

LARSON AND NIPE

ATTORNEYS AT LAW

JEFFREY D. LARSON
WOONSOCKET
SOUTH DAKOTA 57385

REPLY TO:
P.O. BOX 277
WOONSOCKET
SOUTH DAKOTA 57385
PHONE: 605-796-4245
FAX: 605-796-4227

CHRIS A. NIPE
MITCHELL
SOUTH DAKOTA 57301

*Returned Check
5/7/04*

May 6, 2004

RECEIVED

Pam Bonrud, Executive Director
SD Public Utilities Commission
Capitol Bldg. 1st Floor
500 E. Capitol
Pierre, SD 57501-5070

RECEIVED

MAY 7 2004

MAY 7 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

RE: **Sancom's PUC Certificate of Authority Application**

Dear Pam:

Enclosed please find for filing an Original and Ten (10) copies of an Application for Certificate of Authority for Sancom along with a check in the sum of \$250 to cover the filing fee thereon. We are hereby requesting confidential treatment of the financial information attached as Exhibit "B" pursuant to ARSD 20:10:01:41.

Also enclosed please find a stamped self-addressed envelope which we would ask you to use to return a stamped file copy of the Application to the addressee thereon.

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,



Jeffrey D. Larson
Larson & Nipe
P.O. Box 277
Woonsocket, SD 57385-0277
Phone: 605-796-4245

JDL/amb
enclosures (13)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

MAY 07 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
SANCOM, INC. FOR AUTHORITY TO PROVIDE)
COMPETITIVE LOCAL EXCHANGE SERVICES IN)
EXCHANGES SERVED BY QWEST)

Docket No.

APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to the provisions of SDCL 49-31-3, 49-31-69 through 49-31-76 and ARSD 20:10:32:03, Sancom, Inc. (Sancom) hereby applies for a Certificate of Authority to provide competitive local exchange services in South Dakota exchanges served by Qwest.

1. Sancom is a South Dakota corporation and a wholly owned subsidiary of Santel Communications Cooperative, Inc. (Santel). Applicant's legal name, address, principal office, phone and fax number and e-mail address are:

Sancom, Inc.
308 S. Dumont Ave.
PO Box 67
Woonsocket, SD 57385-0067
Phone: (605) 796-4411
Fax: (605) 796-4419
gkroell@santel.net

2. The following are the directors of Sancom. All may be contacted at the address and contact numbers listed in Section 1:

Lawrence Ruml, President
Gerald Koch, Vice President
Ray Scherschlight, Secretary/Treasurer
Tommy Baruth
Lindy Peterson

Kent Swenson
Dr. Pam Moore DVM
LeRoy Dodd
Richard Alt

3. Sancom will overbuild the Mitchell Qwest Exchange and will provide local exchange services doing business as Mitchell Telecom.

4. Sancom's principal office is stated in Section 1. Sancom's current registered agent is Jeff Larson whose business address is PO Box 277, Woonsocket, SD 57385. No shareholders own twenty percent or more of an interest in the business. Sancom's South Dakota Certificate of Incorporation was granted on October 31, 1994. A copy of the certificate is attached to this application as Exhibit A.

5. Applicant's parent company Santel has been providing local exchange telecommunications services to portions of south central South Dakota for over 50 years. More recently Santel has also provided long distance, CATV, Internet, calling features and phone systems. Applicant will provide local dial tone, long distance, DSL, Internet, calling features, phone systems and other telecommunications services.

6. Sancom has no subsidiaries or affiliates. It is a wholly owned subsidiary of Santel whose address is:

Santel Communications Cooperative, Inc.
308 S. Dumont Ave.
PO Box 67
Woonsocket, SD 57385-0067

7. Sancom initially intends to provide service by overbuilding the Mitchell, South Dakota exchange of Qwest. It will construct and use its own facilities (starting this year) and may colocate or lease additional facilities as necessary to provide services to residential and business customers. Sancom's Mitchell local exchange network will connect with SDN Communications SONET Ring and Sioux Falls tandem. Sancom will

install a new state of art switch in Mitchell that will provide LNP.

Sancom will provide the following services:

- local dial tone and voice grade access to the public switched telephone network
- 911 service
- access to operator services
- access to IXC services
- access to directory assistance
- nonpublished and nonlisted directory services
- access to Telecommunications Relay Service
- toll and 900 number blocking
- special circuits
- DSL
- calling features

8. Sancom will serve within the boundaries of the Mitchell Qwest exchange consistent with the current exchange maps on file with the Commission.

9. Applicant's parent Santel already has a long history of providing telecommunications services with a high customer satisfaction level. From this long history of service, its directors, management and staff already possess the technical competence to provide the requested services herein.

