



South Dakota Telecommunications Association
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Rural roots, global connections

October 6, 2006

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Ms. Patty Van Gerpen, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Ave.
State Capitol Building
Pierre, SD 57501

RE: Docket TC06-159, Petition for Arbitration of Venture
Communications Cooperative

Dear Ms. Van Gerpen:

Enclosed you will find the original and ten (10) copies of a "SDTA Petition to Intervene" in the above referenced proceeding.

As is evidenced by the Certificate of Service attached to the Petition, service has been made to those parties identified in the case.

Thank you for your assistance in filing the original and distributing copies of the Petition.

Sincerely,

Richard D. Coit
SDTA Executive Director and General Counsel

RDC/ms

CC: Darla Pollman Rogers
Ben H. Dickens
Mary J. Sisak
Talbot Wiczorek

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

**IN THE MATTER OF THE PETITION OF)
VENTURE COMMUNICATIONS)
COOPERATIVE FOR ARBITRATION)
PURSUANT TO THE)
TELECOMMUNICATIONS ACT OF 1996 TO)
RESOLVE ISSUES RELATING TO AN)
INTERCONNECTION AGREEMENT WITH)
ALLTEL COMMUNICATIONS, INC.)
)
)
)**

DOCKET TC06-159

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

SDTA Petition to Intervene

The South Dakota Telecommunications Association ("SDTA") hereby petitions the Commission for intervention in the above captioned proceeding pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, SDTA states as follows:

1. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. On September 14, 2006, Venture Communications Cooperative (Venture) filed a Petition for Arbitration with this Commission asking this Commission to arbitrate and resolve certain unresolved interconnection issues that it has with Alltel Communications, Inc. (Alltel).

3. In reviewing the Petition that has been filed, it is apparent that there are numerous interconnection related issues between the parties that are presently unresolved. It is requested by Venture that the Commission arbitrate each of these unresolved issues pursuant to Section 252 of the Telecommunications Act of 1996, SDCL 49-31-81, and ARSD 20:10:32:29.

4. Many of the above issues identified by the parties raise matters that have not previously been addressed by this Commission and SDTA is concerned that some of the decisions made by the Commission may affect not just the interest of Venture, but also the interests of other SDTA member companies. All of the SDTA member companies currently have interconnection arrangements with Alltel for purposes of exchanging telecommunications

traffic and decisions made by the Commission in this proceeding could set the stage for future changes to these other existing interconnection arrangements.

5. Although the Commission has not noticed this matter for intervention, SDTA seeks intervention herein on the basis that the legal property interests of other SDTA member LECs are likely to be “bound and affected either favorably or adversely” by the outcome of the proceeding. (See ARSD § 20:10:01:15.05). SDTA is especially concerned that the interests of its member companies be protected on issues concerning: how “forward looking economic costs” are developed for purposes of determining reciprocal compensation rates; what methods and data should be used to identify InterMTA traffic; what rates should be applied to InterMTA traffic; what constitutes local vs. non-local traffic with respect to traffic exchanged between wireless and wireline carriers; whether rates should be symmetrical or asymmetrical; whether “Virtual NXX” is a proper arrangement; and what “point of interconnect” or “POI” obligations exist between the parties.

6. Because the Commission serves as the arbitrating entity in this case, there is no second opportunity for SDTA to effectively advocate or preserve the common interests of its member companies on the issues presented. Accordingly, the denial of SDTA’s requested intervention in this proceeding would violate its due process rights and the due process rights of its member companies.

7. Based on all of the foregoing, SDTA alleges that it is an interested party in this matter and would seek intervening party status.

Dated this 6~~th~~ day of October 6, 2006.

Respectfully submitted:

SDTA

By: 

Richard D. Coit

Executive Director and General Counsel

CERTIFICATE OF SERVICE

I hereby certify that an original and ten (10) copies of the Petition for Intervention of SDTA in Docket TC06-159 was hand-delivered to the South Dakota PUC on October 6, 2006, directed to the attention of:

Patty Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

A copy was sent by US Postal Service First Class mail to each of the following individuals:

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Dated this 6th day of October, 2006.



Richard D. Coit, General Counsel
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