

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

IN THE MATTER OF THE )  
APPLICATION OF NEW CINGULAR )  
WIRELESS PCS, LLC, A SUBSIDIARY )  
OF AT&T MOBILITY LLC, FOR )  
DESIGNATION AS AN ELIGIBLE )  
TELECOMMUNICATIONS CARRIER IN )  
NONRURAL AREAS )

Docket No. TC11-072

**NATIVE YES WE CAN FOUNDATION  
PETITION TO INTERVENE**

Native Yes We Can Foundation (“Yes We Can”), a South Dakota nonprofit corporation organized under South Dakota law, hereby files this Petition to Intervene (“Petition”). In support of its Petition, Yes We Can states as follows:

1. Yes We Can petitions to intervene 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.
2. Yes We Can is a South Dakota nonprofit corporation with its principal place of business in Sioux Falls, South Dakota.
3. Yes We Can stated purpose “is to provide free computer access, Internet service, and educational and training services to Tribal members residing on Indian reservations, and may provide financial assistance, social and economic development assistance, and other services to Tribes and tribal members, as well as other services that are related to its purposes.”
4. In its application for designation as an eligible telecommunications carrier (“ETC”), New Cingular Wireless PCS, LLC, a subsidiary of AT&T Mobility,

LLC (“AT&T”) seeks designation as an ETC in rural areas of South Dakota, including Indian reservations.

5. Prior to granting an ETC designation, the Commission must undertake an analysis to determine if the application is consistent with the public interest, convenience and necessity." (ARSD § 20:10:32:43.07).
6. Part of the public interest determination will be the impact of the designation on Indian tribes and tribal members residing on and off reservation, including the availability of coverage and services, expanded Lifeline service.
7. Yes We Can, as a nonprofit corporation working with Indian reservations on social, economic, and business development, including access to basic and advanced communications services, has an interest in this docket and can provide a unique tribal interest perspective for the review to the AT&T ETC application.
8. Yes We Can is not taking a position on the AT&T ETC application at this time; however, Yes We Can recognizes the importance of competition in the marketplace and looks forward to its participation in this docket.

WHEREFORE, Yes We Can requests that its Petition to Intervene be granted.

Respectfully submitted,

Gene DeJordy

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Dated this 13th day of July 2011

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served electronically on the 13th day of July 2011 upon the following:

<p>Ms. Patricia Van Gerpen Executive Director SD Public Utilities Commission 500 East Capitol Avenue, 1st Floor Pierre, SD 57501-5070 605-773-3201; 866-757-6031 (fax) patty.vangerpen@state.sd.us</p>	<p>Ms. Wauneta Browne Regional Vice President-External Affairs AT&amp;T Comm. of the Midwest-PC/EC 11425 W. 146th Street Olathe, KS 66062-8431 913-685-7581 wauneta.browne@att.com</p>
<p>Ms. Kara Semmler Staff Attorney SD Public Utilities Commission 500 East Capitol Avenue, 1st Floor Pierre, SD 57501-5070 605-773-3201; 866-757-6031 (fax) kara.semmler@state.sd.us</p>	<p>Ms. Betsy Granger General Attorney AT&amp;T Services, Inc. 2600 Camino Ramon San Ramon, CA 94583-5000 925-543-1551; betsy.granger@att.com</p>
<p>Mr. Chris Daugaard Staff Attorney SD Public Utilities Commission 500 East Capitol Avenue, 1st Floor Pierre, SD 57501-5070 605-773-3201; 866-757-6031 (fax) chris.daugaard@state.sd.us</p>	<p>Ms. Cynthia J. Manheim General Attorney AT&amp;T Services, Inc. P.O. Box 97061 Redmond, WA 98073-9761 425-580-8112 cindy.manheim@att.com</p>
	<p>Mr. William M. Van Camp, Jr. Olinger, Lovald, McCahren &amp; Reimers, P.C. 117 East Capital; P.O. Box 66 Pierre, SD 57501-0066 605-224-8854; 224-8269 bvancamp@olingerlaw.net</p>

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