10. Santel General Manager Gene Kroell will lead the Sancom management team. Mr. Kroell has over 42 years of experience from outside plant and CO operations to management. He has attended numerous technical workshops, seminars and industry training over his 42 year career. The remainder of the management team will be hired later this year. The Sancom management team will be assisted as needed by Santel's current staff.

11. Sancom will establish a customer service office in Mitchell. It will have a full staff to handle all customer service issues or complaints. The office will be open during normal business hours 8am to 5pm Monday-Friday. Customers will be given

access to an 800 number call center for after hour emergencies. The call center will be able to contact and dispatch Sancom staff for any after hour emergencies as needed. Sancom staff will perform all required maintenance and will comply with the Commission's quality of service requirements.

12. Sancom will connect with the Mitchell PSAP and will provide enhanced 911 consistent with current Davison County 911 requirements. Sancom will contact the proper county officials and will provision and test E911 before offering any services. Sancom will contract with a vendor to provide operator and directory assistance services. Sancom will provision its switch to provide and properly route all telecommunications relay services. Applicant will connect to SDN Communications to provide interexchange services. Both inter and intrastate equal access will be provided. All toll providers currently registered with the Commission will be notified and given an opportunity to be on the Sancom equal access ballot and to become a picable toll provider by Sancom's customers.

13. Sancom is financially capable of establishing and maintaining service as set forth in this application. While Sancom has been in existence since 1994, it has not had significant financial activity the last couple of years. Therefore, the applicant provides the consolidated financial statements of Santel. Sancom's financial information is included within the Santel balance sheet, income statement and cash flow statement, is presented in Exhibit B.

14. Sancom will be competing with Qwest within Qwest exchanges and will not compete with any rural LEC's. Sancom will interconnect with Qwest. Interconnection negotiations with Qwest will begin once this application is filed.

15. A complete price list for services to be offered is currently being developed and will be filed with the Commission as an informational tariff when completed. Sancom will serve far fewer than fifty thousand local exchange customers therefore no cost support is required for this filing.

16. Sancom will market directly to residential and business customers. Marketing will include a variety of methods, such as, direct mail, billboards, newspaper and radio. It will not engage in any multilevel marketing. No brochures currently exist. They are under development.

17. The applicant is not authorized to provide service in any other states. It shall provide service only in South Dakota. It has never been denied certification in any state.

18. All customer complaints can be sent to the Sancom address in Section 1.

19. Sancom will mail a monthly bill to its customers on the first of the month for all services. The bill will require payment within 30 days. Although exempt from them under SDCL 49-31-5.1, Sancom will generally follow the Commission's billing, collections and credit rules.

20. New customers seeking Sancom's service will be required to sign a letter of agency and a service application form. All consent to switch customers will be in writing greatly minimizing the chance of any unauthorized switching of services.

21. The applicant has never had any complaints filed against it in any state or federal agency for the unauthorized switching of carriers or for charging customers for services not ordered.

22. The applicant will not have any historical costs to develop cost based

access rates. Further, Sancom will have a very small customer base over the next couple of years. Sancom lacks the financial, technical and managerial resources needed to determine company specific cost based intrastate switched access rates. The costs to develop cost based rates outweigh any benefit to Sancom's customers. Therefore, pursuant to ARSD 20:10:27:11, Sancom hereby requests that its access rates be determined in accordance with ARSD 20:10:27:12 and that it be allowed to adopt the average access rate of all South Dakota companies for a period of three years. The Commission has routinely granted such requests for small start up CLEC's with no historical cost information. This precedent is also appropriate in Sancom's case.

23. Sancom's federal tax id is: 46-0436289

24. The information provided herein and all exhibits fully describe Sancom's business plan and its ability to provide high quality telecommunications services to South Dakota consumers. Sancom demonstrates herein that it has the technical, financial and managerial skills to offer telecommunications services in Qwest's South Dakota exchanges and that such services will be in the public interest.

WHEREFORE, Sancom hereby requests that the Public Utilities Commission enter an order granting a certificate of authority to Sancom to provide competitive local exchange services in Qwest's South Dakota exchanges; and

FURTHERMORE, that Sancom hereby petitions the Commission that it be granted an exemption from developing company specific cost based switched access rates pursuant to ARSD 20:10:27:11 and that its switched access rates shall be determined consistent with ARSD 20:10:27:12 for a period of three years.

Respectfully submitted this 4 day of May, 2004

Sancom, Inc.

By: Gene Kroell
Gene Kroell
General Manager

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF INCORPORATION

BUSINESS CORPORATION

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that the Articles of Incorporation of SANCOM, INC. duly signed and verified, pursuant to the provisions of the South Dakota Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issued this Certificate of Incorporation and attach hereto a duplicate of the Articles of Incorporation of SANCOM, INC.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this October 31, 1994.



