

JUL 31 2006

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UTILITIES COMMISSION

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July 28, 2006

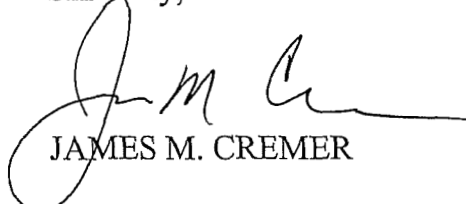
08416-039  
Ms. Patty Van Gerpen  
Executive Director  
Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501

Re: In the Matter of the Request of James Valley Cooperative Telephone Company  
for Certification Regarding Its Use of Federal Universal Service Support

Dear Ms. Van Gerpen:

Enclosed are the original and ten copies of James Valley Cooperative Telephone Company's Annual ETC Certification. If you need something further, please contact me.

Sincerely,



JAMES M. CREMER

JMC:jao

VVTETC Certification\Van Gerpen 2006-07-28\

Enclosures

cc: James Groft *via e-mail*

RECEIVED

JUL 31 2006

BEFORE THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

IN THE MATTER OF THE REQUEST OF )  
JAMES VALLEY COOPERATIVE )  
TELEPHONE COMPANY FOR )  
CERTIFICATION REGARDING ITS USE )  
OF FEDERAL UNIVERSAL SERVICE )  
SUPPORT. )

ANNUAL ETC CERTIFICATION  
FILING AND SUBMITTAL  
PURSUANT TO ARSD § 20:10:32:53

James Valley Cooperative Telephone Company (the "Company"), by and through its attorney, makes this filing to seek certification from the South Dakota Public Utilities Commission (the "Commission") as is required under 47 C.F.R. § 54.314 and to comply with the Commission's new rules pertaining to ETCs, including the provisions of ARSD §§ 20:10:32:52, 20:10:32:53 and 20:10:32:54. As part of this filing, the Company offers the following:

1. Pursuant to 47 C.F.R. § 54.314, each carrier that has been designated as an eligible telecommunications carrier ("ETC") that is eligible to receive future federal universal service support must file an annual certification with the FCC and the Universal Service Administrative Company ("USAC") stating that federal high-cost support provided to the carrier will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended. This certification requirement applies to various categories of federal universal service support, including support provided pursuant to 47 C.F.R. §§ 54.301, 54.305, and/or 54.307, and/or 47 C.F.R. Part 36, Subpart F (high-cost loop support, local switching support, safety net additive support and safety valve support). Support provided under these FCC rule provisions will only in the future be made available if the State Commission files the requisite certification pursuant to 47 C.F.R. § 54.314.

2. The certification required specifically for rural carriers to receive federal universal service support for all four quarters during calendar year 2007 is currently due to be filed with

the FCC and USAC on or before October 1, 2006. The certification may be presented to these entities in the form of a letter from the State Commission. The letter must identify which carriers in the State are eligible to receive federal support during the 12-month period and must certify that the carriers listed will only use the support for the provision, maintenance and upgrading of facilities and services for which the support is intended.

3. The Company is a rural telephone company that has previously been designated by this Commission as an ETC. The Company provides local exchange telephone services, including all of the essential services that are included in the federal definition of universal service, to approximately 3923 access lines within its established rural service area in South Dakota.

4. As is required by the provisions of ARSD § 20:10:32:43.01, the Company is committed to providing service throughout its existing rural service area, or study area, to all customers making a reasonable request for service. The Company has since 1951 served as the incumbent local exchange carrier within its established service area and has operated as a “carrier of last resort” in such area. As the carrier of last resort, the Company already has extended wireline local exchange network facilities throughout its service area as necessary to make all essential local exchange services that are supported by federal universal service available to all end-user customers within its service area. Consistent with its past practice, the Company hereby certifies that it will provide service on a timely basis to all requesting customers within its designated ETC service area. In certain cases, the provisioning of this service may require a customer in a new location to first meet the requirements of the Company’s line extension policies. These line extension policies are, however, consistent with the requirement under both federal and state law to meet all reasonable requests for service.

5. The Company has the ability to remain functional in emergency situations as required by the provisions of ARSD § 20:10:32:43.03. The Company is currently in compliance with this Commission's "auxiliary and battery power requirements" set forth in ARSD 20:10:33:19.

