDCONTINENT COMMUNICATIONS (Midcontinent) for communications within the state of South Dakota. Service is furnished by wire, cable, fiber optics, radio and/or a combination thereof.

2. DEFINITIONS

The following definitions apply for certain terms used generally throughout this tariff:

Access Line: A communications channel which is used for access to the local or long distance network.

Authorized User: A person, firm, corporation, or other legal entity which is authorized by the customer to use the service of the customer.

Basic Exchange Telecommunications Service - a service offered to end users which provides the end user with a telephonic connection to, and a unique local telephone number address on, the public switched telecommunications network, and which enables such end user to generally place calls to, or receive calls from, other stations on the public switched telecommunications network.

Billing Period: The period of time between customer invoices, consisting of approximately 30 days.

Company: MIDCONTINENT COMMUNICATIONS

Customer: The customer is the person, firm, corporation or other legal entity which: orders, cancels or amends service; is responsible for the payment of charges, and is responsible for compliance with all Midcontinent tariff regulations.

Holiday: One of the following Federally recognized Holidays: Independence Day, Memorial Day, Labor Day, Thanksgiving Day, Christmas Day, and New Years Day.

LATA: The acronym for Local Access and Transport Area, a geographic area established for the provision and administration of communications services.

Local Access Line or Local Distribution Channel: The facility consisting of the necessary equipment and local telephone company lines, required to interconnect the customer's or authorized user's premises to the Midcontinent network point within the local exchange area.

Normal Business Hours: Is the time between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.

Usage Rates: A recurring per minute fee for Midcontinent services.



2. DEFINITIONS (cont.)

Method of Applying Rates:

Calls that begin in one rate period and terminate in another will be billed for actual time used in each time period. D

Call duration is computed from the time connection is established between the calling party and the called party with fractions of a minute rounded up to the nearest 1/10th of a minute.

Calls are chargeable after answer supervision is received from the distant end.

Weekday: One of the normal business days of the week, Monday through Friday, excluding Holidays and Weekend periods.

Rate Periods:

Day rates apply Monday through Friday, 8:00 a.m. through 5:00 p.m. for each minute or fraction thereof. D

Evening rates apply Sunday through Friday, 5:00 p.m. to 11:00 p.m.

Night/Weekend rates apply Monday through Friday, 11:00 p.m. to 8:00 a.m., all day Saturday and Sunday (except 5:00 p.m. to 11:00 p.m. Sunday which is an Evening Rate period).

Any calls made on the following national holidays will be charged at the evening rate throughout the day on which the holiday is observed unless a lower rate would normally apply.

Memorial Day	Labor Day	Christmas Day
Independence Day	Thanksgiving Day	New Years Day

3. GENERAL REGULATIONS

3.1 Use of Service

1. Customers or authorized users may not use the services of Midcontinent for any unlawful purpose.
2. Midcontinent Services are for Customer's end use only and may not be resold to, shared with, or made available to any third party by Customer. Customer is responsible for security and all usage of service on their account. Customer agrees to use the services for personal use only. The services are not to be primarily used by Customer for business purposes.
3. Midcontinent reserves the right to the length of a conversation or message and to discontinue the connection to meet the exigencies of an emergency or when in its judgment such action is necessary to assure equitable use of the facilities.
4. The Company reserves the right to limit the length of a Promotion of Services. From time to time, Midcontinent may offer services at a reduced rate or free of charge for promotional, market research or rate experimentation purposes. Such offerings will be for a limited duration and participating customers will be so notified.

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3. GENERAL REGULATIONS (cont.)

3.2 Limitation of Liability

1. Midcontinent's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, shall be determined in accordance with SDCL 49-13-1 and 49-13-1.1, and any other applicable law.
2. Midcontinent is not liable for the actions, omissions or negligence of any other company furnishing a portion of the service.
3. Midcontinent will not be liable for any failure of performance hereinunder due to causes beyond its control including, but not limited to civil disorders, fire, flood or other disasters, labor problems or regulations or actions taken by any government agency having jurisdiction over Midcontinent or its suppliers.
4. The customer will indemnify, defend, and save harmless Midcontinent against:
  - (i) Claims for libel, slander or infringement of copyright arising out of the material, data, information or other content transmitted over facilities furnished by Midcontinent or its suppliers.
  - (ii) Claims for damage to customer or authorized user's premises, including claims made by a third party resulting from the furnishing of service by Midcontinent when said damage is not the result of negligence of Midcontinent agents or employees.
  - (iii) Patent infringement claims arising from or combining or connecting Midcontinent channels with customer provided equipment or systems.
5. Midcontinent will provide a customer's correct name and telephone number to a calling party either upon request to or interception by Midcontinent in the event there is an error or omission in the customer's directory listing. Midcontinent's liability for any errors or omission in any

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3. GENERAL REGULATIONS (cont.)

3.2 Limitation of Liability (cont.)

directory listings is limited to the charges made for the listing itself. Midcontinent shall not be liable to Members or others for any incidental, indirect, special or consequential damages of any kind, including loss of use, loss of business, or loss of profit, arising from errors or omissions in directory listings.

3.3 Obligations of the Company

Service will be provided where facilities and billing capability are available. Services shall include, but not be limited to, the existence of access and/or billing arrangements on an originating and/or terminating basis. In the absence of access arrangements between the Company and the access provider at a particular station, a customer may be unable to receive calls at or from the affected location.

3. GENERAL REGULATIONS (cont.)

3.3 Customer Obligations

1. The customer shall be responsible for ensuring that customer provided equipment or facilities are properly interfaced with services arranged for by Midcontinent. The customer shall secure all licenses, permits, rights-of-way, and other arrangements which might be necessary for any such interface.
2. Customer shall operate his equipment in such a manner that his use of Midcontinent or Midcontinent provided facilities shall not interfere with other customer's use of Midcontinent services.
3. The customer shall be responsible for damages to Midcontinent or its agents facilities caused by the negligence or willful acts of the customer's or his authorized user's officers, employees, agents or contractors or invites.
4. The customer shall be responsible for all loss through theft, fire, flood, and other catastrophes to Midcontinent provided equipment on the customer's or his authorized user's premises.
5. Access to the customer's or authorized user's premises shall be provided. Access to Midcontinent provided equipment or facilities for the purpose of maintenance, testing or repair shall also be provided. Midcontinent will notify the customer in advance if such action is required and will attempt to schedule its activities at a mutually convenient time during normal business hours. When at the specific request of the customer, such work is performed outside normal working hours, Special Service charges may apply.
6. Emergency access to the customer's or authorized user's premises by Midcontinent may be necessary for inspection, repair and/or removal of facilities. Such access shall be made available on an unrestricted, 24 hour per day, seven day per week basis.

3. GENERAL REGULATIONS (cont.)

7. The customer is responsible for ensuring that, except for designated personnel, no one attempts to adjust, modify, move or otherwise interfere in any way with the continuous operation of Midcontinent equipment located at the customer's or authorized user's premises.
8. The customer guarantees and assures Midcontinent that his authorized user(s) will satisfy all provision of this tariff and abide by its regulations. The customer also assumes all responsibility for his authorized user(s) relative to compliance with the provisions of this tariff.
9. The customer shall be responsible for the security and use of all Authorization Codes assigned to the customer by Midcontinent. Customer shall also be responsible for all calls made to a toll free number provided by Midcontinent under the terms of a Subscription Agreement. Customer shall notify Midcontinent within one hundred-eighty (180) days of receipt of any monthly invoice, of any charges believed to be incorrect.

4. PAYMENT AND CREDIT REGULATIONS

4.1 Rendering and Payment of Bills

1. Service Dates:

(i) For all usage sensitive charges, accrual will begin immediately upon access to the service.

(ii) For local service and all services requiring dedicated access connections, accrual of monthly recurring charges will begin the day of the installation of the facilities.

(iii) The minimum service period is one month.

2. Rendering of Bills:

(i) All monthly usage charges are billed monthly for the preceding billing period.

(ii) All monthly recurring fees are billed one month in advance of the month for which the fee is applied.

(iii) All charges stated anticipate normal installation and maintenance of the channel(s). In situations where unusual installations or customized maintenance of the channel(s) is requested, additional Special Service charges may apply.

3. Payment of Bills:

(i) As provided by the administrative rules for the SD Public Utilities Commission, each customer is afforded a payment period of 15 days from the time bills are sent and an additional payment period of 5 days during which the bill is owing. At the conclusion of these two periods, all bills are due and payable. Midcontinent reserves the right to put any customer on an "early pay" list in accordance with those same administrative rules. The customer is responsible for payment of all charges for services and equipment provided to the customer or his authorized user(s). This includes any use of an authorization or access code, by the customer or charges incurred as a result of any delegation of authority

4. PAYMENT AND CREDIT REGULATIONS

4.1 Rendering and Payment of Bills (cont.)

resulting in use of the Midcontinent service(s), and/or authorization codes. Customer is also responsible for payment of charges resulting from unauthorized use of authorization or access codes caused by loss or theft of the codes.

(ii) The Company reserves the right to charge interest at the rate of 1.50% per month (unless a different rate is prescribed by law, in which event at the highest rate allowed by law) upon any unpaid amount commencing 30 days after the date of billing for all monthly recurring and non-recurring charges. Further, the Company reserves the right to charge a minimum amount of \$3.50 or 1.5%, whichever is greater, as a late pay penalty on any billing or account which is in delinquent status. I

(iii) The customer is liable for all reasonable expenses and fees, including attorney's fees, as may be ordered by a court of law, incurred by the Company in connection with the collection or attempted collection of any unpaid amount owed.



4. PAYMENT AND CREDIT REGULATIONS

4.2 Cancellation of Application for Service by Subscriber

1. Cancellation of Application for Service by Subscriber.

(i) Previous Indebtedness - Midcontinent reserves the right to refuse service to any applicant who is found to be indebted to the Company for service previously rendered until satisfactory arrangements have been made for the payment of all such indebtedness.

(ii) If a customer cancels his/her request for service prior to the time that any costs have been incurred by Midco, directly related to the furnishing of that service, no charge applies.

(iii) If a customer cancels his request for service after Midcontinent has incurred costs directly related to furnishings such service, there will be a charge equal to the costs incurred up to a total of the installation charge and one month's recurring charge, and a minimum usage charge if applicable.

