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September 16, 2005

**VIA FEDERAL EXPRESS**

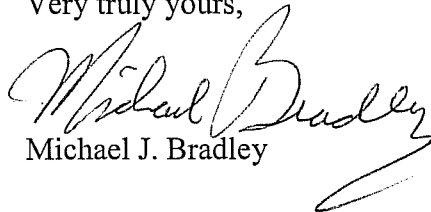
Karen Cremer, Staff Attorney  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Re: In the Matter of the Establishment of Switched Access Revenue Requirement Fort Randall Telephone Company and Mount Rushmore Telephone Company  
Docket No.: TC05-099

Dear Ms. Cremer:

Enclosed for filing please find the original and 10 copies of the Answer of Fort Randall Telephone Company and Mount Rushmore Telephone Company to Midcontinent Communication's Petition to Intervene in the above-referenced docket. Also enclosed is a Certificate of Service.

Very truly yours,

  
Michael J. Bradley

MJB/krm

Enclosures

cc: All parties of record

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SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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SEP 1 9 2005

SOUTH DAKOTA PUBLIC  
UTILITIES OCT05-099DH

IN THE MATTER OF THE  
ESTABLISHMENT OF SWITCHED ACCESS  
REVENUE REQUIREMENT FORT RANDALL  
TELEPHONE COMPANY AND MOUNT  
RUSHMORE TELEPHONE COMPANY

ANSWER OF FORT RANDALL  
TELEPHONE COMPANY AND MOUNT  
RUSHMORE TELEPHONE COMPANY TO  
MIDCONTINENT COMMUNICATION'S  
PETITION TO INTERVENE

COME NOW Fort Randall Telephone Company and Mount Rushmore Telephone Company (collectively "Fort Randall"), by their undersigned attorney, and files this Answer to the Petition of Midcontinent Communications ("Midcontinent") to Intervene in the above docket.

1. Fort Randall admits that Midcontinent is a certificated communications company, subject to the jurisdiction of the South Dakota Public Utilities Commission ("Commission").
2. Fort Randall has no knowledge of filings made by McCook Cooperative Telephone Company. Fort Randall affirmatively states that it has filed with the Commission a switched access filing pursuant to the rules established by the Commission. Fort Randall is not a member of LECA, and its revenue requirement will not be incorporated into the LECA access tariff.
3. The intervention deadline has expired.
4. Pursuant to appropriate notice, the Commission held hearing on this docket for the purpose of assessing initial filing fees on August 2, 2005, and August 18, 2005.
5. Intervener has taken no action in this docket until filing of the current Petition to Intervene, dated September 1, 2005.
6. ARSD 20:10:01:15.02 sets forth the test for allowance of late-filed intervention petitions:

A petition to intervene which is not timely filed with the Commission may not be granted by the Commission unless denial of the petition is shown to be detrimental to the public interest or to be likely to result in a miscarriage of justice. (Emphasis added.)

7. Midcontinent's petition is premised on the importance of participating in the LECA switched rate docket, TDC-05-096. Fort Randall is not a member of LECA and its switched access rate will not be affected by the outcome of TDC-05-096. Midcontinent's proposal to have experts study the cost figures underlying the proposed LECA tariff does not support intervention in this docket because Fort Randall is not a member of LECA. Midcontinent has failed to sustain its burden for this Commission to grant late-filed Petitions to Intervene in this docket.

8. Fort Randall would be prejudiced if Midcontinent's late-filed Petition in this docket is granted. To allow a new party to intervene in a docket after the intervention deadline has passed would cause further delays in this proceeding, and subject Fort Randall to the further expense of additional discovery requests from the new party. This is exactly the kind of prejudice that enforcement of an intervention deadline precludes.

9. The only stated purpose of Midcontinent's Petition is to challenge the Commission's current switched access rules:

Midcontinent verily believes that the Commission's switched access cost model is flawed permitting costs to be overstated, both because of the inappropriate use of known and measurable changes, as well as mistakes in the underlying cost support for the computation.

10. Fort Randall has filed its cost study in accordance with the current rules. To allow Midcontinent to intervene and attempt to change those rules would be prejudicial to Fort Randall, because it would force costly revisions or refilings of the current studies.

11. Fort Randall further objects to the Petition to Intervene because Fort Randall's individual cost study docket is not the proper forum to determine whether the Commission's switched access cost model is flawed. The cost model, use of known and measurable changes, and the underlying cost support for the cost model, are all part of the current rules. Fort Randall has appropriately followed the rules, and Fort Randall and the Commission are bound by the current rules. To change the rules within this docket would not be appropriate and would be prejudicial not only to Fort Randall, but to other LECs who are not a party to this docket.

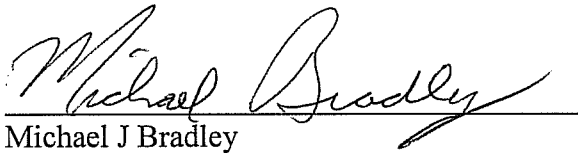
12. Fort Randall is further prejudiced by Midcontinent's Petition the Intervene because of Midcontinent's employment of experts "to study the Commission's cost model, who will examine the cost figures ...." The involvement of experts in this docket, and conduct of additional discovery, will further delay approval of the cost study, which would have a significant and adverse financial impact on the Fort Randall.

13. This Commission's denial of Midcontinent's late-filed Petition in this docket will prevent prejudice to Fort Randall caused by further delays, and such prejudice should not be permitted when Midcontinent has other avenues to achieve its stated purpose of questioning the Commission's switched access cost model.

14. This Commission's denial of Midcontinent's late-filed petitions in this docket would not result in a miscarriage of justice or detriment to the public interest because Midcontinent is not left without recourse. There are other more appropriate methods for Midcontinent to have its experts review the Commission's cost model. Midcontinent can petition this Commission to open a rulemaking docket to investigate and ultimately revise the switched access rules.

WHEREFORE, Fort Randall respectfully requests that this Commission deny Midcontinent's late-filed intervention.

Respectfully submitted this sixteenth day of September, 2005.

A handwritten signature in cursive script, reading "Michael Bradley", written over a horizontal line.

Michael J Bradley  
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Attorneys on behalf to Fort Randall Telephone  
Company and Mount Rushmore Telephone  
Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the ANSWER OF FORT RANDALL TELEPHONE COMPANY AND MOUNT RUSHMORE TELEPHONE COMPANY TO MIDCONTINENT'S PETITION TO INTERVENE was served via the method(s) indicated below, on the fifteenth day of September, 2005, addressed to:

Karen Cremer, Staff Attorney	( )	First Class Mail
South Dakota Public Utilities Commission	( )	Hand Delivery
500 East Capitol Avenue	( )	Facsimile
Pierre, South Dakota 57501	( x )	Overnight Delivery
	( )	E-Mail
David A. Gerdes	( )	First Class Mail
May, Adam, Gerdes & Thompson	( )	Hand Delivery
P. O. Box 160	( )	Facsimile
Pierre, South Dakota 57501	( x )	Overnight Delivery
	( )	E-Mail

Dated this Sixteenth day of September, 2005.



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