

# BROOKINGS municipal utilities

July 31, 2006

525 Western Ave. • P.O. Box 588  
Brookings, S.D. 57006  
(605) 692-6325

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capital Avenue  
Pierre, SD 57501

RECEIVED  
AUG 1 2006  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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

IN THE MATTER OF THE REQUEST OF CITY OF BROOKINGS  
MUNICIPAL TELEPHONE FOR CERTIFICATION REGARDING ITS USE  
OF FEDERAL UNIVERSAL SERVICE SUPPORT.

IN THE MATTER OF THE REQUEST OF BROOKINGS MUNICIPAL  
TELEPHONE d/b/a SWIFTEL COMMUNICATIONS FOR CERTIFICATION  
REGARDING ITS USE OF FEDERAL UNIVERSAL SERVICE SUPPORT.

Dear Ms. Van Gerpen:

I am enclosing the original Request for Certification for the wireline and wireless divisions of City of Brookings Municipal Telephone. The filings have been executed by our corporate attorney, Richard J. Helsper, along with an Affidavit signed by Steve Meyer as an authorized corporate officer of the City of Brookings Municipal Telephone Department. In addition, pursuant to ARSD §§ 20:10:01:39-44, the Company requests that the wireless report and all of its contents, including the information submitted on Exhibits A, B and C be treated as confidential as it contains proprietary information.

These documents are being sent overnight via Federal Express and I would appreciate it if you would show that these documents have been received and filed as of August 1, 2006.

Thank you.

Sincerely,

Laura Julius  
BMU Director of Finance

Enclosure

CC: Mr. Rich Coit, w/enc.

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AUG 14 2007  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

**BEFORE THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE REQUEST OF  
BROOKINGS MUNICIPAL TELEPHONE  
d/b/a SWIFTEL COMMUNICATIONS  
FOR CERTIFICATION REGARDING ITS  
USE OF FEDERAL UNIVERSAL  
SERVICE SUPPORT.**

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

Brookings Municipal Telephone d/b/a Swiftel Communications (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 wireless telephone services, including all of the essential services that are included in the federal definition of universal service, to approximately 17,088 subscribers 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 study area, to all customers making a reasonable request for service. The Company has since 1999 served as a wireless service provider within its established service area and has responded to all requests for service within such area. Consistent with its past practice, the Company hereby certifies that it will continue to follow the six-step process for provisioning service to requesting customers, as described in the Order granting the Company ETC status.

Specifically, in response to such requests for service at a residence or business, the Company will take the following steps:

1. If a request comes from a customer within its existing network, the Company will provide service immediately using its standard customer equipment.
2. If a request comes from a customer residing in any area where the Company does not provide service, the Company will take a series of steps to provide service.

\* First, it will determine whether the customer's equipment can be modified or

replaced to provide acceptable service.

\* Second, it will determine whether a roof-mounted antenna or other network equipment can be deployed at the premises to provide service.

\* Third, it will determine whether adjustments at the nearest cell site can be made to provide service.

\* Fourth, it will determine whether there are any other adjustments to network or customer facilities which can be made to provide service.

\* Fifth, it will explore the possibility of offering the resold service of carriers that have facilities available to that location.

\* Sixth, the Company will determine whether an additional cell site, a cell-extender, or repeater can be employed or can be constructed to provide service, and evaluate the costs and benefits of using scarce high-cost support to serve the number of customers requesting service. If there is no possibility of providing service short of these measures, the Company will notify the customer and notify the PSC of how many requests for service could not be filled in its next annual certification report. The PSC will retain authority to resolve any customer complaints that the Company has refused to respond to a reasonable request 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." Since the Company was not designated as an ETC until

February 2006, attached hereto as "Exhibit A" is information indicating "Year 2005 Federal Universal Service Receipts" received by the Company as zero. As a result, 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 as zero, however further estimates of these same expenditures for calendar year 2007 are based upon estimated support in 2006 and 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 wireless service provider, 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 did not experience service outages affecting at least 10 percent of its end user customers, for a period lasting longer than 30 minutes.
- 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 an estimated 96 complaints from consumers. Only 58 of these complaints were received by the Company more formally as written complaints or as complaints that needed to be resolved with the involvement of other Company representatives outside of the customer service department.
- 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).

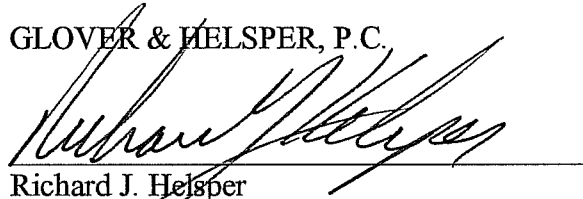
8. Based on all of the foregoing information, including the information provided on Exhibits A, B and C, the Company requests that this Commission issue an appropriate certification to the FCC and USAC indicating that Swiftel Communications is in compliance with 47 U.S.C. § 254(e) and should receive 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. In addition, pursuant to ARSD §§ 20:10:01:39-44,

the Company requests that this report and all of its contents, including the information submitted on Exhibits A, B and C be treated as confidential as it contains proprietary information.

Dated this 31 day of July 2006.

Respectfully submitted,

GLOVER & HELSPER, P.C.



Richard J. Helsper  
415 8th Street South  
Brookings, SD 57006  
(605) 692-7775

Exhibit C

EXHIBIT C - AFFIDAVIT

STATE OF SOUTH DAKOTA )
) ss.
COUNTY OF \_\_\_\_\_)

1. I am the Executive Vice President / General Manager of Brookings Municipal Telephone d/b/a Swiftel Communications 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.

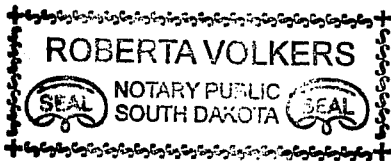
3. Since the Company was not designated as an ETC until February 2006, during 2005, the Company received no federal universal service support as shown on Exhibit A to this affidavit and therefore, had no investment and expenses relating to the provision, maintenance and upgrading of facilities and services for which such support was intended as also shown on Exhibit A.

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.

Handwritten signature of Steve Meyer
Steve Meyer
Executive Vice President / General Manager

Subscribed and Sworn to before me this 31 day of July 2006.



Handwritten signature of Roberta Volkens
NOTARY PUBLIC

My Commission Expires: 3/21/11