(iv) In the event that customer induced delays prevent the activation of service for more than 30 days beyond the scheduled installation date, Midcontinent may consider the delay a cancellation of application for service.

2. Discontinuance of Service by Midco

(i) Midcontinent may, without notice, immediately discontinue or cancel service for non-payment of any sum due to Midcontinent for more than 30 days or for violation of any regulation, rule or law of any government authority.

(ii) Midcontinent may discontinue service to an authorization code if that code has not been used for a period of 90 days.

(iii) Midcontinent reserves the right to suspend or discontinue the privileges of an authorization code, to

MIDCONTINENT COMMUNICATIONS  
SIOUX FALLS, SOUTH DAKOTA

TARIFF S.D.P.U.C. NO. 1  
ORIGINAL PAGE 12a

4. PAYMENT AND CREDIT REGULATIONS

4.2 Cancellation of Application for Service by Subscriber (cont.)

protect the Company and the customer, if it believes abuse is occurring and a reasonable effort has been made to contact the legitimate user. A replacement code will be provided to the customer when such action is necessitated.

4. PAYMENT AND CREDIT REGULATIONS (cont.)

4.3 Deposits and Establishment of Credit

1. Midcontinent reserves the right to decline credit and service to those applicants or customers whose credit history and/or financial condition is determined to be unacceptable to Midcontinent.
2. In cases where credit history or financial status cannot be ascertained, Midcontinent reserves the right to impose on customers of unknown or unsatisfactory credit status, the requirement of a deposit. All deposits shall be imposed and maintained in conformance with the requirements of the administrative rules for the SD Public Utilities Commission.
3. A subscriber whose service has been disconnected for non-payment of bills will be required to pay this unpaid balance due, including any interest charges to Midcontinent. In addition, a deposit equal to the subscriber's past average monthly billing times two may be required to re-establish credit and service.
4. Midcontinent reserves the right to accept payment by check, credit card, wire transfer, or other financial arrangements deemed mutually acceptable to Midcontinent and Customer. All costs inherent in such transactions shall be borne by Customer.

4. PAYMENT AND CREDIT REGULATIONS (cont.)

4.4 ADVANCE PAYMENTS

1. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or installation charges which may be applicable, in addition to such special construction and installation charges as are to be borne by the applicant. The amount of the advance payment is credited to the customer's account on the first bill rendered.

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5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.1 Application of Usage Rates Each full minute is charged at the appropriate per minute rate as specified in this section. Each fraction of a minute is charged at a fraction of the per minute rate rounded up to the nearest 1/10th of a minute.

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5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.2 Local Service

1. Description - Midcontinent's Local Service is any call within the local service area of the calling phone where a toll charge is not incurred.
2. Midcontinent's Local Service is dependent upon the terms of negotiated and Commission approved agreement from the Incumbent Local Exchange Carrier. Where available, service may be provided through the use of Midcontinent's own facilities.

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5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.3. Message Telecommunications Service (MTS)

Description - Midcontinent MTS is basic outbound service allowing customers to place long distance calls using equal access 1+ dialing.

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MIDCONTINENT COMMUNICATIONS LONG DISTANCE RATES

Midcontinent's long distance rates for Residential customers

Conference Calling	\$ 0.250
Tariff rate for casual usage	\$ 0.220
With Local Service	\$ 0.089
With Multi-Services Packages	\$ 0.079

Midcontinent's long distance rates for Business customers will vary from .050 to .250 dependent on customer's usage volumes and promotional offerings.

5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.4 Toll-Free Service

Description - This service is inclusive of all toll-free prefixes, i.e. 800, 888, 877, etc. The service is a non-dedicated access toll service unless specifically described as dedicated or special access that enables the subscriber to receive calls from any telephone in the State of South Dakota over the subscriber's local exchange service line. The charges are billed to the terminating subscriber rather than the originating party.



5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.4 Toll-Free Service (cont.)

Toll Free Rates:

Residential Customers:

One Time Install Fee                   \$ 25.00  
Monthly Recurring Fee                 \$ 10.00

Usage is charged at the appropriate per minute rate.  
Each fraction of a minute is billed in 6 second  
increments. The rate will match the long distance  
plan.

Business Customers:

One Time Install Fee                   \$ 25.00  
Monthly Recurring Fee                 \$ 10.00

Usage is charged at the appropriate per minute  
rate. Each fraction of a minute is billed in 6  
second increments. The rate will match the long  
distance plan.

A Residential or Business customer may request a special toll  
free number. There is a one-time fee of \$25.00 for  
special requested number.

5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.5 Interstate Telecommunications Services

Rates are available by contacting MIDCONTINENT COMMUNICATIONS

5.6 International Telecommunications Services

N

Rates are available by contacting MIDCONTINENT COMMUNICATIONS

5. SERVICE DESCRIPTIONS AND RATES (cont.)

5.7 Directory Assistance

1. Long Distance Directory Assistance is available to customers of Midcontinent. The charge applies to each call regardless of whether the DA Bureau is able to furnish the requested telephone number. A charge is incurred for each Directory Assistance call.

Charges for Directory Assistance are \$1.25 per call. I

Local Exchange Directory Assistance is available to customers of Midcontinent

## 6. LOCAL EXCHANGE SERVICE

Local exchange service is a telephone service that allows customers to originate non-toll local calls at locations within the service areas in which Midcontinent has been approved for certification and terminate calls within the local calling area and EAS (Extended Area Service) of those locations, and within the LATA (Local Access and Transport Area) in which the call originates.

The following services comprise Local Service:

### 6.1 Local Line Service:

Local Line Service will allow customers to make local calls from the customer's telephone station. In addition to the completion, sending and receiving, of local calls, the following features will be available:

### 6.2 Local Service Features

Anonymous Call Rejection - allows Caller ID customers to block all anonymous calls

Caller Identification by number or by name and number - Caller ID displays the number and/or name, as the listing associated with the number, of the calling party before answering the phone. Customer premise equipment with a display screen is required.

Caller Identification Block - a customer may select to block their name and number from being displayed when a call is made by selecting per call block by dialing \*82, or all calls by requesting this feature on the line.

Call Forward Busy/Don't Answer - call forwarding is the ability to forward an incoming call to a preselected station if the called station is unable to receive the call. "Call forwarding busy" will forward the call if the called station is in use; "call forwarding don't answer" will forward the call after a predetermined number of rings.

6. LOCAL EXCHANGE SERVICE (cont.)

6.2 Local Service Features (cont.)

Call Forwarding Universal - call forward variable will forward the call regardless of the status of the called station. This feature also allows the caller to select where the calls will forward to by dialing \*72 from the customer's touch tone phone set.

Call Waiting - call waiting is the ability of the called station to generate a tone when the called station is in use to alert the user that another call is waiting to connect with the called station.

Call Waiting with Caller ID - call waiting with caller ID generates a tone of another call waiting to connect plus will identify who the caller is by display of that number (caller identification feature must be in place)

Continuous Redial - continuous redial allows the customer, who may receive a busy tone when placing an outgoing call, to prompt the central office to redial the number until it can be completed. The phone will redial for up to 30 minutes.

Custom Ringing - allows the subscriber to select a distinctive ring for designated incoming numbers

Last Call Return - allows the customer to dial \*69 which will dial the last incoming number

Long Distance Alert - a distinctive ring so the customer knows that the incoming call is long distance.

Remote Access Forwarding - allows the customer, from any touch tone phone, to forward all incoming calls to another number

Selective Call Rejection - allows the customer to select up to 15 telephone numbers from which they do not want to receive calls from

Speed Call 8 - speed calling is the ability to place calls to a list of 8 numbers by dialing a speed code.

Speed Call 30 - speed calling is the ability to place calls to a list of 30 numbers by dialing a speed code.

6. LOCAL EXCHANGE SERVICE (cont.)

6.2 Local Service Features (cont.)

Three-Way Calling - the ability to add a third line to an established conversation

Directory Listing Service - one listing, the primary listing, is established on each account without charge. The listing will be printed in the local telephone book and be available on Directory Assistance.

Non-Listed Service (Semi-Private) - Listings will appear on Directory Assistance but are omitted from the printed Directory.

Non-Published Service (Private) - Listing does not appear in the printed Directory or on the Directory Assistance records.

Voice Mail Service - a service where callers have an opportunity to leave a message when the number called does not answer.

6.3. BUSINESS LINE AND FEATURE PRICING:

Midcontinent's line and feature rates to the commercial customer will mirror the Incumbent LEC. Promotions or discounts may be offered in a contractual agreement between the end-user customer and Midcontinent.

7. CALLING CARD

The Midcontinent outbound calling card will be billed at \$0.220 per minute at one minute increments.

8. CUSTOMER INQUIRIES AND COMPLAINTS

Customer inquiries regarding service or billings may be made in writing or by telephone to Midcontinent Communications at the following address:

Midcontinent Communications  
5001 W 41<sup>st</sup> Street  
Sioux Falls, SD 57106  
Telephone: (605) 334-1200  
(800) 888-1300

A Midcontinent representative will respond within 48 hours from the receipt of the inquiry and will monitor the Customer's situation to assure that their inquiry is answered as soon as possible.

Customers who are dissatisfied with the response to their complaint may file their complaint with the South Dakota Public Utilities Commission for resolution of the issues at the following address:

South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501  
(605) 773-3201  
(800) 332-1782



**Midcontinent Communications  
by You Can Trust**

Midcontinent Communications has been delivering the best in communications, entertainment and broadband services to our region for over 50 years. Our services extend into all our lines, from Digital Cable TV to High Speed Internet to Local and Long Distance Telephone. And Midcontinent Communications can offer the convenience of one bill for your telephone and internet needs. With Midcontinent Communications you get amazing customer service company you can depend on.



