

TC04-184



August 19, 2004

RECEIVED

AUG 20 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

RE: In the Matter of Qwest Corporation's Request of the South Dakota Public Utilities Commission for 2005 ETC Certification to the Federal Communications Commission for 2005 Federal Universal Service Support (TC04-)

Dear Ms. Bonrud:

Please find enclosed for filing the original and ten copies of the Affidavit of Larry Toll dated August 19, 2004 and the Request for Confidential Treatment of Information along with the Plan for Use of 2005 Federal Universal Service Fund Support which is designated as confidential.

Sincerely yours,

A handwritten signature in cursive script that reads "Colleen E. Sevold".

Colleen E. Sevold
Manager-Policy & Law

Cc: Melissa Thompson
Larry Toll

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

AUG 20 2004

IN THE MATTER OF QWEST CORPORATION'S)
Request of the South Dakota Public Utilities)
Commission for 2005 ETC certification)
to the Federal Communications Commission for)
2005 Federal Universal Service Support.)

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION
SDCL Chapters
1-26, 49-31 and
47 U.S.C. 254

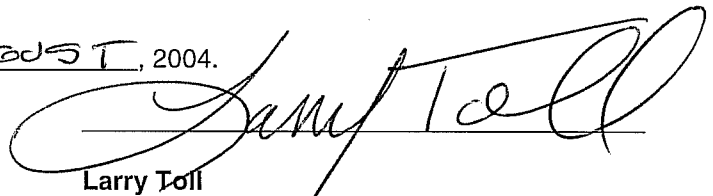
Affidavit of Larry Toll

Larry Toll, being first duly sworn on oath, deposes and says:

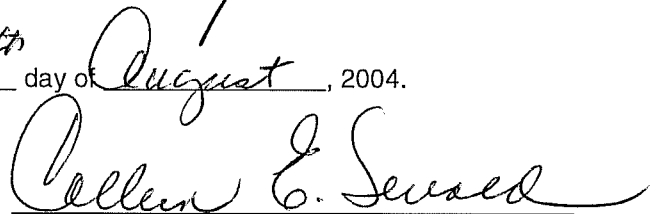
- 1) I am employed by Qwest Services Corporation as the State President for South Dakota.
- 2) Pursuant to Section 254(e) of the Telecommunications Act of 1996 and in compliance with 47 C.F.R. Part 54, Qwest Corporation is hereby certifying that it will use funds received from the Federal Universal Service High Cost Support fund for purposes prescribed.
- 3) This is to certify that all Federal Universal Service High Cost support provided to Qwest Corporation will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.
- 4) Pursuant to Section 254 (b)(3) of the Telecommunications Act and in compliance with 47 C.F.R 54.316, Qwest Corporation hereby certifies that its residential rates in rural areas of South Dakota are reasonably comparable to those of urban rates nationwide.

Further this affiant sayeth not.

Dated the 19th day of AUGUST, 2004.


Larry Toll

Subscribed and sworn to before me this 19th day of August, 2004.


Colleen E. Seward

CONFIDENTIAL

/

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of August 19, 2004 through August 25, 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

TELECOMMUNICATIONS

TC04-184 **In the Matter of the Request of Qwest Corporation for Certification Regarding its Use of Federal Universal Service Support.**

On August 20, 2004, Qwest Corporation (Qwest) provided information constituting Qwest's plan for the use of its federal universal service support and to otherwise verify that Qwest will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 08/20/04
Intervention Deadline: 09/10/04

TC04-185 **In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement between Qwest Corporation and Granite Telecommunications, LLC.**

On August 24, 2004, the Commission received a filing for approval of an Elimination of UNE-P and Implementation of Batch Hot Cut Process and Discounts Amendment between Qwest Corporation and Granite Telecommunications, LLC. 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 September 13, 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: 08/24/04
Initial Comments Due: 09/13/04

TC04-186 **In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc.**

On August 25, 2004, the Commission received a Filing for Approval of a DC Power Measuring Amendment between Qwest Corporation and McLeodUSA Telecommunications Services, Inc. According to the parties, the amendment adds terms, conditions, and rates for DC Power Measuring. 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 September 14, 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: 08/25/04

Initial Comments Due: 09/14/04

**TC04-187 In the Matter of the Request of Western Wireless Corporation for Certification
Regarding its Use of Federal Universal Service Support.**

On August 25, 2004, Western Wireless Corporation (Western) provided information constituting Western's plan for the use of its federal universal service support and to otherwise verify that Western will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best

Staff Attorney: Karen E. Cremer

Date Filed: 08/25/04

Intervention Deadline: 09/10/04

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



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

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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Consumer Hotline
1-800-332-1782

September 24, 2004

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street S.W., Room TW-A306
Washington, DC 20554

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

Ms. Irene Flannery
Universal Service Administrative Company
2120 L Street N.W., Suite 200
Washington, DC 20036

RE: Annual State Certification of Rate Comparability Review for Non-Rural
Carriers Serving in Rural Areas

Dear Ms. Dortch and Ms. Flannery:

The South Dakota Public Utilities Commission (SDPUC) hereby states that it has reviewed the comparability of residential rates in rural areas of South Dakota served by Qwest, a non-rural incumbent local exchange carrier, to rates nationwide. Pursuant to section 54.316, the SDPUC certifies that the rates are reasonably comparable based on the nationwide urban rate benchmark.

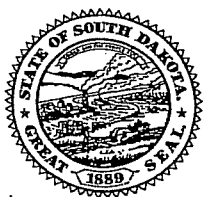
Enclosed is the order issued by the SDPUC with this finding. Should you have any questions, please do not hesitate to contact us for further information.