6. The provisions of ARSD § 20:10:32:54 addressing the annual "Certification requirements" set forth by this Commission indicate in part that the ETC must show "how much universal service support was received." Accordingly, attached hereto as "Exhibit A" is information indicating "Year 2005 Federal Universal Service Receipts" received by the Company. This same Exhibit also shows total expenditures of the Company in 2005 related to the provision, maintenance and upgrading of the facilities and services that are supported by Federal Universal Service Funding and further estimates these same expenditures for calendar year 2007. Consistent with federal universal service principles, the Company will use federal universal service amounts received in 2007 to offset a portion of these 2007 expenditures. This use of federal universal service support will enable the Company to: (1) maintain rates for its local exchange services that are affordable and reasonably comparable to rates being charged for the same services in urban areas; and (2) to upgrade its telecommunications facilities and equipment as necessary to meet evolving service requirements and maintain high quality service. The use of federal universal service support for these purposes is clearly consistent with the federal universal service provisions.

7. In addition to the information included in Exhibit A, the following information is provided to meet the Commission's "Certification requirements" set forth in 20:10:32:54:

- The Company's service quality improvement plan is to continue to upgrade its telecommunications facilities and equipment as necessary to meet evolving service

requirements and maintain high quality service throughout its service area. As an incumbent local exchange carrier and the carrier of last resort in its service area, the Company upgrades and replaces facilities and equipment as necessary. In furtherance of its service quality improvement plan, the Company will use any high-cost universal service amounts received by it to offset expenditures incurred as it continues to upgrade and replace facilities and equipment. The Company's "two-year service quality improvement plan," required under the provisions of ARSD 20:10:32:54, is attached hereto as "Exhibit B."

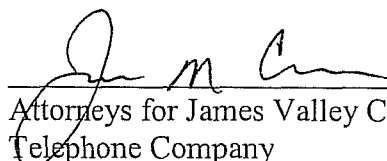
- During calendar year 2005, the Company experienced one protracted service outage affecting at least 10 percent of its end user customers, for a period lasting longer than 30 minutes. The outage was the result of the massive ice storm that swept through the state in late November. Customer outages began to occur on November 27th and normal services were not fully restored until December 8th. The outages were the result of large scale electrical outages at the Company's remote electronic sites. Intermittent service was restored to the sites very soon after the outages began by using portable generators. Local voice, long distance, video, and internet services were affected in the outage areas. The outage areas included rural and in-town areas near Ferney, Conde, Mellette, Turton, Columbia, Doland, Groton, Andover, and Bristol. At the height of the outage, approximately 500 customers were without phone service for a time until generators could be deployed. The Company has taken steps to mitigate future occurrences by purchasing additional portable generators.

- The Company was able to provide service to all potential customers that requested service during 2005, and as of December 31, 2005, the Company had no unfulfilled requests for service.
- During 2005, the Company's customer service department received no formal complaints from consumers.
- Also attached as "Exhibit C" is a document containing other certifications, including those required under the provisions of ARSD §§ 20:10:32:54(5), 20:10:32:54(6), 20:10:32:54(7) and 20:10:32:54(8).

8. Based on all of the foregoing information, including the information provided on Exhibits A, B and C, the Company requests that this Commission issue an appropriate certification to the FCC and USAC indicating that James Valley Cooperative Telephone Company is in compliance with 47 U.S.C. § 254(e) and should receive all federal universal service support determined for distribution to the Company in 2007. In order to ensure that this certification is issued to the FCC prior to October 1, 2006, the Company would further ask the Commission to expedite the process that is initiated based on this filing.

Dated this 28<sup>th</sup> day of July, 2006.

BANTZ, GOSCH & CREMER, L.L.C.

  
Attorneys for James Valley Cooperative  
Telephone Company  
305 Sixth Avenue S.E.  
P.O. Box 970  
Aberdeen, SD 57402-0970

**Exhibit A**

**EXHIBIT A  
James Valley Cooperative Telephone Company**

**Year 2005 Federal Universal Service Receipts:**

High Cost Loop Support	\$428,436
Local Switching Support	\$361,378
Safety Net Additive support	\$46,332
Safety Valve Loop Cost Adjustment	\$ <u>0</u>
<b>TOTAL</b>	<b>\$836,146</b>

**Expenditures For Provision, Maintenance, and Upgrading Of Facilities and Services Supported By Federal Universal Service Funding:**