Get connected to Midcontinent  
Local and Long Distance  
Telephone Service.  
**1-800-888-1300**  
[www.midcoomm.com](http://www.midcoomm.com)



**Exhibit F**



**Exhibit F**



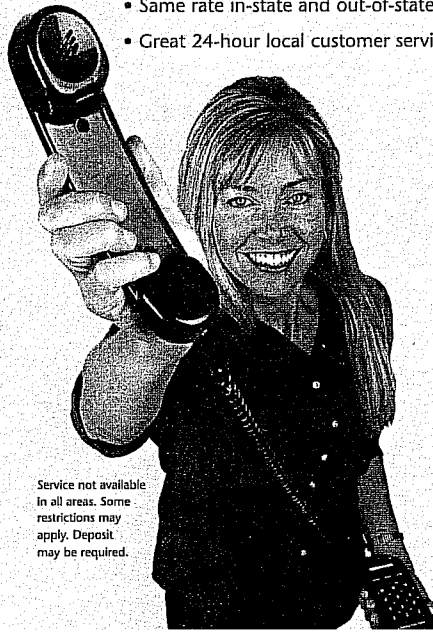
# Telephone Service For Less



## One Great Rate All Day, Every Day

Midcontinent Communications delivers local telephone service at an incredible value. Choose from three custom calling packages, each one including your basic line and your choice of special calling features. Our long distance telephone service offers one low rate all day, every day for in-state and out-of-state calls. You don't need to keep track of complicated calling days and times in order to save. Just pay one low rate per minute whenever and wherever you want to call!

- No monthly minimums
- One rate all day, every day
- Same rate in-state and out-of-state
- Great 24-hour local customer service



Service not available  
in all areas. Some  
restrictions may  
apply. Deposit  
may be required.

## Custom Calling Package

- Basic Local Line
- Caller ID Name & Number
- Choice of ONE Additional Calling Feature

## Features Plus Package

- Basic Local Line
- Caller ID Name & Number
- Choice of FOUR Additional Calling Features

## Total Connection Package

- Basic Local Line
- Caller ID Name & Number
- Voicemail
- Choice of SIX Additional Calling Features

## Calling Feature Options

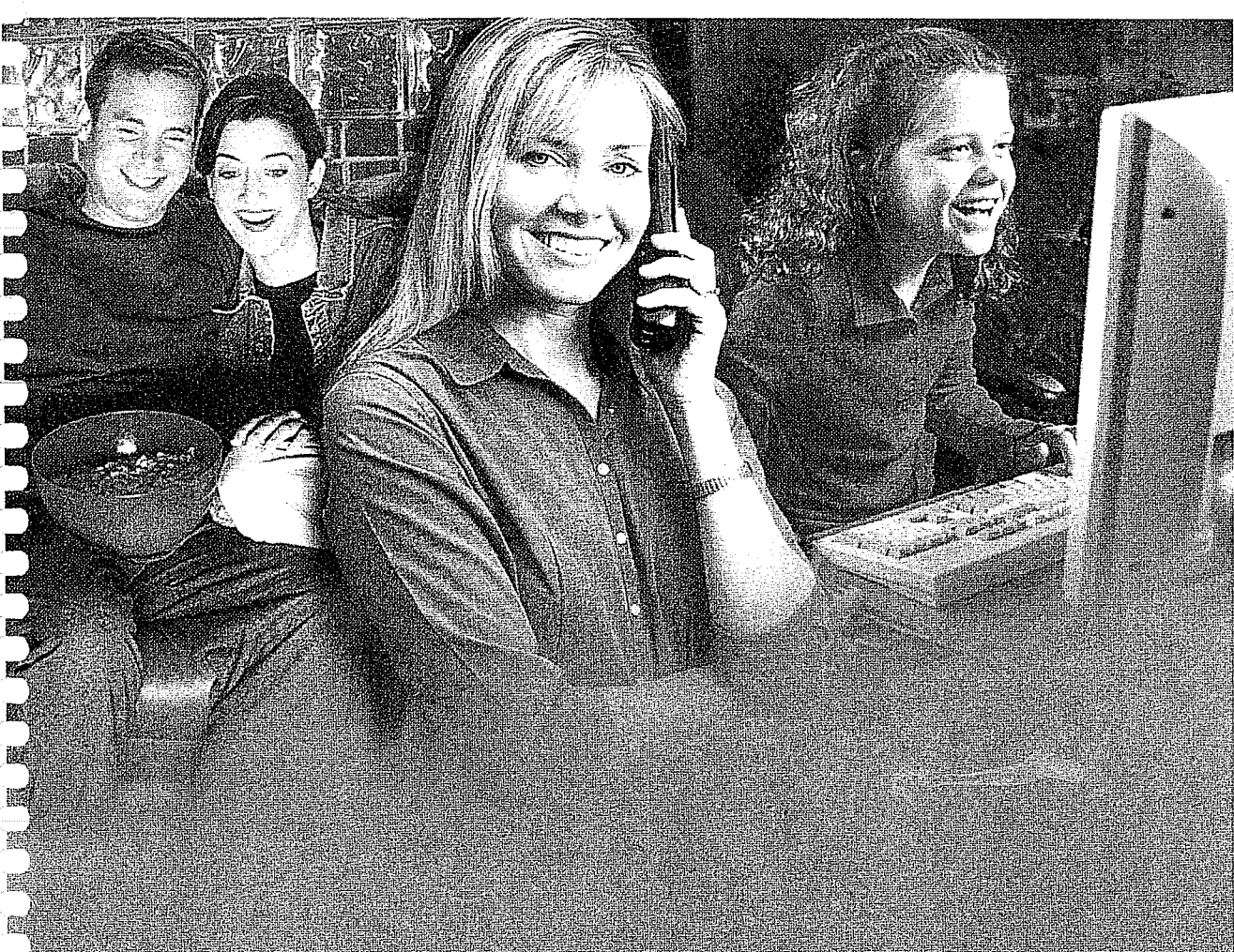
- |                             |                                  |
|-----------------------------|----------------------------------|
| • Call Waiting              | • Non-Published Service          |
| • Call Waiting ID           | • Remote Call Forwarding         |
| • 3-Way Calling             | • Anonymous Phone Rejection      |
| • Call Forwarding Universal | • Continuous Redial              |
| • Speed Call 8              | • Last Call Return               |
| • Speed Call 30             | • Selective Call Rejection       |
| • Distinctive Ringing       | • Call Forward Busy Don't Answer |

Options and feature packages are subject to change.

Call Midcontinent Communications for telephone package pricing. 1-800-888-1300

**Midcontinent**  
COMMUNICATIONS

[www.midcontcomm.com](http://www.midcontcomm.com)



# MIDCONTINENT

## 2003 Services & Pricing Guide

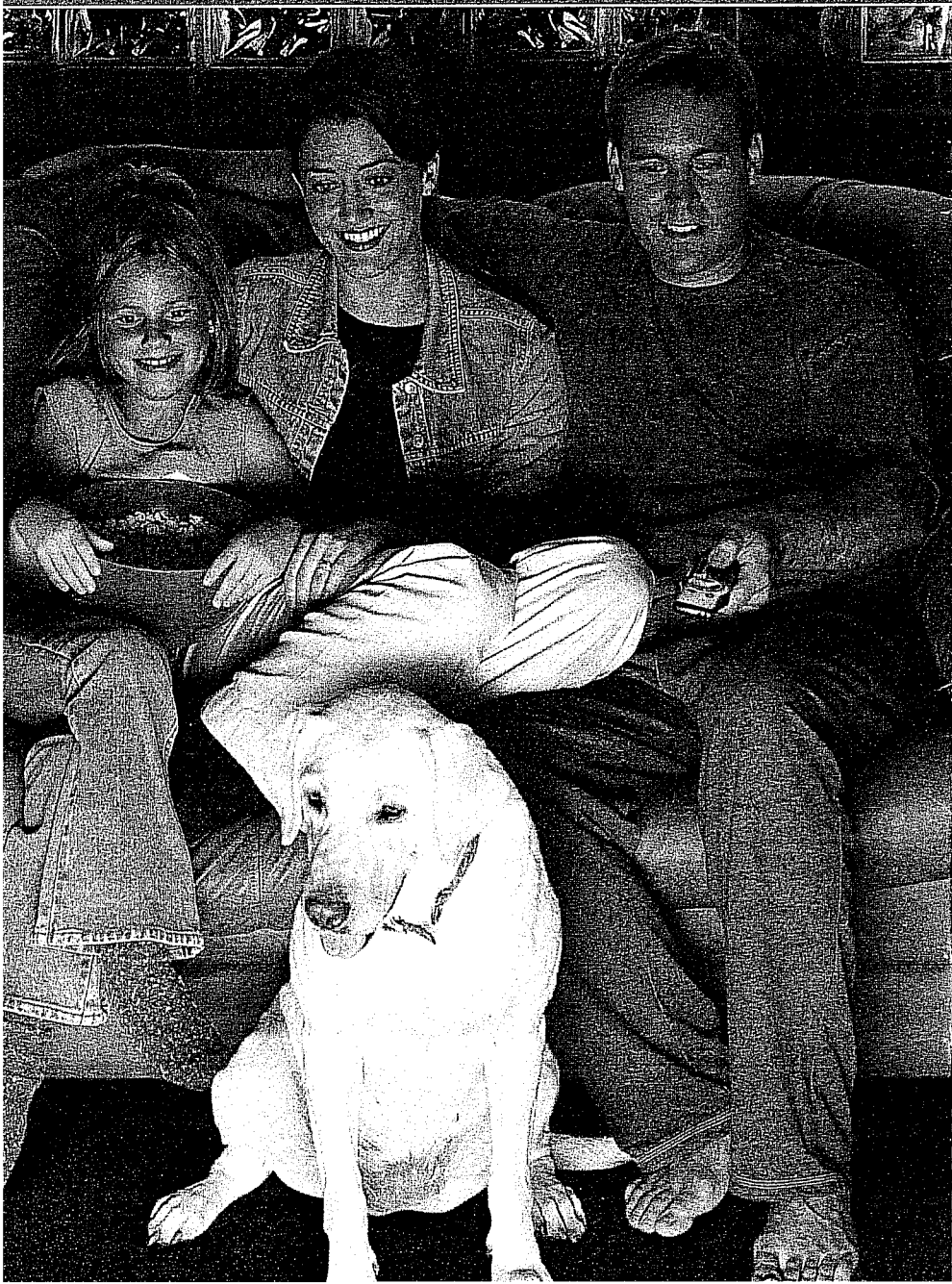
### Exhibit G



*connecting you to the future*

**Exhibit G**

## *Serving the Region For Over 50 Years*



Midcontinent Communications has been bringing the finest communications, entertainment and broadcasting services to our region for over 50 years. Today, we are over 550 employees strong, serving more than 200 communities – continually making improvements to our network and services. As the first company to bring cable TV service to the Upper Midwest, we were also the first to introduce Digital Cable and broadband High Speed Internet to our region. In fact, our cable system is one of the finest in the nation, utilizing technologies that will take us far into the future.

