

RECEIVED

SEP 1 9 2005

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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

**IN THE MATTER OF THE ESTABLISHMENT ) TC04-112  
OF SWITCHED ACCESS REVENUE )  
REQUIREMENT FOR CITY OF BROOKINGS ) PETITION TO INTERVENE  
MUNICIPAL TELEPHONE DEPARTMENT )**

Pursuant to ARSD 20:10:01:15.02 AT&T Communications of the Midwest, Inc. ("AT&T"), by its undersigned counsel, petitions the Commission as follows:

1. AT&T is a certificated communications company under the jurisdiction of the Commission.

2. City of Brookings Telephone Department ("Brookings") has or will file with the Commission, pursuant to pending staff data requests, supplemental information to justify its revised switched access separations study intended to provide a foundation for the computation of its intrastate switched access revenue requirement to be incorporated into the final LECA access tariff, which has been pending before the Commission for approximately one year.

3. AT&T recognizes this is a late filed petition for intervention. However, nothing of substance has occurred in this docket and in the LECA switched access rate dockets, TC04-119 and TC05-96. An initial filing was made, followed by an amendment to the filing. The Commission entered an order permitting the rates to go into effect subject to refund. The questions presented by this intervention and AT&T's proposed intervention in the LECA docket constitute a matter of public interest. Overstated switched access rates by the Authority as a whole would constitute an undue burden upon Petitioner and Petitioner's customers, thus affecting a substantial segment of telephone traffic in the state.

4. AT&T has a direct interest in the outcome of this proceeding. As a certificated local exchange carrier and long distance carrier, AT&T and its customers are subject to the payment of switched access charges in order to do business with Brookings. Any increase in access rates increases the cost of doing business for AT&T and increases the cost of services that AT&T provides to its customers.

**RELIEF REQUESTED**

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

Dated this 19<sup>th</sup> day of September, 2005.

BY: \_\_\_\_\_

**ATTORNEY FOR AT&T COMMUNICATIONS  
OF THE MIDWEST, INC.**

William M. Van Camp  
Olinger, Lovald, McCahren and Reimers, P.C.  
117 East Capitol Avenue  
P.O. Box 66  
Pierre, South Dakota 57501-3105  
(605) 224-8851  
(877) 225-5548  
Fax: (605) 224-8269

*Of counsel:*

John J. Reidy, III  
David J. Chorzempa  
AT&T Corp.  
222 West Adams Street, Suite 1500  
Chicago, Illinois 60606  
(312) 230-3503  
(312) 230-8211

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

**IN THE MATTER OF THE ESTABLISHMENT            )       TC04-112**  
**OF SWITCHED ACCESS REVENUE                    )**  
**REQUIREMENT FOR CITY OF BROOKINGS        )**  
**MUNICIPAL TELEPHONE DEPARTMENT            )**

CERTIFICATE OF SERVICE

William M. Van Camp hereby certifies that on the 14<sup>th</sup> day of September, 2005, 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:

Keith Senger, Staff Analyst  
Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501

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

Marlene Bennett  
LECA Administrator  
% Martin Group  
1515 North Sanborn Boulevard  
Mitchell, SD 57301

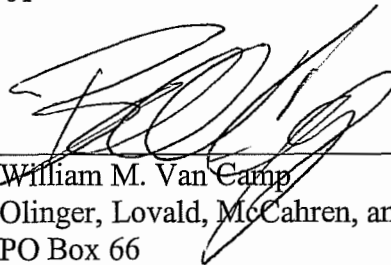
Jerry Reisenauer  
President  
LECA  
P. O. Box 39  
Bison, SD 57620

Craig Osvog  
General Manager  
City of Brookings Municipal Telephone Department  
P.O. Box 588  
Brookings, SD 57006-0588

Peter Rasmusson  
Martin Group  
1515 North Sandborn Boulevard  
Mitchell, SD 57301-1021

David Gerdes  
May, Adam, Gerdes and Thompson  
Attorney for Midcontinent Communications  
PO Box 160  
Pierre, SD 57501

Brett Koenecke  
May, Adam, Gerdes and Thompson  
Attorney for MCImetro Access Transmission Services, LLC  
PO Box 160  
Pierre, SD 57501



---

William M. Van Camp  
Olinger, Lovald, McCahren, and Reimers P.C.  
PO Box 66  
Pierre, South Dakota 57501