Joyce Hazeltine

 JOYCE HAZELTINE
 Secretary of State

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served copies of the foregoing **Application for Certificate of Authority** upon the following herein designated, on the date below shown, by depositing copies thereof in the United States mail at Woonsocket, South Dakota, postage prepaid, in an envelope addressed to said addressees, to-wit:

Qwest Corporation
125 South Dakota Ave.
Sioux Falls, SD 57194

McLeodUSA Telecommunications Services, Inc.
P.O. Box 3177
Cedar Rapids, IA 52406-3177

Midcontinent Communications
5001 West 41st Street
Sioux Falls, SD 57104-1424

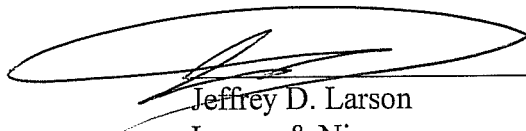
Midstate Telecom, Inc.
120 East 1st Street
Kimball, SD 57355

Northern Valley Communications, LLC
P.O. Box 320
Groton, SD 57445

PrairieWave Telecommunications, Inc.
5100 S Broadband Lane
Sioux Falls, SD 57108

Midco Communications d/b/a Midcontinent Communications, Inc.
410 S Phillips Avenue
Sioux Falls, SD 57104-6824

Dated this 6 day of May 2004.



Jeffrey D. Larson
Larson & Nipe
P.O. Box 277
Woonsocket, SD 57385-0277
Phone: (605) 796-4245

RECEIVED
MAY 07 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

CONFIDENTIAL

#/

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of May 6, 2004 through May 12, 2004

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: 605-773-3201

ELECTRIC

EL04-015 **In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval to Include Certain Renewable Energy Development Fund Costs in the Electric Fuel Clause Adjustment.**

Application by Xcel Energy for approval to include Renewable Development Fund payments directed to projects resulting in new renewable energy production, and associated administrative costs, allocated to South Dakota, in a revised Fuel Clause Rider Tariff for purposes of cost recovery from South Dakota customers. Renewable Development Fund payments by Xcel are required by an Act passed by the Minnesota Legislature in exchange for enabling Xcel to temporarily store spent nuclear fuel at the Prairie Island Nuclear Generating Plant at Red Wing, Minnesota.

Staff Analyst: Steve Wegman/Dave Jacobson

Staff Attorney: Karen Cremer

Date Filed: 05/07/04

Intervention Deadline: 05/28/04

EL04-016 **In the Matter of the Filing by Superior Renewable Energy LLC et al. against Montana-Dakota Utilities Co. Regarding the Java Wind Project.**

On May 12, 2004, Superior Renewable Energy LLC and its wholly owned subsidiary, Java LLC, filed a petition requesting the Commission to settle a dispute regarding the long term purchase price of electricity generated from a Qualified Facility pursuant to the Public Utility Regulatory Policy Act of 1978.

Staff Analysts: Michele Farris/Keith Senger

Staff Attorney: Karen Cremer

Date Filed: 5/12/04

Intervention Deadline: 5/28/04

NATURAL GAS

NG04-002 **In the Matter of the Filing by MidAmerican Energy Company for Approval of its 2003 Economic Development Report and its 2004 Economic Development Plan.**

On May 12, 2004, as part of the Decision and Order approving Settlement Stipulation in NG01-010, MidAmerican Energy Company filed its 2003 economic development report and its proposed 2004 economic development budget for Commission approval.

Staff Analyst: Michele Farris

Staff Attorney: Karen Cremer

Date Filed: 05/12/04

Intervention Deadline: 05/28/04

TELECOMMUNICATIONS

TC04-089 In the Matter of Qwest Corporation's Modification to Exhibit B to the Statement of Generally Available Terms and Conditions.

On May 6, 2004, Qwest Corporation filed an Updated Exhibit B to the Statement of Generally Available Terms and Conditions (SGAT). Qwest modified Exhibit B to include new product reporting or standards or both, association between certain terms in the Performance Indicator Definitions (PIDs) to the Definition of Terms, language clarifications, PID deletion, and PID revisions. Qwest requests that the Commission permit the amended Exhibit B to go into effect in accordance with 47 U.S.C. Section 252(f)(3). Qwest further requests that the Commission deem this revised Exhibit B to modify the SGAT and existing interconnection agreements that currently contain the PIDs as an exhibit.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 05/06/04
Intervention Deadline: 05/28/04

TC04-090 In the Matter of the Application of Sancom, Inc. d/b/a Mitchell Telecom for a Certificate of Authority to Provide Local Exchange Services in the Territory of Qwest Corporation.