	<u>Actual</u> 2005	<u>Estimated</u> 2007
<b>Plant Specific Operations Expenses</b>		
Network support (Accts 6110-16)	\$106,571	\$113,000
General support (Accts 6120-24)	\$124,906	\$132,400
Central office (Accts 6210-6232)	\$353,000	\$374,200
Cable and wire facilities (Accts 6410-41)	\$458,298	\$485,800
Network operations (Accts 6530-35)	\$160,863	\$170,500
Depreciation and amortization (Accts 6560-65)	\$1,566,455	\$2,100,000
<b>Customer Operations Expenses</b>		
Customer services (Accts 6620-23)	\$348,696	\$369,600
<b>Corporate Operations Expenses</b>		
Executive and planning (Accts 6710-12)	\$171,613	\$181,900
General and administrative (Accts 6720-28)	\$398,288	\$422,200
<b>Total Years Supported Expenses, Before Return on Investment</b>	<b>\$3,688,690</b>	<b>\$4,349,600</b>
<b>Additions</b>		
Switching (Acct 2210)	\$255,600	<i>(See Exhibit B,</i>
Cable and wire (Acct 2410)	\$1,348,319	<i>Two-Year Plan)</i>
<b>Total</b>	<b>\$1,603,919</b>	
<b>Total Supported Expenditures, Before Return on Investment</b>	<b>\$5,292,609</b>	

**Exhibit B**

**EXHIBIT B, TWO-YEAR PLAN**

ARSD 20:10:32:43.02

As part of its ongoing plan to upgrade and enhance its network, the Company anticipates the following capital expenditures over the next two years. The Company believes that its planned capital additions will improve the reliability of switched calls for its customers, assure CALEA compliance and increase the Company's network capacity to serve remote customers. The upgraded facilities will also be more cost-effective for the Company to maintain. Any federal high-cost universal service support the Company receives will help defray the following estimated costs for plant improvements and upgrades.

Wire Center	Description of Capital Improvement	Estimated Population Served by Improvement	Estimated Capital Expenditures Each Year	
			2007	2008
298-Andover	Fiber and copper replacement and upgrades	166	\$2,400	\$25,000
492-Bristol	Fiber and copper replacement and upgrades	693	\$27,800	\$100,000
294-Claremont	Fiber and copper replacement and upgrades	217	\$16,300	\$50,000
396-Columbia	Fiber and copper replacement and upgrades	234	\$12,600	\$50,000
382-Conde	Fiber and copper replacement and upgrades	312	\$7,700	\$50,000
635-Doland	Fiber and copper replacement and upgrades	496	\$10,000	\$100,000
395-Ferney	Fiber and copper replacement and upgrades	160	\$13,300	\$25,000
329-Frederick	Fiber and copper replacement and upgrades	635	\$26,000	\$100,000
397-Groton	Fiber and copper replacement and upgrades	2265	\$70,800	\$200,000
397-Groton	Switch replacement and switch additions	6629	\$2,250,000	\$300,000
994-Hecla	Fiber and copper replacement and upgrades	524	\$10,700	\$100,000
885-Houghton	Fiber and copper replacement and upgrades	95	\$2,600	\$25,000
887-Mellette	Fiber and copper replacement and upgrades	730	\$14,900	\$100,000
897-Turton	Fiber and copper replacement and upgrades	102	\$16,400	\$25,000
	Total capital expenditures		\$2,481,500	\$1,250,000



Exhibit C

EXHIBIT C - AFFIDAVIT

STATE OF SOUTH DAKOTA)  
SS  
COUNTY OF BROWN)

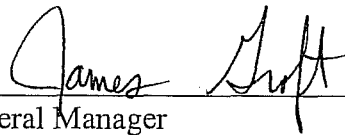
1. I am the General Manager of James Valley Cooperative Telephone Company and am authorized to give this affidavit on behalf of the Company. This affidavit is provided to support the Company's Request for Certification to the South Dakota Public Utilities Commission as contemplated in 47 C.F.R. § 54.314.

2. As an authorized representative of the Company, I hereby affirm familiarity with and an understanding of the requirements of the Federal Communications Act of 1934, as amended by the Telecommunications Act of 1996, with respect to the receipt of any federal universal service funds received as high-cost loop support, local switching support, safety net additive support and/or safety valve support.

3. During 2005, the Company received federal universal service support as shown on Exhibit A to this affidavit and had investment and expenses relating to the provision, maintenance and upgrading of facilities and services for which such support was intended as also shown on Exhibit A. During 2005, the Company used the federal universal service support it received only for the provision, maintenance and upgrading of facilities and services for which the support was intended consistent with 47 U.S.C. § 254(e).

4. The Company will use the federal universal service support it receives during 2007 only for the provision, maintenance and upgrading of facilities and services for which the support is intended consistent with 47 U.S.C. § 254(e).

5. The Company (i) is in compliance with applicable service quality and consumer protection rules; (ii) is able to function in emergency situations; and (iii) provides equal access to long distance carriers.

  
\_\_\_\_\_  
General Manager

Subscribed and Sworn to before me this 27<sup>th</sup> day of July 2006.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 1-27-09