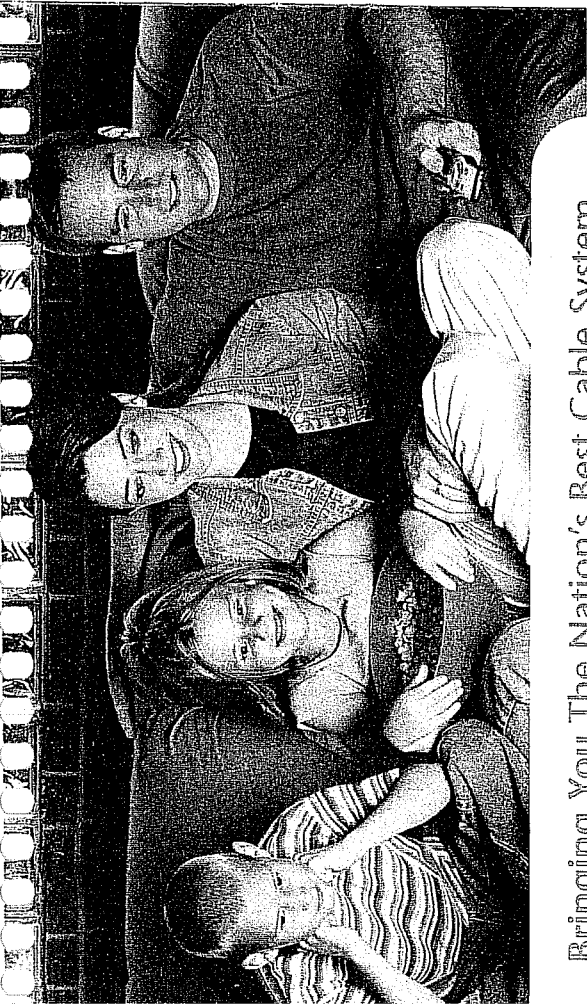
Our commitment to you doesn't stop there. We also pledge top quality customer service and highly trained technicians. You can count on us to be here for you now, and years down the road. That's just the way we do business.

### **A Proud Part Of Your Community**

Supporting the communities where we do business is extremely important to Midcontinent Communications. We sponsor sporting teams, educational events, cultural events and community fundraisers all across the region. We encourage our employees to participate in community-based activities and we give them time off to do so. Each year, the Midcontinent Media Foundation donates funds to numerous charities.

We enjoy serving you and being a part of your community. We will continue to push ourselves to do even more. Thank you for allowing us this opportunity.





## Bringing You The Nation's Best Cable System

### Discover The Digital Difference

Midcontinent Digital Cable gives you more of everything – more movies, more sports, more music, more information and more viewing control. You don't have to buy expensive equipment or sign up for services with a company that may not be around when you need service. With Midcontinent Digital Cable, you get amazing local customer service from a company you can depend on.

### Just Look At All You Get



#### TV Guide Interactive Program Guide

- Only Midcontinent's on-screen TV Guide could bring you channel information like this. Get instant access to program information any time, with listings by time, network, category and more!
- Easy-to-follow on-screen programming information
- Parental Controls
- Program Reminders
- Schedules In Advance
- Program Information
- Program Search



#### Digital Music Express

Digital Music Express offers you 31 channels of commercial-free music. Choose formats that include everything from Country to Latin to Alternative Rock.



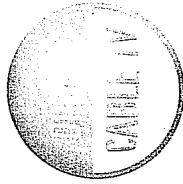
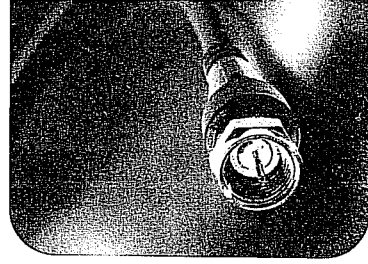
#### Pay-Per-View

Midcontinent Digital Cable offers 34 Pay-Per-View channels featuring all the latest hit movies. Simply select your movie with your remote control, relax and enjoy.

## Digital Cable – A Better Option

### Why is Midcontinent Digital Cable a better option than satellite TV?

- You don't attach a dish to your home. Digital Cable is delivered through your existing cable line. No worrying about the weather. No messing with your reception.
- Digital Cable can be easily connected to every television set in your home. Televisions without digital converters can still receive Classic Cable.
- Unlike satellite TV, you can watch different programs on each set without buying more expensive equipment.
- You have access to all your local stations in addition to all your digital channels and premium options.
- Your service is local, with customer service representatives and technicians here to help you with questions 24 hours a day.



## It's All About Choice

In addition to all the incredible channels you get with Midcontinent Digital Cable, you can add your favorite multi-channel sports packages and premium movie channels.

### Midcontinent Sports Packages

Get into the action with optional sports packages that bring your favorite sports right into your living room.

- NHL Center Ice
- NBA League Pass
- NASCAR In Car
- MLB Extra Innings
- ESPN Game Plan
- ESPN Full Court



### Midcontinent Premium Movie Packages

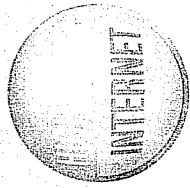
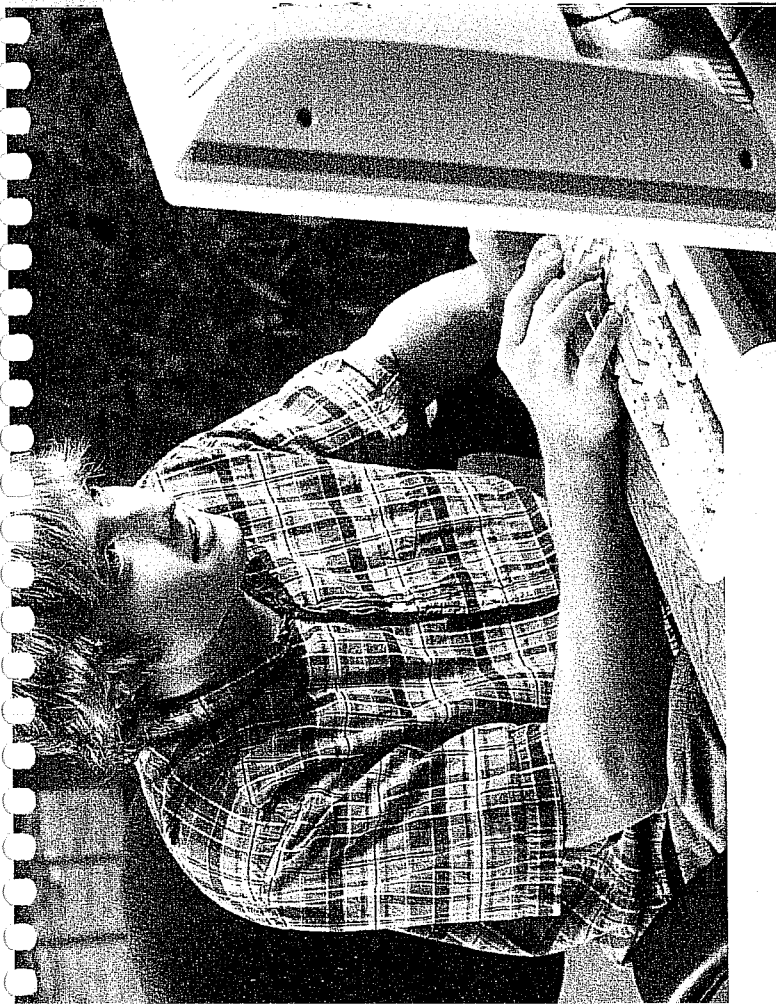
Add multiple movie channels when you sign up for your favorite premium movie packages.

- 8 Showtime/4 TMC Channels
- 8 HBO Channels
- 4 CineMax Channels
- 5 Starz! and 12 Encore Channels

### One Last Thing To Think About

Limited Basic and Classic Cable packages are available for those who do not wish to have Digital Cable. No digital converter is required for these packages. You can visit our website at [www.midcomm.com](http://www.midcomm.com) to view your area's full channel listing. Price listings are included in this guide.

Call and ask about our special promotional offers! 1-800-888-1300



## Now MidcoNet® Can Go Even Faster

MidcoNet has always been the fastest Internet in town. And now, we offer you the capability to go even FASTER! Our faster upload option, MidcoNet Max\*, offers 2.56K upstream capabilities, and is great for complex network game playing and for sending very large files. Access to this extra speed is available for an additional monthly fee. See the pricing guide in back, or call today for details.

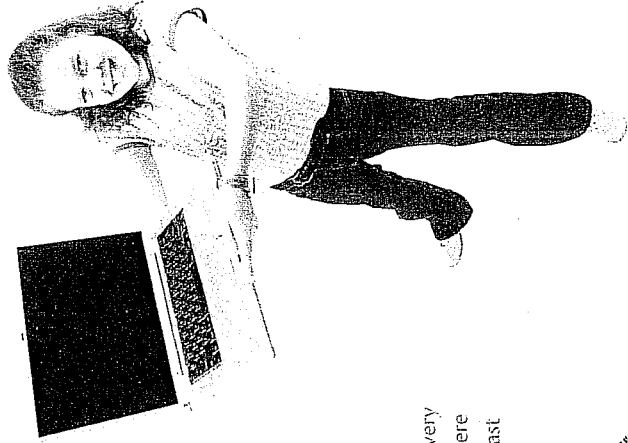


28.8 Dial-Up Modem  
after 2 minutes

MidcoNet after  
just 1 second

## More Reasons To Love MidcoNet

Today, adults and kids alike use the Internet as a tool for education, information and fun. MidcoNet enhances time on the Web with advanced search engines, fast file downloads and access to all of the most popular Instant Messaging programs including those from AOL, MSN and Yahoo! And, parents can easily block access to the types of sites they don't want their children to see.