On May 7, 2004, Sancom, Inc. d/b/a Mitchell Telecom filed an application for a Certificate of Authority to provide local exchange telecommunications services in Qwest Corporation's service territories. Sancom intends to construct and use its own facilities and may collocate or lease additional facilities as necessary to provide services to residential and business customers.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 05/07/04
Intervention Deadline: 05/28/04

TC04-091 In the Matter of the Filing for Approval of Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services between Qwest Corporation and Comtech 21, LLC (Fourth Revision)

On May 7, 2004, the Commission received a filing for approval of a Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunication Services provided by Qwest Corporation in the state of South Dakota, Fourth Revision, between Qwest Corporation and Comtech 21, LLC. According to the parties, the Agreement "is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to Comtech for the provision of local exchange services." 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 27, 2004. 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: Rolayne Ailts Wiest
Date Filed: 05/07/04
Initial Comments Due: 05/27/04

TC04-092 In the Matter of the Application of CommPartners, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services and Local Exchange Services in South Dakota.

On May 10, 2004, CommPartners, LLC filed an application for a Certificate of Authority to provide facilities-based and resold local exchange telecommunications services and interexchange services in South Dakota. CommPartners intends to provide voice telephony services on a wholesale basis to small and medium-sized cable system operators. Specifically, CommPartners will bundle local, long distance, internet access, data transport, web hosting, billing services and back office supports for its partner wholesale customers. CommPartners may also provide these services on a retail basis to small and medium-sized businesses in areas not served by its wholesale customers. CommPartners will initially focus on providing services in Qwest local exchange areas.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Filed: 05/10/04
Intervention Deadline: 05/28/04

TC04-093 In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement between Qwest Corporation and ICG Telecom Group, Inc.

On May 10, 2004, the Commission received a filing for approval of a Triennial Review Order Amendment to the Interconnection Agreement between Qwest Corporation and ICG Telecom Group, Inc. According to the parties, the Amendment "is made in order to change or add terms, conditions and rates for certain network elements." Any party wishing to comment on the Amendment may do so by filing written comments with the Commission and the parties to the Amendment no later than June 1, 2004. Parties to the Amendment may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Rolayne Ailts Wiest
Date Filed: 05/10/04
Initial Comments Due: 06/01/04

TC04-094 In the Matter of the Filing by Granite Telecommunications, LLC for Approval of its Intrastate Switched Access Tariff and for an Exemption from Developing Company Specific Cost-Based Switched Access Rates.

On May 10, 2004, Granite Telecommunications, LLC filed a petition asking for exemption from developing company-specific cost-based switched access rates. The Applicant requests waivers of ARSD 20:10:27:07, 20:10:27:12 and 20:10:27:13. Applicant intends to mirror the switched access tariffed rates of Qwest.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Filed: 5/10/04
Intervention Deadline: 5/28/04

TC04-095 In the Matter of the Application of United American Technology, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.

On May 12, 2004, United American Technology, Inc. filed an application seeking a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The Applicant intends to offer resold long distance, toll-free and travel card services to residential and small business customers.

Staff Analyst: Keith Senger
Staff Attorney: Karen Cremer
Date Filed: 5/12/04
Intervention Deadline: 5/28/04

**You may receive this listing and other PUC publications via our website or via internet e-mail.
You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc>**

TC04-090

LARSON AND NIPE

ATTORNEYS AT LAW

JEFFREY D. LARSON
WOONSOCKET
SOUTH DAKOTA 57385

REPLY TO:
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FAX: 605-796-4227

CHRIS A. NIPE
MITCHELL
SOUTH DAKOTA 57301

RECEIVED
MAY 13 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

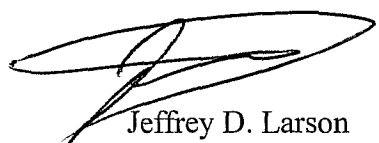
May 12, 2004

Pam Bonrud, Executive Director
SD Public Utilities Commission
Capitol Bldg. 1st Floor
500 E. Capitol
Pierre, SD 57501-5070

Dear Pam:

Please consider this our written request for a waiver pursuant to our recent filing for a Certificate of Authority on behalf of Sancom, Inc. Sancom, Inc. has not been operating since January 1, 2002 and therefore pursuant to ARSD 20:10:32:03(11)(a) Sancom does hereby request a waiver from the requirement to file financial statements.

Sincerely,



Jeffrey D. Larson

JDL/amb

LAW OFFICES
MAY, ADAM, GERDES & THOMPSON LLP
503 SOUTH PIERRE STREET
P.O. BOX 160
PIERRE, SOUTH DAKOTA 57501-0160

THOMAS C. ADAM
DAVID A. GERDES
CHARLES M. THOMPSON
ROBERT B. ANDERSON
BRENT A. WILBUR
TIMOTHY M. ENGEL
MICHAEL F. SHAW
NEIL FULTON
BRETT KOENECKE

SINCE 1881
www.magt.com

May 19, 2004

OF COUNSEL
WARREN W. MAY
GLENN W. MARTENS 1881-1963
KARL GOLDSMITH 1885-1966

TELEPHONE
605 224-8803

TELECOPIER
605 224-6289

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dag@magt.com

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MAY 19 2004

HAND DELIVERED

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

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: IN THE MATTER OF THE APPLICATION OF SANCOM, INC. D/B/A
MITCHELL TELECOM FOR A CERTIFICATE OF AUTHORITY TO
PROVIDE LOCAL EXCHANGE SERVICES IN THE TERRITORY OF QUEST
CORPORATION
Docket TC04-090
Our file: 0053

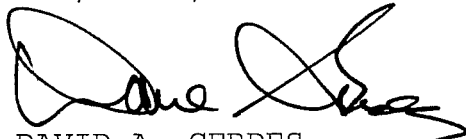
Dear Pam:

Enclosed are original and ten copies of Midcontinent's Petition
to Intervene in this docket. Please file the enclosures.

