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September 2, 2005

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SEP 2 2005

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: MCImetro Access Transmission Services, LLC
Our file: 4959

Dear Pam:

Enclosed are original and 10 copies of an Amended Petition to Intervene in the following dockets: TC05-096 and TC0~~5~~-119 which please file. These are amended to reflect the full name of MCImetro Access Transmission Services, LLC.

With a copy of this letter service by mailing is made upon the service list for each docket. Thank you.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP


BRETT KOENECKE

BK:mw

Enclosures

cc/enc: Service List
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SEP 22 2005

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

IN THE MATTER OF THE ESTABLISHMENT) TC05-096
OF SWITCHED ACCESS RATES FOR THE) AMENDED PETITION
LOCAL EXCHANGE CARRIERS ASSOCIATION) TO INTERVENE

Pursuant to ARSD 20:10:01:15.02 MCI metro Access Transmission Services, LLC, ("MCI") by its undersigned counsel petitions the Commission as follows:

1. MCI is a certificated communications company under the jurisdiction of the Commission.

2. The Local Exchange Carriers Association ("LECA") has filed with the Commission a letter and supporting documentation seeking to establish revised, that is, increased, switched access rates for the members of LECA, "as necessitated by revisions in member companies' revenue requirements." It is petitioner's understanding that the original June 30, 2005, filing is in the process of being recomputed because of LECA's withdrawal of its docket TC05-073 requesting on its behalf and on behalf of its members a waiver from ARSD 20:10:27:14 requiring companies filing access cost studies to use a historic test year. By withdrawing this docket, it is petitioner's understanding that LECA and its members have withdrawn their initial cost studies which were based upon projected minutes of use, rather than historical minutes of use. It is further expected that LECA members will revise their cost studies.

3. MCI has a direct interest in the outcome of this proceeding. As a certificated local exchange carrier and long distance carrier, MCI and its customers are subject to the payment of switched access charges in order to do business with LECA and its members. Any increase in access rates increases the cost of doing business for MCI and increases the cost of services for MCI's customers.

4. This is a late filed intervention. MCI affirmatively alleges that denial of MCI's petition will result in the inability of MCI to question the basis for LECA's revised, increased switched

access rates. MCI has engaged the services of experts to review the Commission's cost model as established by its rules and verily believes that the cost model is outdated and inaccurately reflects the underlying cost support for the switched access rates resulting from the application of the cost model. A denial by the Commission of MCI's petition to intervene would therefore be detrimental to the public interest and likely to result in a miscarriage of justice by further perpetuating artificially high switched access rates for LECA and its members.

WHEREFORE MCI 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 2nd day of September, 2005.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

BRETT KOENECKE

Attorneys for MCI

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CERTIFICATE OF SERVICE

Brett Koenecke of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 2nd 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:

Harlan Best
Staff Analyst
Public Utilities Commission
500 East Capitol
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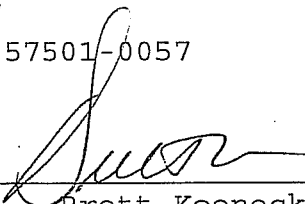
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