## Don't Miss Out

Stay connected to the Internet all day, every day and pay just one low monthly fee. There are no extra fees or hidden charges. Just fast access for an incredibly affordable price!

\*Modem purchase or lease is required for MidcoNet High Speed Internet.



Get connected to MidcoNet High Speed Internet today! 1-800-888-1300

\*Service not available in all areas. Some restrictions may apply. Deposit may be required.

## There's Nothing Else Like It

Once you've experienced MidcoNet®, you'll never go back to slow dial-up Internet access again. Only MidcoNet uses the powerful bandwidth capabilities of your cable TV line for the fastest, most convenient Internet access ever. A file that takes three minutes to download with a typical dial-up connection will pop onto your screen in just seconds with MidcoNet. In addition to amazing speed at a very affordable price, you also get the most advanced features and services available, topped with friendly, local 24-hour customer service.

Here are just some of the incredible features available to you:

- Blazing fast speed
- Access through your cable TV line
- Compatible with all your favorite Instant Messaging services
- No tied-up phone lines
- No long-term contracts to sign
- Seven email accounts with 50 MB of web space for each one
- Constant connection to the Internet, no waiting
- Remote access to email
- No busy signals
- Capability to download large audio and video files
- 30-day money-back guarantee

## Dear Valued Midcontinent Communications Customer:

This guide will update you regarding our services and prices. For 2003, we are putting a special emphasis on product and price simplification, especially as it relates to our Digital Cable packages. We want to make ordering services even easier for you. Below is a summary of what is and is not changing, effective February 1, 2003. Please see our pricing guide on the following pages for more details.

**Digital Cable Packages** – We will offer you our five most popular Digital Cable packages and we will eliminate the less popular packages. The pricing of these five Digital Cable packages will remain the same. These packages include discounts that provide added savings for you.

**Premium Cable Channels** – Channels such as HBO, Cinemax, Showtime, The Movie Channel, Starz and Encore are available in the Digital Cable packages, where you save the most. You will receive multiple choices of your favorite movie channels, such as 8 HBO channels, 4 Cinemax channels, 5 Starz and 12 Encore Channels or 8 Showtime/4 TMC Channels, instead of just one channel. You can still, however, purchase them ala carte. The pricing of the premium channels purchased ala carte (not with a package) will be changing.

**Limited & Classic Cable** – Prices for Limited and Classic Cable will increase to reflect higher programming costs.

**MidcoNet® High-Speed Internet** – Our high speed Internet is the best high speed service in the region with over 36,000 satisfied customers. The price for MidcoNet will remain the same. We will also begin offering an upgrade feature to MidcoNet where the upstream speed is doubled – this feature will be available for an additional \$20 per month.

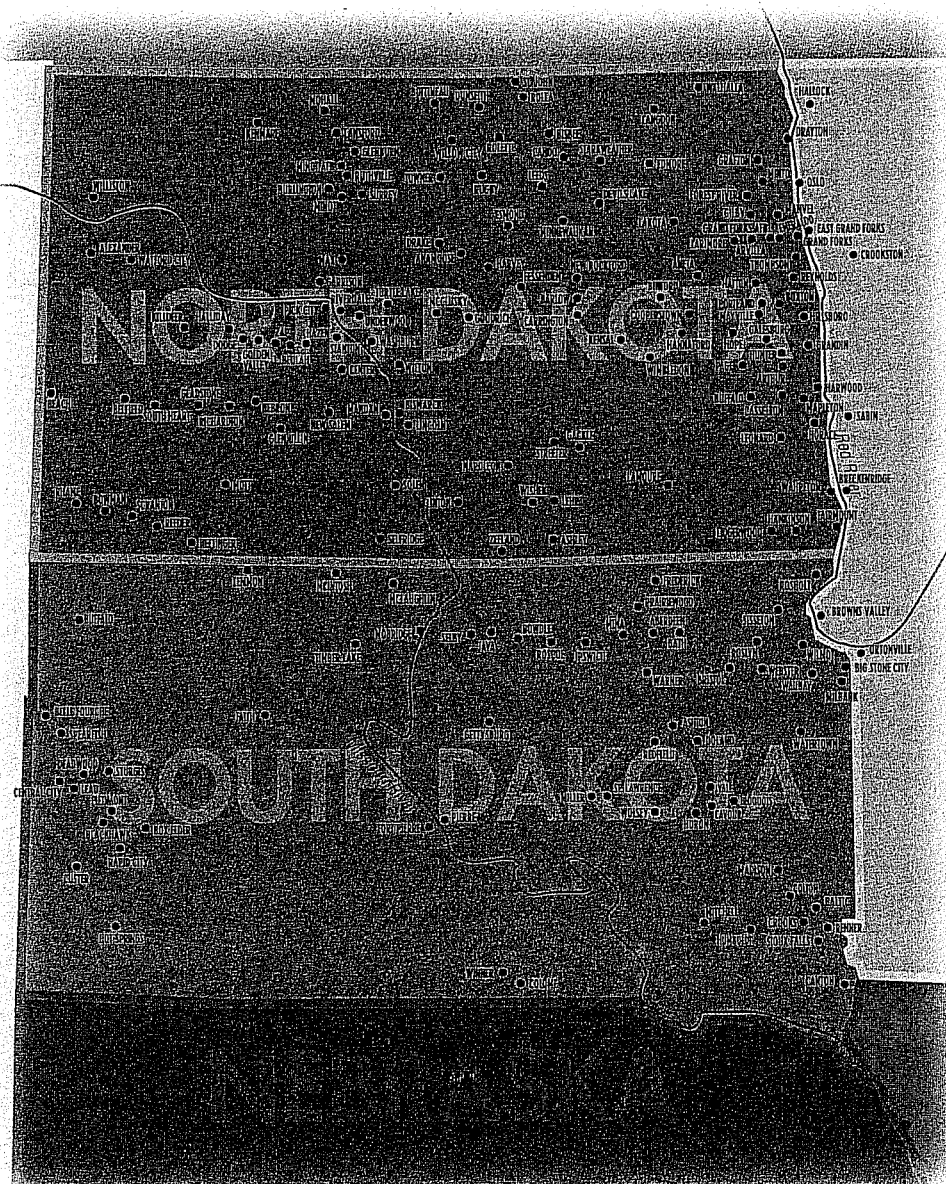
**What You Can Expect From Us** – We are committed to each of our over 200,000 customers and the 200+ communities in which we serve. We are a financially healthy company with a history of strong business ethics. We are optimistic about the future and proud to be a vital part of this region. We are focused on providing you with exceptional customer service and the best cable and high speed Internet services available.

Thanks for giving us the opportunity to serve you,

Midcontinent Communications

## Midcontinent Local Area Map

Midcontinent Communications proudly serves the following communities.  
For updated listings throughout the year, please visit [www.midcocomm.com](http://www.midcocomm.com).



## Midcontinent Pricing Guide After February 1, 2003

CURRENT PRICE    PRICE AFTER 2/1/03

### Cable Services

• Digital Value Package	\$45.95	\$45.95
-------------------------	---------	---------

Includes over 200 channels of classic and digital cable, an Interactive Program Guide, a digital converter, DMX music and Pay-Per-View access.

• Digital Theatre Package	\$54.95	\$54.95
---------------------------	---------	---------

Same as Digital Value Package PLUS ONE Premium Movie Package.

• Digital Select Theatre Package	\$64.95	\$64.95
----------------------------------	---------	---------

Same as Digital Value Package PLUS TWO Premium Movie Packages.

• Digital Choice Theatre Package	\$74.95	\$74.95
----------------------------------	---------	---------

Same as Digital Value Package PLUS THREE Premium Movie Packages.

• Ultimate Digital Theatre Package	\$81.95	\$81.95
------------------------------------	---------	---------

Same as Digital Value Package PLUS FOUR Premium Movie Packages.



CURRENT PRICE    PRICE AFTER 2/1/03

### Ala Carte Cable Services

• Limited Cable	\$13.50	\$13.95
• Classic Cable	32.95	34.95
• Digital Cable	Varies	12.00
• Showtime/The Movie Channel	Varies	12.00
• Starz! & Encore	Varies	12.00
• HBO	Varies	12.00
• Cinemax	Varies	12.00
• Digital Converter Monthly Lease	Varies	7.00

### High Speed Internet Services

• MidcoNet®	\$29.95	\$29.95
• MidcoNet Max®	N/A	49.95
• Modem Lease	10.00	10.00
• Modem Purchase	169.00	149.00
• Static IP Addresses	20.00	20.00
• Additional Dynamic IP Addresses	5.95	5.95

### Installation & Other Services

• New Install	\$50.00	\$50.00
• Reconnect	25.00	25.00
• Home Service Call*	N/A	25.00
• Account Change Fee	N/A	5.00
• Late Charges	3.00	3.50

\* If a Midcontinent service issue, you will not be charged.



