BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

Docket No. TC12-023

In the Matter of the Request for Declaratory Ruling by Allen Beyers Regarding the Application of SDCL 49-32-6 to a Midcontinent Communications Line in Ipswich, S.D.

AFFIDAVIT

STATE OF SOUTH DAKOTA)
: ss.
COUNTY OF MINNEHAHA)

Nancy Vogel, being first duly sworn upon oath, states and alleges as follows:

1. Midcontinent provides cable television and internet service in the City of Ipswich, S.D.

2. Midcontinent does not provide telecommunications services in the city of Ipswich, S.D.

3. The lines damaged by Mr. Beyers' employee are not "telecommunications facilities" and are not used in any way to provide telecommunications services.

Further affiant sayeth not.

Dated at Sioux Falls, South Dakota, this 27 day of February, 2012.

Nancy G. Vogel
Nancy Vogel

Subscribed and sworn to before me this 27th day of February, 2012.

MARJORIE JOHNSON
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL
My Commission Expires 6-15-15

Marjorie Johnson
Notary Public, South Dakota
My commission expires: 6-15-15