With a copy of this letter, I am sending the enclosure to the
service list. Thank you very much.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP



DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Service List
Tom Simmons
Nancy Vogel
Mary Lohnes

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF SOUTH DAKOTA

RECEIVED
MAY 19 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION) DOCKET TC04-090
OF SANCOM, INC. D/B/A MITCHELL)
TELECOM FOR A CERTIFICATE OF) PETITION TO
AUTHORITY TO PROVIDE LOCAL) INTERVENE
EXCHANGE SERVICES IN THE TERRITORY)
OF QWEST CORPORATION.)

Pursuant to ARSD 20:10:01:15.02 Midcontinent Communications ("Midcontinent") by its undersigned counsel petitions the Commission to intervene, as follows:

1. Midcontinent is a certificated telecommunications carrier under the jurisdiction of the Commission.

2. Sancom, Inc., d/b/a Mitchell Telecom has filed a petition for a certificate of authority to provide local exchange services in Qwest Corporations service territories. Midcontinent is a local exchange carrier in Qwest service territories and Midcontinent has an interest in preserving and maintaining its access to local number portability with all carriers.

3. Midcontinent has a direct interest in the outcome of this proceeding. As a local exchange carrier it is entitled to local number porting with the applicant in the same manner as it is entitled to local number portability with Qwest. The outcome of this proceeding will potentially have a direct financial impact upon Midcontinent and its ability to do business in this state.

WHEREFORE Midcontinent prays that the Commission permit its intervention and participation in this proceeding, to examine and cross-examine witnesses and offer evidence on its own behalf.

Dated this 19 day of May, 2004.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

DAVID A. GERDES

Attorneys for Midcontinent

P.O. Box 160

Pierre, South Dakota 57501-0160

Telephone: (605)224-8803

Telefax: (605)224-6289

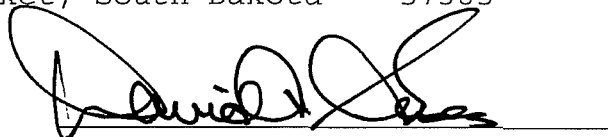
CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 19 day of May, 2004, 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 their last known addresses, to-wit:

Harlan Best
Staff Analyst
Public Utilities Commission
500 East Capitol
Pierre, SD 57501

Karen E. Cremer
Staff Attorney
Public Utilities Commission
500 East Capitol
Pierre, SD 57501

Jeffrey D. Larson
Larson & Nipe
P.O. Box 277
Woonsocket, South Dakota 57385



David A. Gerdes

LARSON AND NIPE

ATTORNEYS AT LAW

JEFFREY D. LARSON
WOONSOCKET
SOUTH DAKOTA 57385

REPLY TO:
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PHONE: 605-796-4245
FAX: 605-796-4227

CHRIS A. NIPE
MITCHELL
SOUTH DAKOTA 57301

May 28, 2004

Pam Bonrud, Executive Director
SD Public Utilities Commission
Capitol Bldg. 1st Floor
500 E. Capitol
Pierre, SD 57501-5070

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JUN 01 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

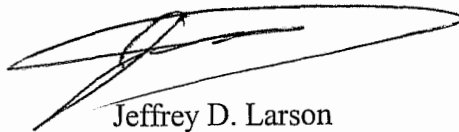
RE: **Sancom's Objection to Intervention**
Docket No. TC04-090

Dear Pam:

Enclosed please find for filing an Original and Ten (10) copies of an Objection to Intervene for Sancom.

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,



Jeffrey D. Larson
Larson & Nipe
P.O. Box 277
Woonsocket, SD 57385-0277
Phone: 605-796-4245

JDL/amb
enclosures (11)
cc/enc: David A. Gerdes

RECEIVED

JUN 01 2004

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

IN THE MATTER OF THE APPLICATION OF) Docket No. TC04-090
SANCOM, INC. FOR AUTHORITY TO PROVIDE)
COMPETITIVE LOCAL EXCHANGE SERVICES IN) Objection to Intervention
EXCHANGES SERVED BY QWEST)

COMES NOW, Sancom Inc. the Applicant for a Certificate of Authority in this docket and objects to the Petition to Intervene dated the 19th day of May 2004 filed by Midcontinent Communications.