# Webster Services and Price Guide

<b>Bundled Services</b>		Pending			
<b>Digital Essentials Trio</b>	Includes the <i>Digital Theatre Package</i> , MidcoNet Basic Service and <i>Custom Calling Telephone Package</i> .	\$ 99.95			
<b>Digital Essentials PlusTrio</b>	Includes the <i>Digital Theatre Package</i> , MidcoNet Basic Service and <i>Features Plus Telephone Package</i> .	104.95			
<b>Digital Select Trio</b>	Includes the <i>Digital Select Theatre Package</i> , MidcoNet Basic Service and <i>Custom Calling Telephone Package</i> .	109.95			
<b>Digital Select Plus Trio</b>	Includes the <i>Digital Select Theatre Package</i> , MidcoNet Basic Service and <i>Features Plus Telephone Package</i> .	114.95			
<b>Ultimate Digital Trio</b>	Includes the <i>Ultimate Digital Theatre Package</i> , MidcoNet Basic Service and <i>Total Connection Telephone Package</i> .	129.95			
<b>Cable Services</b>		Pending			
<b>Digital Value Package</b>	Includes over 200 channels of classic and digital cable, an Interactive Program Guide, a digital receiver, DMX music and Pay-Per-View access.	\$45.95			
<b>Digital Theatre Package</b>	Same as Digital Value Package PLUS ONE premium movie package.	54.95			
<b>Digital Select Theatre Package</b>	Same as Digital Value Package PLUS TWO premium movie packages.	64.95			
<b>Digital Choice Theatre Package</b>	Same as Digital Value Package PLUS THREE premium movie packages.	74.95			
<b>Ultimate Digital Theatre Package</b>	Same as Digital Value Package PLUS FOUR premium movie packages.	81.95			
<b>High Speed Internet Services</b>		Pending			
■ MidcoNet®		\$ 29.95			
■ MidcoNet Max®		49.95			
■ Modem Lease		10.00			
■ Modem Purchase		149.00			
■ Static IP Address		20.00			
■ Additional Dynamic IP Addresses		5.95			
<b>Telephone Services</b>		Pending			
<b>Custom Calling Package</b>	Includes basic local line, caller ID name & number, PLUS ONE additional calling feature of your choice.	\$24.95			
<b>Features Plus Package</b>	Includes basic local line, caller ID name & number, PLUS FOUR additional calling features of your choice.	28.95			
<b>Total Connection Package</b>	Includes basic local line, caller ID name & number, voicemail, PLUS SIX additional calling features of your choice.	32.95			
<b>A la Carte Cable Services</b>		Pending	<b>A la Carte Telephone Services</b>		Pending
■ Limited Cable	\$13.95	■ Basic Local Line	\$17.95	<b>Feature options:</b> Call Waiting, Call Waiting ID, 3-Way Calling, Call Forwarding Universal, Speed Call 8, Speed Call 30, Distinctive Ringing, Non-Published Service, Remote Call Forwarding, Anonymous Phone Rejection, Continuous Redial, Last Call Return, Selective Call Rejection, Call Forward Busy Don't Answer	
■ Classic Cable	34.95	■ Additional Phone Line	10.95		
■ Digital Cable	12.00	■ Feature Options (see list at right) Or, you can choose them as part of your telephone calling package.	3.95		
■ Showtime/The Movie Channel	12.00	<b>Additional Features</b>			
■ Starz/Encore	12.00	■ Voicemail	6.95		
■ HBO	12.00	■ Caller ID Name & Number	6.95		
■ Cinemax	12.00				
■ Digital Receiver Monthly Lease	7.00				



**2003 FCC Form 478-Feb Telecommunications Slamming Complaint Reporting Form**

Approval by OMB

>>> Please read instructions before completing.<<<

Due February 18, 2003

3060-0787

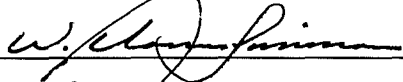
<b>Block 1: Filer Identification Information</b>		101	Filer 499 ID	802284
102	Legal name of reporting entity	Midcontinent Communications		
103	Complete mailing address of reporting entity's corporate headquarters	3600 Minnesota Dr, Ste. 700 Edina, MN 55435		
104	Name(s) reporting entity uses to provide telecommunications service (Use additional sheets, if necessary.)	Midcontinent Communications		
105	Complete mailing address of the entity that provides telecommunications service using the dba(s) in Line 104, if different from the address shown in Line 103			
106	Number of end-user subscribers of the reporting carrier as of December 31, 2002	20,417		
107	If this report does not cover July 1, 2002 through December 31, 2002, indicate the period covered			

<b>Block 2: Contact Information</b>		
108	Person who completed this form	
109	Telephone number of this person	Extension
110	Fax number of this person	
111	E-mail address of this person	

<b>Block 3: Complaints That You Received or Resolved Alleging That You Slammed a Consumer</b>		
To be completed by all telephone exchange and toll service providers. (See instructions.)		
112	If you have no unresolved complaints from prior reporting periods and you received no slamming complaints between July 1 and December 31 of the reporting year, then check the certification box to the right and skip to Block 5.	<input checked="" type="checkbox"/>
113	Consumer slamming complaints unresolved as of June 30, 2002	
114	Consumer slamming complaints received from July 1, 2002 through December 31, 2002	
115	Consumer slamming complaints resolved during the period July 1, 2002 through December 31, 2002	
116	Of the number reported on Line 115, the number that were investigated	
117	Of the number reported on Line 115, the number that proved to be valid complaints	
118	Of the number reported on Line 115, the number the reporting entity directly resolved with consumers	
119	Consumer slamming complaints unresolved as of December 31, 2002. [Line 113 + Line 114 - Line 115]	

<b>Block 4: Complaints That You Received Alleging That Another Carrier Slammed a Consumer</b>			
To be completed by carriers that provide wireline and fixed wireless local exchange service to end-user subscribers.			
	Names of carriers alleged to have slammed one of your local exchange service subscribers	Check if affiliate	No. of slamming allegations received about carrier July 1 through December 31
120			
121			
122			
123			
124			
125			

Use additional sheets, if necessary. (Space is provided below for electronic filing.)

<b>Block 5: CERTIFICATION: to be Signed by an Officer of the Filer</b>	
126 Provide additional information or explanations, as needed. Use additional sheets, if necessary.	
I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report, and, to the best of my knowledge, information, and belief, all statements of fact contained in this Form are true.	
127	Signature 
128	Printed name of officer W. Thomas Simmons
129	Position with reporting entity Vice President Public Policy
130	Date 1/23/03
131	This filing is: <input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Revised filing

Send this form to: FCC, CGB, Reference Information Center, FCC Form 478, Room CY-A257, 445 12th St., S.W., Washington, D.C., 20 554; or by e-mail: [slamming478@fcc.gov](mailto:slamming478@fcc.gov); by fax to: (202) 418-0037. For more information contact the Reference Information Center at (202) 418-0270.

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CO DE, 18 U.S.C. §1001

2002 FCC Form 478-Aug Telecommunications Slamming Complaint Reporting Form

Approval by OMB

>>> Please read instructions before completing.<<<

Due August 15, 2002

3060-0787

<b>Block 1: Filer Identification Information</b>		101	Filer 499 ID
102	Legal name of reporting entity	Midcontinent Communications	
103	Complete mailing address of reporting entity's corporate headquarters	3600 Minnesota Drive, Suite 700 Edina, MN 55435	
104	Name(s) reporting entity uses to provide telecommunications service (Use additional sheets, if necessary.)	Midcontinent Communications	
105	Complete mailing address of the entity that provides telecommunications service using the dba(s) in Line 104, if different from the address shown in Line 103	5001 W 41st Street Sioux Falls, SD 57106	
106	Number of end-user subscribers of the reporting carrier as of June 30, 2002		
107	If this report does not cover January 1, 2002 through June 30, 2002, indicate the period covered		

<b>Block 2: Contact Information</b>	
108	Person who completed this form Nancy Vogel
109	Telephone number of this person 605-357-5485 Extension
110	Fax number of this person 605-339-4419
111	E-mail address of this person nancy.vogel@mml.net

<b>Block 3: Complaints That You Received or Resolved Alleging That You Slammed a Consumer</b>	
To be completed by all telephone exchange and toll service providers. (See instructions.)	
112	If you have no unresolved complaints from prior reporting periods and you received no slamming complaints between January 1 and June 30 of the reporting year, then check the certification box to the right and skip to Block 5. <input type="checkbox"/>
113	Consumer slamming complaints unresolved as of December 31, 2001 0
114	Consumer slamming complaints received from January 1, 2002 through June 30, 2002 3
115	Consumer slamming complaints resolved during the period January 1, 2002 through June 30, 2002 3
116	Of the number reported on Line 115, the number that were investigated 3
117	Of the number reported on Line 115, the number that proved to be valid complaints 2
118	Of the number reported on Line 115, the number the reporting entity directly resolved with consumers 3
119	Consumer slamming complaints unresolved as of June 30, 2002. [Line 113 + Line 114 - Line 115] 0

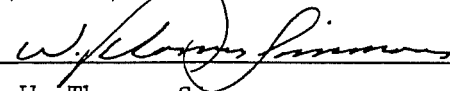
<b>Block 4: Complaints That You Received Alleging That Another Carrier Slammed a Consumer</b>			
To be completed by carriers that provide wireline and fixed wireless local exchange service to end-user subscribers.			
	Names of carriers alleged to have slammed one of your local exchange service subscribers	Check if affiliate	No. of slamming allegations received about carrier January 1 through June 30
120			
121			
122			
123			
124			
125			

Use additional sheets, if necessary. (Space is provided below for electronic filing.)

**Block 5: CERTIFICATION: to be Signed by an Officer of the Filer**

126 Provide additional information or explanations, as needed. Use additional sheets, if necessary.

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report, and, to the best of my knowledge, information, and belief, all statements of fact contained in this Form are true.

127	Signature	
128	Printed name of officer	W. Thomas Simmons
129	Position with reporting entity	Vice President
130	Date	7/22/02

131 This filing is:  Original filing  Revised filing

Send this form to: FCC, CGB, Reference Information Center, FCC Form 478, Room CY-A257, 445 12th St., S.W., Washington, D.C., 20554; or by e-mail: slamming478@fcc.gov; by fax to: (202) 418-0037. For more information contact the Reference Information Center at (202) 418-0270.

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

2002 FCC Form 478-Feb Telecommunications Slamming Complaint Reporting Form

Approval by OMB  
3060-0787

>>> Please read instructions before completing.<<< Due February 15, 2002

<b>Block 1: Filer Identification Information</b>		101	Filer 499 ID	802284
102	Legal name of reporting entity	Midcontinent Communications		
103	Complete mailing address of reporting entity's corporate headquarters	7900 Xeres Ave S Ste 1100 Minneapolis, MN 55431		
104	Name(s) reporting entity uses to provide telecommunications service (Use additional sheets, if necessary.)	Midcontinent Communications		
105	Complete mailing address of the entity that provides telecommunications service using the dba(s) in Line 104, if different from the address shown in Line 103	5001 W 41st St Sioux Falls, SD 57106		
106	Number of end-user subscribers of the reporting carrier as of December 31, 2001	10,670		
107	If this report does not cover July 2001 through December 2001, indicate the period covered.			

