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RECEIVED

AUG 30 2005

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: MIDCONTINENT COMMUNICATIONS
DOCKETS TC04-119 and TC05-096
Our file: 4959

Dear Pam:

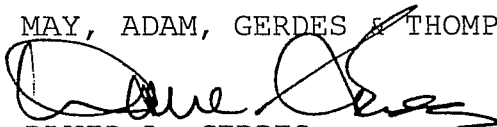
Enclosed are original and 10 copies of a Petition to Intervene in the following two dockets:

- TC04-119, In the Matter of the Establishment of Switched Access Rates for the Local Exchanges Carriers Association; and
- TC05-096, In the Matter of the Establishment of Switched Access Rates for the Local Exchanges Carriers Association

which please file. With a copy of this letter service by mailing is made upon the service list. Thank you very much.

Yours truly,

MAY, ADAM, GERDES & THOMPSON LLP



DAVID A. GERDES

DAG:mw

Enclosures

cc/enc: Service List

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RECEIVED

AUG 30 2005

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

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

1. Midcontinent 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 By withdrawing this docket, it is petitioner's understanding that LECA and its members have withdrawn their initial cost studies which were based upon projected minutes of use, rather than historical minutes of use.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. Midcontinent has a direct interest in the outcome of this proceeding. As a certificated local exchange carrier and long distance carrier, Midcontinent 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 Midcontinent and increases the cost of services for Midcontinent's customers.

4. This is a late filed intervention. Midcontinent affirmatively alleges that denial of Midcontinent's petition will result in the inability of Midcontinent to question the basis for

LECA's revised, increased switched access rates. Midcontinent 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 Midcontinent'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 Midcontinent 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 30 day of August, 2005.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

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CERTIFICATE OF SERVICE

David A. Gerdes of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 30 day of August, 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:

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