

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

IN THE MATTER OF THE APPLICATION OF)	
TELRITE CORPORATION d/b/a LIFE WIRELESS FOR)	
DESIGNATION AS AN ETC FOR THE PURPOSE)	Docket No. TC13-022
OF OFFERING WIRELESS LIFELINE SERVICE)	

SDTA Petition to Intervene

The South Dakota Telecommunications Association ("SDTA") 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, SDTA states as follows:

1. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. On or about January 18, 2013, the Telrite Corporation d/b/a "Life Wireless" (hereinafter referenced as "Telrite") filed an Application/Petition with the Commission seeking designation as an Eligible Telecommunications Carrier ("ETC") in "portions of the State of South Dakota . . . for the purpose of receiving federal low-income universal service support for prepaid wireless services, specifically Lifeline." Telrite has specifically indicated that it does not at this time seek ETC designation "for the purpose of receiving federal universal service support for providing service to high-cost areas" or for services provided "on a wireline basis."

3. In regards to the geographic scope of Telrite's ETC Application, it is unclear as to whether the request for ETC designation is limited to only certain areas of the State. There is reference on the first page of the document to Telrite only seeking designation in "portions" of the State. In addition, more specifically in paragraph 35, it is stated that

“Telrite seeks designation as an ETC in non-rural South Dakota, excluding tribal lands.” (*Emphasis added*). These statements, however, are contradicted by the “Exchanges” listing that is attached to the Application as “Exhibit A.” This listing references numerous “rate centers” throughout the State and many of these rate centers exist within local exchange areas served by South Dakota’s rural carriers.

4. All of the SDTA member companies operate as “rural telephone companies” for purposes of the Federal Telecommunications Act of 1996 and under applicable state laws.

5. If the Telrite Application for ETC Designation (for Lifeline purposes) does, in fact, extend to rural telephone company “service areas” or “study areas,” all of the SDTA member local exchange carriers (LECs) have an interest in and stand to be impacted by this proceeding. SDTA seeks intervention herein based on the individual interests of each of its member ILECs and based on their common interests to ensure that the additional public interest protections contained in the federal and state laws pertaining to ETC designations in rural service areas are properly considered and applied. With respect to the Petition for Designation as filed by Telrite, SDTA has a number of concerns.

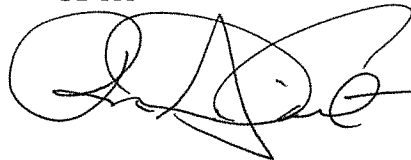
6. First, if Telrite is seeking a statewide designation, the provisions of ARSD § 20:10:32:46 are applicable and require that a copy of Total Call’s Petition for ETC designation be provided, “at the time of filing,” to all of SDTA’s member companies, all of which have long been serving as ETCs within their established rural service areas. To SDTA’s knowledge, the provisions of ARSD § 20:10:32:46 have not yet been complied with by Telrite. As of today, based on present information and belief, SDTA is not aware that any of its member companies have received from Telrite a copy of the filed Application. Consequently, to date, despite the fact that the established intervention deadline is March

15h, it does not appear that any of the SDTA members have been appropriately notified of Telrite's filing.

7. Further, in regards to any Petition for ETC Designation which extends to rural service areas an additional "public interest" standard applies and, contrary to what Telrite seems to suggest, state commission are not obligated to grant multiple ETC designations in such areas (47 U.S.C. § 214(e)(2) and SDCL § 49-31-78). SDTA questions whether the additional requested ETC designation associated with Telrite's limited prepaid wireless offerings, including usage caps and overage charges, would be in the best interest of South Dakota consumers, including those residing in SDTA member company rural service areas.

9. Based on all of the foregoing, SDTA alleges that it is an interested party in this matter and would seek intervening party status.

Respectfully submitted:
SDTA

A handwritten signature in black ink, appearing to read 'Richard D. Coit', written over a horizontal line.

Richard D. Coit
Executive Director and General Counsel

Dated this 24 day of March, 2013

CERTIFICATE OF SERVICE

I hereby certify that an original of the Petition for Intervention, dated March 1st 2013, filed in PUC Docket TC13-022 was served upon the PUC electronically, directed to the attention of:

Ms. Patty Van Gerpen, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501
patty.vangerpen@state.sd.us

A copy was also sent by e-mail and/or US Postal Service First Class mail to each of the following individuals:

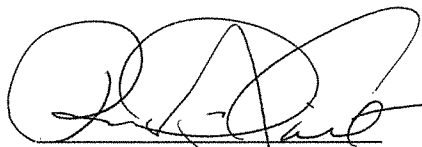
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Dated this 1st day of March, 2013



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