<b>Block 2: Contact Information</b>		
108	Person who completed this form	Nancy Vogel
109	Telephone number of this person	605-357-5485 Extension
110	Fax number of this person	605-339-4419
111	E-mail address of this person	nancy.vogel@mi.net

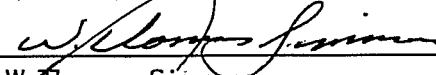
<b>Block 3: Complaints That You Received or Resolved Alleging That You Slammed a Consumer</b>		
To be completed by all telephone exchange and toll service providers. (See instructions.)		
112	If you have no unresolved complaints from prior reporting periods and you received no slamming complaints between July 1 and December 31 of the reporting year, then check the certification box to the right and skip to Block 5. <input type="checkbox"/>	
113	Consumer slamming complaints unresolved as of June 30, 2001	0
114	Consumer slamming complaints received from July 1, 2001 through December 31, 2001	5
115	Consumer slamming complaints resolved during the period July 1, 2001 through December 31, 2001	3
116	Of the number reported on Line 115, the number that were investigated	5
117	Of the number reported on Line 115, the number that proved to be valid complaints	1
118	Of the number reported on Line 115, the number the reporting entity directly resolved with consumers	3
119	Consumer slamming complaints unresolved as of December 31, 2001. [Line 113 + Line 114 - Line 115]	2

<b>Block 4: Complaints That You Received Alleging That Another Carrier Slammed a Consumer</b>			
To be completed by carriers that provide wireline and fixed wireless local exchange service to end-user subscribers.			
	Names of carriers alleged to have slammed one of your local exchange service subscribers	Check if affiliate	No. of slamming allegations received about carrier July 1 through December 31
120	AT&T		1
121	MCI		1
122			
123			
124			
125			

Use additional sheets, if necessary. (Space is provided below for electronic filing.)

<b>Block 5: CERTIFICATION: to be Signed by an Officer of the Filer</b>	
126 Provide additional information or explanations, as needed. Use additional sheets, if necessary.	

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report, and, to the best of my knowledge, information, and belief, all statements of fact contained in this Form are true.

127	Signature	
128	Printed name of officer	W Thomas Simmons
129	Position with reporting entity	Vice President
130	Date	1-30-02
131	This filing is: <input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Revised filing	

Send this form to: FCC, CIB, Consumer Information Network Division, FCC Form 478, Room 5-A729, 445 12th St., S.W., Washington, D.C., 20554; or by e-mail: slamming478@fcc.gov; by fax to: (202) 418-0710. For more information contact the FCC at 1-888-CALLFCC.

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

2001 FCC Form 478-Aug Telecommunications Slamming Complaint Reporting Form

Approval by OMB  
3060-0787

>>> Please read instructions before completing.<<<

Due August 15, 2001

<b>Block 1: Filer Identification Information</b>		101	Filer 499 ID	802284
102	Legal name of reporting entity	Midcontinent Communications		
103	Complete mailing address of reporting entity's corporate headquarters!	7900 Xerxes Avenue Minneapolis, MN 55431		
104	Name(s) reporting entity uses to provide telecommunications service (Use additional sheets, if necessary.)	Midcontinent Communications		
105	Complete mailing address of the entity that provides telecommunications service using the dba(s) in Line 104, if different from the address shown in Line 103			
106	Number of end-user subscribers of the reporting carrier as of June 30, 2001	7,272		
107	If this report does not cover January 2001 through June 2001, indicate the period covered.			

**Block 2: Contact Information**

108	Person who completed this form	Nancy Vogel		
109	Telephone number of this person	605-357-5485	Extension	
110	Fax number of this person	605-339-4419		
111	E-mail address of this person	nancy.vogel@mci.net		

**Block 3: Complaints That You Received or Resolved Alleging That You Slammed a Consumer**

To be completed by all telephone exchange and toll service providers. (See instructions.)

112	If you received no slamming complaints between January 1 and June 30 of the reporting year, then check the certification box to the right and skip to Block 5.			<input type="checkbox"/>
113	Consumer slamming complaints unresolved as of December 31, 2000 (Optional for August 15, 2001 filing)			0
114	Consumer slamming complaints received from January 1, 2001 through June 30, 2001			1
115	Consumer slamming complaints resolved during the period January 1, 2001 through June 30, 2001			1
116	Of the number reported on Line 115, the number that were investigated			1
117	Of the number reported on Line 115, the number that proved to be valid slams			0
118	Of the number reported on Line 115, the number the reporting entity directly resolved with consumers			1
119	Consumer slamming complaints unresolved as of June 30, 2001. [Line 113 + Line 114 - Line 115]			0

**Block 4: Complaints That You Received Alleging That Another Carrier Slammed a Consumer**

To be completed by carriers that provide wireline and fixed wireless local exchange service to end-user subscribers.

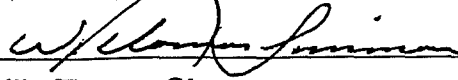
	Names of carriers alleged to have slammed one of your local exchange service subscribers	Check if affiliate	No. of slamming allegations received about carrier January 1 through June 30
120	MCI		1
121			
122			
123			
124			
125			

Use additional sheets, if necessary. (Space is provided below for electronic filing.)

**Block 5: CERTIFICATION: to be Signed by an Officer of the Filer**

126 Provide additional information or explanations, as needed. Use additional sheets, if necessary.

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report, and, to the best of my knowledge, information, and belief, all statements of fact contained in this Form are true.

127	Signature	
128	Printed name of officer	W. Thomas Simons
129	Position with reporting entity	Vice President
130	Date	8-10-01
131	This filing is:	<input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Revised filing

Send this form to: FCC, CIB, Consumer Information Network Division, FCC Form 478, Room 5-A729, 445 12th St., S.W., Washington D.C. 20554

For additional information regarding this worksheet, contact the CIB Consumer Information Network Division at (202) 418-2516 or via e-mail: slamming478@fcc.gov

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

IN THE MATTER OF THE APPLICATION     )     CT03-\_\_\_\_\_  
OF MIDCONTINENT COMMUNICATIONS     )  
TO PROVIDE LOCAL EXCHANGE SERVICE    )  
IN A RURAL SERVICE AREA             )

***NOTICE***

The information in this file is designated confidential under Chapter 20:10:01 of the Rules of the South Dakota Public Utilities Commission. Disclosure of any such confidential information to a person other than Commission members, employees or agents is prohibited unless otherwise permitted by the Commission.

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APR 17 2003

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

CONFIDENTIAL

# 2

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
**For the Period of April 17, 2003 through April 23, 2003**

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

**ELECTRIC**

**EL03-014 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.**

On April 17, 2003, MidAmerican Energy Company filed SDPUC Electric Tariff No. 1, Section No. 6, 8th Revised Sheet No. 2 for Commission approval. MidAmerican is proposing changes to the back of its standard bill form. MidAmerican has retooled its printing operations so that it is now feasible to perform in-house printing on both sides of its bill form. Due to this operational change, MidAmerican no longer needs to retain the contact information for each regulatory agency on every bill regardless of the customer's jurisdiction.

Staff Analyst: Michele Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 04/17/03  
Intervention Deadline: 05/09/03

**NATURAL GAS**

**NG03-003 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.**

On April 17, 2003, MidAmerican Energy Company filed SDPUC Gas Sales Tariff, Section No. VI, Eighth Revised Sheet No. 3 for Commission approval. MidAmerican is proposing changes to the back of its standard bill form. MidAmerican has retooled its printing operations so that it is now feasible to perform in-house printing on both sides of its bill form. Due to this operational change, MidAmerican no longer needs to retain the contact information for each regulatory agency on every bill regardless of the customer's jurisdiction.

Staff Analyst: Michele Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 04/17/03  
Intervention Deadline: 05/09/03

**TELECOMMUNICATIONS**

**TC03-068 In the Matter of the Application of Midcontinent Communications, Inc. for Approval to Expand its Certificate of Authority to Provide Local Exchange Service in the Service Territory of Interstate Telecommunications Cooperative, Inc.**

On April 17, 2003, Midcontinent Communications filed an application to amend its certificate of authority to provide local exchange service in the Webster exchange of Interstate Telecommunications Cooperative, Inc. (ITC), a rural telecommunications carrier. In the Webster exchange Midcontinent Communications will use a combination of ITC resold services and the hybrid fiber coax of its cable plant to provide primary transport for residential telephone service. Midcontinent Communications will also

provide intrastate and interstate interexchange services for commercial and residential customers. Midcontinent Communications has requested interconnection pursuant to 47 U.S.C. Section 251(f)(1)(A) with ITC, requests confidential treatment of its financial information, and requests a waiver from providing service to the entire ITC service area to provide local exchange service in the Webster exchange of ITC.

Staff Analyst: Harlan Best  
Staff Attorney: Karen E. Cremer  
Date Docketed: 04/17/03  
Intervention Deadline: 05/02/03

**TC03-069 In the Matter of the Filing for Approval of a Wireline Adoption Agreement between Qwest Corporation and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service.**

On April 17, 2003, the Commission received for approval a Wireline Adoption Agreement between Qwest Corporation (Qwest) and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton). According to the parties, Houlton chooses to adopt, in its entirety, the terms and conditions of the Interconnection Agreement and any associated amendments, if applicable, between AT&T Communications of the Midwest, Inc. and Qwest f/k/a U S West which was approved by the Commission on March 4, 1999, in Docket No. TC96-184. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than May 7, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier  
Date Docketed: 04/17/03  
Initial Comments Due: 05/07/03

**TC03-070 In the Matter of the Filing for Approval of an amendment to a Wireline Adoption Agreement between Qwest Corporation and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service.**

On April 17, 2003, the Commission received for approval an amendment to a Wireline Adoption Agreement between Qwest Corporation (Qwest) and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton). According to the parties, the amendment to the Wireline Adoption Agreement for Voice Traffic - 251(b)(5) Reciprocal Compensation agreement is made in order to reflect the FCC Order on Remand and Report and Order in CC Docket 99-68 (Inter-carrier Compensation for ISP Bound Traffic). Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than May 7, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier  
Date Docketed: 04/17/03  
Initial Comments Due: 05/07/03

**TC03-071 In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc.**

On April 21, 2003, the Commission received for approval an amendment to an Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc. According to the parties, this is an amendment to the Agreement approved by the Commission on July 23, 1999, in



Docket TC99-057. The amendment is made in order to add the terms, conditions and rates for UNEs, as set forth in Attachment 1 and Exhibits A, B, and C, attached to the filing. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than May 12, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier  
Date Docketed: 04/21/03  
Initial Comments Due: 05/12/03

**TC03-072      In the Matter of the Application of Horizon Telecom, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

Horizon Telecom, Inc. has filed an application for a Certificate of Authority to provide interexchange intrastate telecommunications services in South Dakota. The applicant intends to provide resold interexchange services, including 1+ outbound dialing, 8XX toll-free inbound dialing, directory assistance, and travel card service throughout South Dakota.