Sincerely,

Robert K. Sahr
Chairman

Gary Hanson
Commissioner

James A. Burg
Commissioner



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

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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street S.W., Room TW-A306
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Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Ms. Irene Flannery
Universal Service Administrative Company
2120 L Street N.W., Suite 200
Washington, DC 20036

Re: CC Docket No. 96-45

Annual State Certification of Support for Rural Carriers and Non-Rural Carriers

Dear Ms. Dortch and Ms. Flannery:

The South Dakota Public Utilities Commission (Commission) hereby states that the following rural and non-rural incumbent local exchange carriers and/or eligible telecommunications carriers within its jurisdiction have been certified to receive support pursuant to 47 CFR §§ 54.301, 54.305, 54.307, and/or 54.309 and/or part 36, subpart F. The carriers listed below filed requests for certification with the Commission which support their affirmations that all federal high-cost support provided to them will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act.

The Commission has granted certification to the following rural incumbent local exchange carriers and/or eligible telecommunications carriers:

Alliance Communications Cooperative, Inc. (391642)
Armour Independent Telephone Company (391640)
Beresford Municipal Telephone Company (391649)
Bridgewater-Canistota Independent Telephone Company (391640) (co. no. 0158)
Cheyenne River Sioux Tribe Telephone Authority (391647)
Citizens Telecommunications Company of Minnesota, LLC (361123)
City of Brookings Municipal Telephone Department (391650)
City of Faith Municipal Telephone Company (391653)
Consolidated Telcom (381607)
Golden West Telecommunications Cooperative, Inc. (391659)
Great Plains Communications, Inc. (371577)
Heartland Telecommunications Company of Iowa d/b/a Hickory Tech Corporation (351096)
Interstate Telecommunications Cooperative, Inc. (391654)

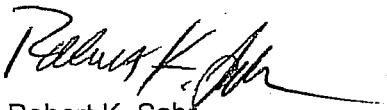
James Valley Cooperative Telephone Company (391664)
Jefferson Telephone Company (391666)
Kadoka Telephone Company (391667)
Kennebec Telephone Company (391668)
McCook Cooperative Telephone Company (391669)
Midstate Communications, Inc. (391670)
Mount Rushmore Telephone Company and Fort Randall Telephone Company (391660)
Northeast Nebraska Telephone Company (371576)
PrairieWave Community Telephone, Inc. (391652)
Red River Telecom, Inc. (381631)
Roberts County Telephone Cooperative Association and RC Communications, Inc. (391674)
RT Communications, Inc. (512251)
Santel Communications Cooperative, Inc. (391676)
Sioux Valley Telephone Company (391677)
Splitrock Properties, Inc. (391657)
Stockholm-Strandburg Telephone Company (391679)
Three River Telco (371525)
Tri-County Telcom, Inc. (391682)
Union Telephone Company (391684)
Valley Telecommunications Cooperative Association, Inc. (391685)
Valley Telephone Company (361495)
Venture Communications Cooperative (391680)
Vivian Telephone Company (391686)
Western Telephone Company (391688)
Western Wireless Corporation (399002) (competitive ETC)
West River Cooperative Telephone Company (391689)
West River Telecommunications Cooperative (381637) (co. no. 4414)
West River Telecommunications Cooperative (Mobridge) (391671)

The Commission has granted certification to the following non-rural incumbent local exchange carriers and/or eligible telecommunications carriers:

Qwest Corporation (395145)
Western Wireless Corporation (399002) (competitive ETC)

Enclosed are the Orders Granting Certification to the above-referenced rural and non-rural incumbent local exchange carriers and/or eligible telecommunications carriers. Should you have any questions, please do not hesitate to contact us for further information.

Sincerely,


Robert K. Sahr
Chairman


Gary Hanson
Commissioner


James A. Burg
Commissioner

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

| | |
|--|-----------------------|
| IN THE MATTER OF THE REQUEST OF) | ORDER GRANTING |
| QWEST CORPORATION FOR CERTIFICATION) | CERTIFICATION |
| REGARDING ITS USE OF FEDERAL) | |
| UNIVERSAL SERVICE SUPPORT) | TC04-184 |

On August 20, 2004, the South Dakota Public Utilities Commission (Commission) received a filing from Qwest Corporation (Company) regarding its Request for Certification Regarding its Use of Federal Universal Service Support. The purpose of this filing was to provide information constituting Company's plan for the use of its federal universal service support and to otherwise verify that Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. As a part of its plan, Company listed estimates of the support it expected to receive from the Universal Service Administrative Company (USAC) as well as its estimated costs for the provision, maintenance, and upgrading of facilities and services. Company also certified that its residential rates in rural areas are reasonably comparable to those of urban rates nationwide. An Affidavit was attached to the Request for Certification. Pursuant to 47 C.F.R. § 54.313, a state that desires a non-rural carrier within its jurisdiction to receive future federal universal service support must file an annual certification with the Federal Communications Commission and USAC stating that federal high cost support provided to such carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. This certification requirement applies to various categories of federal universal service support. Support provided under FCC rules will only be made available if the State Commission files the requisite certification pursuant to § 54.313. Pursuant to § 54.316, a state commission must also annually review the comparability of residential rates in rural areas of the state served by non-rural incumbent local exchange carriers to urban rates nationwide.

On August 26, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of September 10, 2004, to interested individuals and entities. No parties sought intervention.

At its regularly scheduled meeting of September 14, 2004, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254. The Commission found that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to approve Company's Request for Certification Regarding Its Use of Federal Universal Service Support and found Qwest's residential rates in its rural areas are reasonably comparable to urban rates nationwide. It is therefore

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

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

FURTHER ORDERED, that the Commission certifies that the Company's residential rates in rural areas are reasonably comparable to urban rates nationwide.

Dated at Pierre, South Dakota, this 24th day of September, 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 Kalbo</u> |
| Date: | <u>9/24/04</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