Your Applicant objects for the reason that Midcontinent's only legitimate concern in this docket is to protect its access to Local Number Portability. The Applicant has already agreed in writing that it will provide Local Number Portability to Midcontinent's customers who may desire the same.

The Applicant respectfully requests that they and Midcontinent be allowed to execute a stipulation providing for the Local Number Portability protections contemplated by the parties and that the petition to intervene be dismissed.

Dated this 28th day of May 2004

Handwritten signature of Jeffrey D. Larson, Corporate Attorney, P.O. Box 277, Woonsocket, SD 57385-0277, Phone: 605-796-4245

CERTIFICATE OF SERVICE

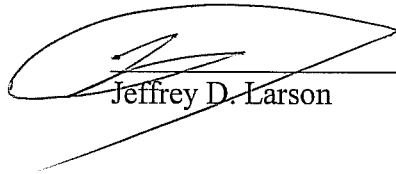
The undersigned hereby certifies that he served a an original a ten (10) copies of the foregoing Objection to Intervention upon the person herein next designated, on the date below shown, by depositing a copy thereof in the United States mail at Woonsocket, South Dakota, postage prepaid, in an envelope addressed to said addressee, to wit:

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

A copy was sent by First Class mail via the U.S. Postal Service to:

David A. Gerdes of May, Adam, Gerdes & Thompson LLP
Attorneys for Midcontinent,
P.O. Box 160, Pierre, South Dakota 57501-0160

Dated: May 28, 2004



Jeffrey D. Larson

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

IN THE MATTER OF THE APPLICATION OF) ORDER GRANTING
SANCOM, INC. D/B/A MITCHELL TELECOM) INTERVENTION
FOR A CERTIFICATE OF AUTHORITY TO)
PROVIDE LOCAL EXCHANGE SERVICES IN) TC04-090
THE TERRITORY OF QWEST CORPORATION)

On May 7, 2004, Sancom, Inc. d/b/a Mitchell Telecom (Sancom) filed an application for a Certificate of Authority to provide local exchange telecommunications services in Qwest Corporation's service territories. Sancom intends to construct and use its own facilities and may collocate or lease additional facilities as necessary to provide services to residential and business customers.

On May 13, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of May 28, 2004, to interested individuals and entities. Midcontinent Communications (Midcontinent) filed a Petition to Intervene on May, 19, 2004. Sancom filed an Objection to Intervention on June 1, 2004.

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 June 8, 2004, the Commission found that the Petition to Intervene was timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED, that the Petition to Intervene of Midcontinent is hereby granted.

Dated at Pierre, South Dakota, this 11th day of June, 2004.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Melaine Kolbo</u>
Date: <u>6/14/04</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



Bob Sahr, Chair
Gary Hanson, Vice-Chair
Jim Burg, Commissioner

July 29, 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.state.sd.us/puc

Capitol Office
(605) 773-3201
(605) 773-3809 fax

Transportation/Warehouse
(605) 773-5280
(605) 773-3225 fax

Consumer Hotline
1-800-332-1782

Mr. Jeffrey D. Larson
Attorney at Law
Larson and Nipe
P. O. Box 277
Woonsocket, SD 57385-0277

RE: CERTIFICATE OF AUTHORITY - DOCKET TC04-090

Dear Mr. Larson:

Please find enclosed an Order Granting Certificate of Authority and Certificate of Authority, effective as a South Dakota telecommunications company. This Order shows that your company has been approved by the Public Utilities Commission (Commission) to provide local exchange services in the state of South Dakota, upon Sancom obtaining a continuous \$25,000 surety bond and filing it with our office, and subject to the Commission's restriction with respect to rural telephone companies. Each company certified by the Commission is required to demonstrate sufficient technical, financial, and managerial capability to offer telecommunications services in South Dakota. *Please send us one copy of your company's final tariff, including the effective date, which would be the date you send the surety bond to our office.*

Also enclosed for your information is a copy of SDCL 49-31-89 through 49-31-97 relating to slamming, which became effective July 1, 1999.

Administrative Rule 20:10:32:12 requires that each company providing local exchange services submit the following information by June 1 of each year from the preceding calendar year:

- (1) A report of its annual revenues from the preceding year resulting from operations in South Dakota;
- (2) A report identifying specifically the areas within its service area in the state where the company is operational and actually providing local exchange services. The report must separately identify areas being served primarily through resale and areas served by facilities of the companies; and
- (3) The number of access lines being served, segregated between business and residential local exchange customers.

Pursuant to SDCL Chapter 49-1A, on June 1 of each year, each company certified is required to file with the Commission, on forms provided by the Commission, the amount of its gross receipts derived from customers within South Dakota during the preceding calendar year. SDCL 49-1A-3 levies the annual intrastate Gross Receipts Tax. This tax of .0015 or \$250.00, whichever is greater, is due and payable on June 1 of each year.

It is also very important for each company to keep the Commission updated on information relating to the company's address, phone and fax numbers, internet address, and contact people such as officers, CEOs, managers and customer service representatives. A Certificate of Authority may not be sold, assigned, leased, or transferred without Commission approval.

All telecommunications companies should be familiar with the Administrative Rules applicable to the regulation of telecommunications services in South Dakota. If you do not have a copy of these Rules, they can be accessed at the Commission's home page at <http://www.state.sd.us/puc> or you may obtain a copy of the Rules by contacting the Commission. You may use the enclosed document entitled "Stay Informed" to subscribe to Agendas and Minutes of the Commission meetings, Weekly Filing Reports, Rules Information and News Releases. You may also receive the Agendas, Minutes and Weekly Filing Reports by fax.

If you have any questions or concerns, please contact Delaine Kolbo at (605) 773-3705.

Sincerely,

PAMELA A. BONRUD
Executive Director

Enc.

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
SANCOM, INC. D/B/A MITCHELL TELECOM)	CERTIFICATE OF
FOR A CERTIFICATE OF AUTHORITY TO)	AUTHORITY
PROVIDE LOCAL EXCHANGE SERVICES IN)	
THE TERRITORY OF QWEST CORPORATION)	TC04-090

On May 7, 2004, the Public Utilities Commission (Commission) received an application for a certificate of authority from Sancom, Inc. d/b/a Mitchell Telecom (Sancom).

Sancom proposes to offer local exchange services in Qwest Corporation's service area.

On May 13, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of May 28, 2004, to interested individuals and entities. On May 19, 2004, the Commission received a Petition to Intervene from Midcontinent Communications. On June 1, 2004, the Commission received an Objection to Intervene from Sancom. At a regularly scheduled meeting of June 8, 2004, the Commission granted intervention to Midcontinent. At its regularly scheduled July 20, 2004, meeting, the Commission considered Sancom's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, upon Sancom obtaining a continuous \$25,000 surety bond, and subject to rural safeguards.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Sancom has met the legal requirements established for the granting of a certificate of authority. Sancom has, in accordance with SDCL 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

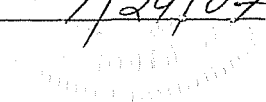
The Commission approves Sancom's application for a certificate of authority, upon it obtaining a continuous \$25,000 surety bond, and subject to rural safeguards. The certificate of authority for Sancom shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should Sancom choose to provide local exchange services statewide, with respect to rural telephone companies, Sancom will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that Sancom's application for a certificate of authority to provide local exchange services is granted, upon it filing with the Commission a continuous \$25,000 surety bond; and it is

FURTHER ORDERED, that Sancom shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Sancom to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company; and it is

Dated at Pierre, South Dakota, this 29th day of July, 2004.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Mildred Kalbo</u>
Date:	<u>7/29/04</u>
 (OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman *dk*

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

CERTIFICATE OF AUTHORITY

To Conduct Business As A Telecommunications Company
Within The State Of South Dakota

Authority was Granted upon Sancom obtaining a
continuous \$25,000 surety bond
Docket No. TC04-090

This is to certify that

SANCOM, INC. D/B/A MITCHELL TELECOM

is authorized to provide local exchange services in nonrural areas in South
Dakota.

This certificate is issued in accordance with SDCL 49-31-69 and ARSD
20:10:32:03, and is subject to all of the conditions and limitations contained in
the rules and statutes governing its conduct of offering telecommunications
services.

Dated at Pierre, South Dakota, this 29th day of July, 2004.

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION:**



Robert K. Sahr

ROBERT K. SAHR, Chairman *dk*

Gary Hanson

GARY HANSON, Commissioner

James A. Burg

JAMES A. BURG, Commissioner

LARSON AND NIPE

ATTORNEYS AT LAW

JEFFREY D. LARSON
WOONSOCKET
SOUTH DAKOTA 57385

REPLY TO:
P.O. BOX 277
WOONSOCKET
SOUTH DAKOTA 57385
PHONE: 605-796-4245
FAX: 605-796-4227

CHRIS A. NIPE
MITCHELL
SOUTH DAKOTA 57301

August 2, 2004

SD Public Utilities Commission
Attn: Delaine
Capitol Bldg. 1st Floor
500 E. Capitol
Pierre, SD 57501-5070

RECEIVED

AUG 03 2004

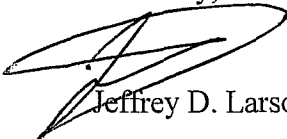
**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Re: INDEMNITY BOND - SANCOM, INC.
Bond No. 69755433

Dear Delaine:

Enclosed please find an Indemnity Bond on behalf of Sancom, Inc. If you should have any questions or concerns with regard to this matter, please advise.