Staff Analyst: Bonnie Bjork  
Staff Attorney: Karen Cremer  
Date Docketed: 04/23/03  
Intervention Deadline: 05/09/03

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

**GUNDERSON, EVENSON, BOYD,  
KNIGHT & STOLTENBURG, LLP**  
ATTORNEYS AT LAW

Gordon Gunderson (1911-1999) • Dennis D. Evenson • Todd D. Boyd  
John D. Knight • Gregory J. Stoltenburg

TC03-068

Phone: 605-874-2111

Fax: 605-874-8176  
email: geb@itctel.com

415 THIRD AVE. S.  
P.O. BOX 977  
CLEAR LAKE, SD 57226-0977

April 28, 2003

Ms. Pamela Bonrud  
Executive Secretary  
South Dakota Public Utilities Commission  
Capitol Building, First Floor  
500 East Capitol Avenue  
Pierre, South Dakota 57501

**RECEIVED**

APR 29 2003

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

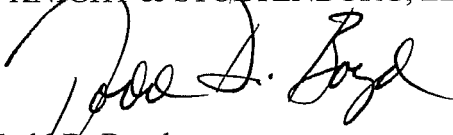
**RE: Midcontinent Communications Application**

Dear Ms. Bonrud:

Our law firm represents Interstate Telecommunications Cooperative, Inc., of Clear Lake, South Dakota. Our client received a copy of the application for rural certification of authority by Midcontinent Telecommunications on the 21<sup>st</sup> day of April, 2003. The purpose of this letter is to request that Interstate Telecommunications Cooperative, Inc., be granted intervenor status throughout the proceedings involving the recent application dated the 17<sup>th</sup> day of April, 2003, by Midcontinent Telecommunications as provided in ARSD 20:10:32:04.

Sincerely,

GUNDERSON, EVENSON, BOYD,  
KNIGHT & STOLTENBURG, LLP



Todd D. Boyd  
TDB/kh

cc: Manager Jerald J. Heiberger, ITC  
David A. Gerdes, Esq., Attorney at Law  
Richard D. Coit, Esq., Attorney at Law

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

IN THE MATTER OF THE APPLICATION OF )	ORDER GRANTING
MIDCONTINENT COMMUNICATIONS FOR )	INTERVENTION
APPROVAL TO EXPAND ITS CERTIFICATE OF )	
AUTHORITY TO PROVIDE LOCAL EXCHANGE )	TC03-068
SERVICE IN THE SERVICE TERRITORY OF )	
INTERSTATE TELECOMMUNICATIONS )	
COOPERATIVE, INC. )	

On April 17, 2003, the Public Utilities Commission (Commission) received an Application from Midcontinent Communications for approval to expand its certificate of authority to provide local exchange service in the service territory of Interstate Telecommunications Cooperative, Inc.

On April 24, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of May 2, 2003, to interested individuals and entities. Interstate Telecommunications Cooperative, Inc. (Interstate) filed to intervene on April 29, 2003.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05.

At a regularly scheduled meeting of May 6, 2003, the Commission found that the letter to intervene was timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED, that the intervention of Interstate is hereby granted.

Dated at Pierre, South Dakota, this 16<sup>th</sup> day of May, 2003.

<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>Helmut Kolbo</u>
Date: <u>5/19/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner

LAW OFFICES  
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BRENT A. WILBUR  
TIMOTHY M. ENGEL  
MICHAEL F. SHAW  
NEIL FULTON  
BOBBI J. BENSON  
BRETT KOENECKE

November 10, 2003

OF COUNSEL  
WARREN W. MAY

GLENN W. MARTENS 1881-1963  
KARL GOLDSMITH 1885-1966

TELEPHONE  
605 224-8803

TELECOPIER  
605 224-6289

E-MAIL  
dag@magt.com

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NOV 12 2003  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Pam Bonrud, Executive Secretary  
Public Utilities Commission  
500 East Capitol Avenue  
Pierre, South Dakota 57501

RE: **MIDCONTINENT COMMUNICATIONS; AMENDED CERTIFICATE OF  
AUTHORITY FOR WEBSTER**

Docket: TC03-068  
Our file: 4056

Dear Pam:

Enclosed is a stipulation regarding Midcontinent's application for Rural Certification, which please file. We believe that this should permit the Commission to enter an order granting Midcontinent's application for an Amended Certificate of Authority to include the Webster rural service area.

Under separate cover, I am filing an Interconnection Agreement between the two companies for Midcontinent to provide this service.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP

*dictated by Mr. Gerdes  
and mailed in his absence  
to avoid delay*

BY:

DAG:mw

Enclosure

cc/enc: Karen Cremer, Harlan Best, Todd D. Boyd, Ben Dickens,  
Jerry Heiberger, Tom Simmons, Nancy Vogel, Mary Lohnes

RECEIVED

NOV 12 2003

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

CT 03-068

IN THE MATTER OF THE )  
APPLICATION OF MIDCONTINENT )  
COMMUNICATIONS TO PROVIDE )  
LOCAL EXCHANGE SERVICE IN A )  
RURAL SERVICE AREA )

STIPULATION REGARDING  
APPLICATION FOR  
RURAL CERTIFICATION

WHEREAS, Midcontinent Communications has filed an application for an amended certificate of authority dated the 17<sup>th</sup> day of April, 2003, with the South Dakota Public Utilities Commission; and

WHEREAS, Interstate Telecommunications Cooperative, Inc. (ITC), of Clear Lake, South Dakota, filed a request on the 28<sup>th</sup> day of April, 2003, to be granted intervener status throughout the proceedings involving the application by Midcontinent Communications dated the 17<sup>th</sup> day of April, 2003; now therefore,

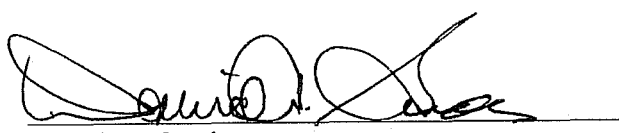
IT IS HEREBY AGREED, STIPULATED AND UNDERSTOOD by and between the respective parties that ITC has no objection to Midcontinent Communications providing local exchange services in ITC's Webster exchange only; and furthermore,

The respective parties do hereby agree, stipulate and understand that this stipulation is without prejudice to and does not waive any positions either party may have taken herein or may take in the future regarding any judicial, legislative, regulatory or other public forum addressing any issues or matters hereafter, and the execution of this stipulation by the respective parties is not a concession or waiver in any manner concerning either party's position in any judicial, legislative, regulatory or other public forum addressing any subsequent issues or matters.

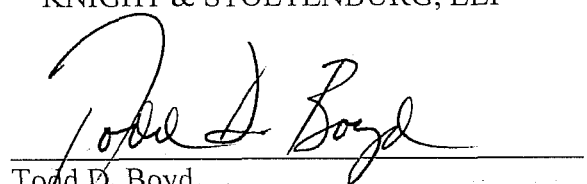
Dated this 5<sup>th</sup> day of November, 2003.

MAY, ADAM, GERDES & THOMPSON, LLP

GUNDERSON, EVENSON, BOYD,  
KNIGHT & STOLTENBURG, LLP



David A. Gerdes  
Attorneys for Midcontinent Communications



Todd D. Boyd  
Attorneys for Interstate Telecommunications  
Cooperative, Inc.

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>MIDCONTINENT COMMUNICATIONS FOR )</b>	<b>PETITION TO AMEND</b>
<b>APPROVAL TO EXPAND ITS CERTIFICATE OF )</b>	<b>CERTIFICATE OF</b>
<b>AUTHORITY TO PROVIDE LOCAL EXCHANGE )</b>	<b>AUTHORITY AND ORDER</b>
<b>SERVICE IN THE SERVICE TERRITORY OF )</b>	<b>GRANTING WAIVER</b>
<b>INTERSTATE TELECOMMUNICATIONS )</b>	
<b>COOPERATIVE, INC. )</b>	<b>TC03-068</b>

On April 17, 2003, the Public Utilities Commission (Commission) received an Application for an Amended Certificate of Authority from Midcontinent Communications (Midcontinent) for approval to provide local exchange service in the rural exchange area of Webster, South Dakota. Midcontinent also requested a waiver of ARSD 20:10:32:15. Midcontinent states that the application is a competitive response to the provision of video programming in the geographical area applied for by the incumbent carrier, Interstate Telecommunications Cooperative, Inc. (ITC). Midcontinent proposes to use a combination of ITC resold services, the structure to be determined by the final interconnection agreement between the parties, and the hybrid fiber coax (HFC) network of its cable plant to provide primary transport for residential services. Midcontinent also states that 47 U.S.C. § 251(f)(1)(C) is applicable to the application and as such, the exemption provided by 47 U.S.C. § 251(f)(1)(A) does not apply to ITC.

On April 24, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of May 2, 2003, to interested individuals and entities. On April 29, 2003, ITC filed its request for intervenor status. At a regularly scheduled meeting of May 6, 2003, the Commission found that the letter to intervene was timely filed and demonstrated good cause to grant intervention.

On November 12, 2003, the Commission received a Stipulation Regarding Application for Rural Certification signed by Midcontinent and ITC whereby the parties stipulated that ITC had no objection to Midcontinent providing local exchange services in ITC's Webster exchange only.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:32:03. The Commission finds that Midcontinent has met the legal requirements established for the granting of an amended certificate of authority. Midcontinent has in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:32:15. Further, the Commission finds that pursuant to SDCL 49-31-69, an Amended Certificate of Authority shall be granted as it is in the public interest. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request for an Amended Certificate of Authority shall be granted to authorize Midcontinent to provide competitive local exchange service within the city of Webster; and it is

FURTHER ORDERED, that ARSD 20:10:32:15 shall be waived.

Dated at Pierre, South Dakota, this 17<sup>th</sup> day of December, 2003.

<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>Mildred Kolbo</u>
Date:	<u>12/19/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner