

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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In the Matter of the Application of MCC  
Telephony of the Midwest, Inc., d/b/a  
Mediacom for a Certificate of Authority to  
Provide Interexchange and Local Exchange  
Service in the Castlewood, Elkton, Estelline,  
Hayti, Lake Norden and White Exchanges

Docket No. TC06-189

**PETITION TO INTERVENE  
OF INTERSTATE  
TELECOMMUNICATIONS  
COOPERATIVE, INC.**

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COMES NOW, Interstate Telecommunications Cooperative, Inc., by and through its undersigned counsel, and pursuant to SDCL § 1-26-17.1 and A.R.S.D. 20:10:01:15.02, petitions this Commission for leave to intervene in the above entitled proceeding.

IN SUPPORT THEREOF, Petitioners do state and declare as follows:

1. Interstate Telecommunications Cooperative, Inc. (“ITC”) is a South Dakota cooperative corporation headquartered in Clear Lake, South Dakota. ITC presently operates twenty-six (26) local telephone exchanges serving approximately 14,232 access lines in the State of South Dakota. ITC is also a “rural telephone company” as defined in 47 U.S.C. § 153(37) and SDCL § 49-31-1(22).

2. On November 6, 2006, MCC Telephony of the Midwest, Inc., d/b/a Mediacom (“MCC”) applied to this Commission for a certificate of authority to provide local exchange service in the following rural exchanges: Castlewood, Elkton, Estelline, Hayti, Lake Norden and White (the “Application”). ITC is the incumbent local exchange carrier in these rural exchanges.

3. MCC is currently authorized to provide intrastate interexchange telecommunications services and local exchanges services in South Dakota, with the exception that MCC is required to seek authority from this Commission to offer telecommunications services in any rural areas. See October 4, 2006 Order Granting Certificate of Authority, Docket

No. TC06-046. In seeking this additional authority MCC must demonstrate it satisfies all legal requirements. For example, the order in TC06-046 requires that MCC must meet the requirements for eligible telecommunications carrier designation before being granted authorization to serve any rural service area.

4. In its Application, MCC alleges that it satisfies the requirements of an eligible telecommunications carrier under 47 U.S.C. § 214(e)(1) as required by A.R.S.D. § 20:10:32:15, as well as the additional requirements of 47 U.S.C. § 253(f), and should therefore be granted authorization to provide service in the rural areas specified in its Application. See Application, pp. 6-12. However, ITC does not currently have sufficient information to conclude that all of these requirements are satisfied.

5. Pursuant to 47 C.F.R. § 54.101(a) and (b), SDCL § 49-31-73, SDCL § 49-31-75, and ARSD 20:10:32:15 this Commission is vested with the authority to grant or deny MCC's Application.

6. ITC has a direct and substantial interest in these proceedings as this Commission's decision may, directly or indirectly, affect the quality or cost of telecommunications services provided by ITC to its customers.


7. ITC desires to intervene in order that it may fully review the application, receive documents, comment, present testimony, cross-examine witnesses and produce evidence either seeking to clarify or oppose MCC's Application, to the extent that such actions are required in the above entitled proceeding. ITC seeks to make certain that MCC's Application fully complies with all legal requirements and Commission orders.

WHEREFORE, ITC respectfully requests that the Commission grant this Petition to Intervene and authorize ITC to participate in the above entitled proceeding with full rights as a formal party.

Dated this 10th day of November, 2006.

Respectfully submitted,

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ATTORNEYS FOR INTERSTATE  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was sent via email to the following:

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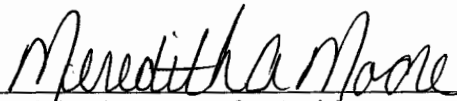
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on this 10th day of November, 2006.

  
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One of the Attorneys for Petitioner

