

BEFORE THE
PUBLIC REGULATION COMMISSION OF SOUTH DAKOTA

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

 In the Matter of the Petition of VCI Company for)
 Designation as an Eligible Telecommunications)
 Providing Service to Customers under the)
 South Dakota Telephone Assistance Program)

Docket No: _____

Petition for Designation
As An Eligible Telecommunications Carrier

VCI Company ("Petitioner"), a registered South Dakota competitive telecommunications provider providing wireline services primarily through the leasing of Unbundled Network Elements (UNE's), petitions the South Dakota Corporation Commission ("Commission") for an Order designating it this Petition for Designation as an Eligible Telecommunications Carrier ("Petition") for purpose of providing local exchange services to South Dakota residents qualifying for the South Dakota Telephone Assistance Program ("SDTAP"). Petitioner provides the following information in support of its Petition:

1. Petitioner's Service and Contact Information

The name and address of the Petitioner is VCI Company, 3875 Steilacoom Blvd Southwest #A, Lakewood, Washington 98499. Petitioner is a registered competitive carrier in the State of South Dakota.

Petitioner's registration as a competitive local exchange carrier in Washington was approved in Docket No. UT-021524 on December 10, 2002. Petitioner's application for Eligible Telecommunications Carrier Status in Washington was approved in Docket No. UT-033014 on April 23, 2003. Also approved was an ETC in Wyoming and Oregon.

2. Service to be provided

(a) Petitioner provides the following services supported by the Universal Service Fund under 47 CFR §54.101, as adopted by the Federal Communications Commission ("FCC") on May 8, 1997, in CC Docket 96-45:

- (1) Voice grade access to the public switched network;
- (2) Local Usage;

- (3) Dual tone multi-frequency signaling or its functional equivalent;
- (4) Single-party service or its functional equivalent;
- (5) Access to emergency services;
- (6) Access to operator services;
- (7) Access to interexchange service;
- (8) Access to directory assistance; and

Petitioner does not provide toll limitation for qualifying low-income consumers as its underlying carrier and UNE-P provider, Qwest Communications, does not have the technological capability to providing toll-limitation service. Petitioner does provide toll-blocking service.

- (b) Petitioner provides these services using its own facilities or a combination of its own facilities and resale of another carrier's service.

3. Service Area

Petitioner will service all Qwest Corporation exchanges in South Dakota.

4. FCC Compliance

Petitioner is currently an ETC in the state of Washington, Oregon and Wyoming and complies with all FCC rules including federal high cost support and currently provides lifeline and linkup support to residents of tribal lands in areas approved for ETC status in Washington, Oregon and Wyoming. The following specific FCC rules and a detail of how Petitioner intends to comply are described below:

47 CFR 54.5 – terms and conditions.

47 CFR 54.7 - Sec. 54.7 Intended use of federal universal service support.

A carrier that receives federal universal service support shall use That support only for the provision, maintenance, and upgrading of Facilities and services for which the support is intended.

Should Petitioner receive any federal universal service support, those monies would be used as intended by 47 CFR 54.7

47 CFR 54.101

Petitioner currently complies with all requirements of 47 CFR 54.101 in the state of Washington, Oregon and Wyoming as described above and was obliged to prove compliance in order to be approved as a CLEC in the state of SOUTH DAKOTA.

47 CFR 54.201

Petitioner complies with the definition of an ETC as required by 47 CFR 54.201 d(1) by servicing customers through the use of unbundled network elements. D(2) advertising in a media of general distribution as described in detail in this petition under 'advertising of services provided.'

47 CFR 54.203 - does not apply since Petitioner only services areas that are served by Qwest Corporation and therefore cannot be unserved areas.

47 CFR 54.205 - does not apply since Petitioner is not requesting to relinquish its ETC designation in areas served by more than one carrier.

47 CFR 54.207 - Petitioner will service all areas serviceable by Qwest Corporation Service Exchanges in SOUTH DAKOTA.

47 CFR 54.307 - Should Petitioner receive any high cost support from USAC, VCI would submit requests for support as required by 47 CFR 54.307.

47 CFR 54.313 - does not apply since it is a requirement of the state, not Petitioner.

47 CFR 54.400 - terms and definitions

47 CFR 54.401 - Petitioner already complies with these Federal Rules for service currently being provided in Washington, Oregon and Wyoming and will continue to do so in SOUTH DAKOTA. Specifically, Petitioner will offer reduced charges to qualifying low income customers and provide toll limitation service and not charge deposits

5. Advertising of Services Provided [OAR 860-003-005(7) (b)]

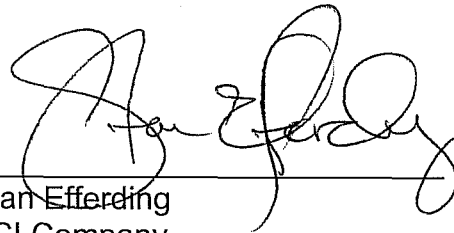
Petitioner advertises the availability of the above listed services throughout its service area in Washington, Oregon and Wyoming using a media of general distribution and will do so in South Dakota upon ETC approval.

6. Public Interest Statement

By granting ETC designation to Petitioner, this Commission will greatly benefit the people of South Dakota who qualify by lowering their telephone bills and allowing more money for other needs of these citizens and their families.

Wherefore, Petitioner respectfully requests that the Commission enter an Order designating Petitioner an Eligible Telecommunications Carrier for the State of SOUTH DAKOTA for provision of local exchange service to Customers eligible for SDTAP.

Dated this ___ day of November, 2004.

A handwritten signature in black ink, appearing to read "Stan Efferding", written over a horizontal line.

Stan Efferding
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