

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE  
APPLICATION OF ORBITCOM, INC.  
AND KNOLOGY OF THE PLAINS, INC.  
AND KNOLOGY OF THE BLACK  
HILLS, LLC FOR WAIVER OF  
SWITCHED ACCESS RULES

Docket No. TC12-065

**MIDCONTINENT'S PETITION TO  
INTERVENE AND TO JOIN IN  
APPLICATION FOR WAIVER**

Comes now Midcontinent Communications ("Midcontinent"), by and through its undersigned counsel, and hereby files a Petition to Intervene and to Join in the Application for Waiver of Certain Requirements of A.R.S.D. 20:10:29:10, 20:10:29:12, and 20:10:29:16, filed by OrbitCom, Inc., Knology of the Plains, Inc. and Knology of the Black Hills, LLC.

Midcontinent is a competitive local exchange carrier ("CLEC") engaged in the provisioning of telephone exchange service in the State of South Dakota. Midcontinent provides local originating and terminating and switched access services pursuant to its Tariff No. 1, which was recently amended and effective February 29, 2012. Midcontinent provides local exchange services in exchange areas throughout the state and uses the CenturyLink rate as its benchmark rate as is required by A.R.S.D. § 20:10:27:02:01.

Midcontinent seeks to intervene in this proceeding for the purpose of joining in the application for waiver filed by OrbitCom and Knology. Midcontinent's request for temporary waiver or suspension is based on the same points set forth in the application.

Counsel for OrbitCom and Knology does not oppose Midcontinent's request to join in the application.

WHEREFORE, Midcontinent respectfully requests that the Commission grant Midcontinent intervention for the purpose of joining in the application filed by OrbitCom and Knology.

Respectfully Submitted this 4th  
day of June, 2012

DAVENPORT EVANS HURWITZ  
& SMITH, LLP

By:   
Kathryn E. Ford  
206 West 14th Street  
P.O. Box 1030  
Sioux Falls, SD 57104  
605.357.1246 (telephone)  
605.251-2605 (facsimile)  
E-mail: [kford@dehs.com](mailto:kford@dehs.com)  
*Attorneys for Complainant*

#### CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Complainant, hereby certifies that a true and correct copy of the foregoing "Petition to Intervene and to Join in Application for Waiver" was served via e-mail upon:

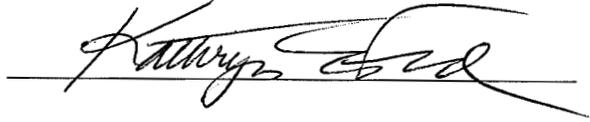
Ms. Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501  
E-mail: [Patty.vangerpen@state.sd.us](mailto:Patty.vangerpen@state.sd.us)

Meredith Moore  
Cutler & Donahoe, LLP  
100 N. Phillips Ave., 9<sup>th</sup> Floor  
P.O. Box 1400  
Sioux Falls, SD 57101-1400  
E-mail: [meredithm@cutlerlawfirm.com](mailto:meredithm@cutlerlawfirm.com)

Ms. Karen E. Cremer  
Staff Attorney  
SD Public Utilities Commission  
500 E. Capitol Ave  
Pierre SD 57501  
E-mail: [Karen.cremer@state.sd.us](mailto:Karen.cremer@state.sd.us)

Mr. Dave Jacobson  
Staff Analyst  
SD Public Utilities Commission  
500 E. Capitol Ave  
Pierre SD 57501  
E-mail: [David.jacobson@state.sd.us](mailto:David.jacobson@state.sd.us)

on this 14<sup>th</sup> day of June, 2012.

A handwritten signature in black ink, appearing to read "Kathryn Ed", written over a horizontal line.