

BEFORE THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF
SOUTH DAKOTA

IN THE MATTER OF THE)	DOCKET NO. TC12-184
APPLICATION OF COMMON)	
POINT LLC FOR A CERTIFICATE)	PETITION TO
OF AUTHORITY TO PROVIDE)	INTERVENE
LOCAL EXCHANGE SERVICES)	
IN SOUTH DAKOTA)	

South Dakota Network, LLC's Petition to Intervene

The South Dakota Network, LLC (SDN) hereby petitions the Commission for intervention in the above captioned proceeding 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. In support hereof, SDN states follows:

1. South Dakota Network, LLC (SDN) is a limited liability company with its principal place of business at 2900 West 10th Street, Sioux Falls, South Dakota 57104. SDN provides various telecommunications services, including, but not limited to centralized equal access services, lease of facilities to various interexchange carriers and transport services.

2. On October 31, 2012, Common Point, LLC, ("Common Point") filed with this Commission an Application for a Certificate of Authority to Provide Tandem Access and Switched Access Local Exchange Services within the State of South Dakota (TC12-184). Common Point is seeking a statewide certificate of authority for local exchange and interexchange telecommunications services. Applicant has stated it requests authority to provide "local exchange, tandem access, and switched access service to other telecommunication carriers throughout the State of South Dakota."

3. SDN provides both local exchange tandem access and switched access services in areas throughout South Dakota. It appears that Common Point will be providing telecommunications services that will compete directly with the access and transmission services of SDN. In recognition of the centralized equal access configuration in South Dakota, SDN requests language in any Order the Commission may grant recognizing Common Point's obligation to deliver all interexchange traffic originating from and terminating to any customers of SDN's member company ILECs and affiliated CLECs via the SDN tandem switch in Sioux Falls, South Dakota. Further that Common Point would not provide local exchange telecommunications services directly to residential and business customers of rural telephone companies and that the local exchange telecommunications services in rural telephone company service areas be specifically excluded from its certification including but not limited to the direct provisioning of switched access telecommunications services, special access telecommunications services and dedicated trunking facilities to either residential or business end user customers in rural telephone company service areas.

4. Accordingly, SDN is likely to be impacted by any Commission action taken in this docket and has a direct pecuniary interest herein.

WHEREFORE, based on the foregoing, SDN is an interested party in this matter and should be permitted to intervene and participate as a party.

Dated this 16th day of November, 2012.



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CERTIFICATE OF SERVICE

The undersigned, attorney for SDN, hereby certifies that a true and correct copy of this Petition to Intervene was served electronically on this 16th day of November, 2012, upon:

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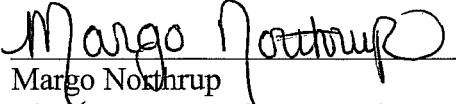
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Dated this 16th day of November, 2012.


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