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MEMORANDUM

Via Electronic Delivery

October 5, 2007

TO: South Dakota Public Utilities Commission E-Filing

FROM: Andrew Isar

SUBJECT: Silv Communication Inc. (Docket TC07-098)

Pursuant to South Dakota Public Utilities Commission (“Commission”) Staff request, the attached September 19, 2007 electronic mail responses to Mr. Harlan Best are being filed in via the Commission’s E-Filing system in Docket No. TC07-098, in anticipation of the October 9, 2007 Commission hearing in this matter.

Questions may be directed to me at 253851.6700.

-----Original Message-----

From: Harlan.Best@state.sd.us [mailto:Harlan.Best@state.sd.us]

Sent: Wednesday, September 19, 2007 9:40 AM

To: aisar@millerisar.com

Cc: Karen.Cremer@state.sd.us

Subject: Silv Communication Inc. (Docket TC07-098)

Mr. Isar:

The SDPUC has received and docketed the application for a certificate of authority filed by Silv Communication Inc as TC07-098.

Your cover letter states that a proposed tariff was included with the application. The proposed tariff was not included. Even if the proposed tariff had been included the SDPUC would not have accepted or reviewed the tariff as the 2007 legislative session passed a bill requiring tariffs for fully competitive services not be filed with or retained by the SDPUC after July 1, 2007.

[Andrew Isar] The cover letter had been prepared well prior to July 1. The filing was delayed pending delays with the Secretary of State in obtaining a tax ID number. In an effort to file the application quickly upon receipt of the Tax ID, I failed to realize that the transmittal had not been amended to remove references to the submission of the tariff. No tariff was filed, as you correctly note.

On page 1 of the application, the introductory paragraph reads "resold local exchange service" while page 5, paragraph 5 reads "interexchange". Which is correct?

[Andrew Isar] Again, in my haste to file the application, I erred in not correcting the transmittal. Silv seeks interexchange authority only.

In paragraph 8 of the application the statement is made that Silv will market its service through a contracted telemarketing firm. Are Silv and the telemarketing firm aware of and following the Do Not Call requirements on the federal and the state level?

[Andrew Isar] Silv utilizes a professional telemarketing firm that abides by federal and state telemarketing law and regulation, including the Do Not Call requirements. If additional information is required, we would be pleased to provide.

My regrets on any inconvenience. Please do not hesitate to contact me if you have any questions.

Please contact me should you have any questions regarding the above items.

Harlan Best, Utility Analyst
605-773-3203