Sincerely,



Jeffrey D. Larson

JDL/amb
Enclosure

RECEIVED

AUG 03 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

INDEMNITY BOND

Bond No. 69755433

KNOW ALL PERSONS BY THESE PRESENTS:

That we, SANCOM, INC., as Principal and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the state of South Dakota, as Surety, are held and firmly bound unto the South Dakota customers of the Principal in the sum of not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION of the above obligation is such that WHEREAS the Principal has applied to the South Dakota Public Utilities Commission (the "Commission") for a Certificate of Authority to resell long-distance telecommunications services within the State of South Dakota and, as a condition of receiving such Certificate of Authority, has been required by the Commission to give this bond.

NOW, THEREFORE, if the Principal shall in all respects fully and faithfully comply with all applicable provisions of South Dakota state law and reimburse customers of the Principal for any prepayment of deposits such customers have made which the Principal may be unable or unwilling to return to such customers as a result of insolvency or other business failure, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, this bond is continuous and may be cancelled by the Surety by giving thirty (30) days notice in writing to the Commission, and the Surety shall be relieved of any further liability under this bond thirty (30) days after such notice is sent by First Class U.S. Mail. Regardless of the number of years this bond shall continue in force, the number of claims made against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.

Dated this 30th day of July, 2004.

SANCOM, INC.,
Principal
By Gene Kroell
(Name and Title)

Gene Kroell, General Manager
WESTERN SURETY COMPANY, Surety

By M. Bent M. Bent, Ass't. Sec.

Countersigned by:

[Signature]
South Dakota Resident Agent



Bob Sahr, Chair
Gary Hanson, Vice-Chair
Jim Burg, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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Transportation/Warehouse
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(605) 773-3225 fax

Consumer Hotline
1-800-332-1782

August 5, 2004

Mr. Jeffrey D. Larson
Attorney at Law
Larson and Nipe
P. O. Box 277
Woonsocket, SD 57385-0277

Re: Sancom, Inc. d/b/a Mitchell Telecom
Docket TC04-090

Dear Mr. Larson:

As requested, enclosed you will find the original surety bond you sent us with reference to the above captioned matter. We will look forward to receiving the corrected surety bond.

Very truly yours,

Delaine Kolbo

Enc.

TC04-090

LARSON AND NIPE

ATTORNEYS AT LAW

JEFFREY D. LARSON
WOONSOCKET
SOUTH DAKOTA 57385

REPLY TO:
P.O. BOX 277
WOONSOCKET
SOUTH DAKOTA 57385
PHONE: 605-796-4245
FAX: 605-796-4227

CHRIS A. NIPE
MITCHELL
SOUTH DAKOTA 57301

RECEIVED

August 10, 2004

AUG 11 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

SD Public Utilities Commission
Attn: Delaine
Capitol Bldg. 1st Floor
500 E. Capitol
Pierre, SD 57501-5070

Re: INDEMNITY BOND - SANCOM, INC.
Bond No. 69755433

Dear Delaine:

Enclosed please find an Indemnity Bond on behalf of Sancom, Inc. If you should have any questions or concerns with regard to this matter, please advise.

Sincerely,



Jeffrey D. Larson

JDL/hdb

RECEIVED

AUG 12 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

INDEMNITY BOND

Bond No. 69755433

KNOW ALL PERSONS BY THESE PRESENTS:

That we, SANCOM, INC., as Principal and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the state of South Dakota, as Surety, are held and firmly bound unto the Public Utilities Commission of the State of South Dakota and the consumers of South Dakota as Obligee, in the sum of not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION of the above obligation is such that WHEREAS the Principal has applied to the South Dakota Public Utilities Commission (the "Commission") for a Certificate of Authority to resell long-distance telecommunications services within the State of South Dakota and, as a condition of receiving such Certificate of Authority, has been required by the Commission to give this bond.

NOW, THEREFORE, if the Principal shall in all respects fully and faithfully comply with all applicable provisions of South Dakota state law and reimburse customers of the Principal for any prepayment of deposits such customers have made which the Principal may be unable or unwilling to return to such customers as a result of insolvency or other business failure, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, this bond is continuous and may be cancelled by the Surety by giving thirty (30) days notice in writing to the Commission, and the Surety shall be relieved of any further liability under this bond thirty (30) days after such notice is sent by First Class U.S. Mail. Regardless of the number of years this bond shall continue in force, the number of claims made against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.

Dated this 4th day of August, 2004.

The original bond is in Delaine's bottom desk drawer.

SANCOM, INC.,
Principal
By Gene Kroell
(Name and Title)
Gene Kroell, General Manager
WESTERN SURETY COMPANY, Surety

Countersigned by:

[Signature]
South Dakota Resident Agent

By C. Langdon
C. Langdon, Ass't. Sec.