

TO: COMMISSIONERS AND ADVISORS

FROM: JOSEPH REZAC AND KRISTEN EDWARDS

SUBJECT: TC13-026 – BIENNIAL CERTIFICATION OF STUDY AREA BOUNDARIES

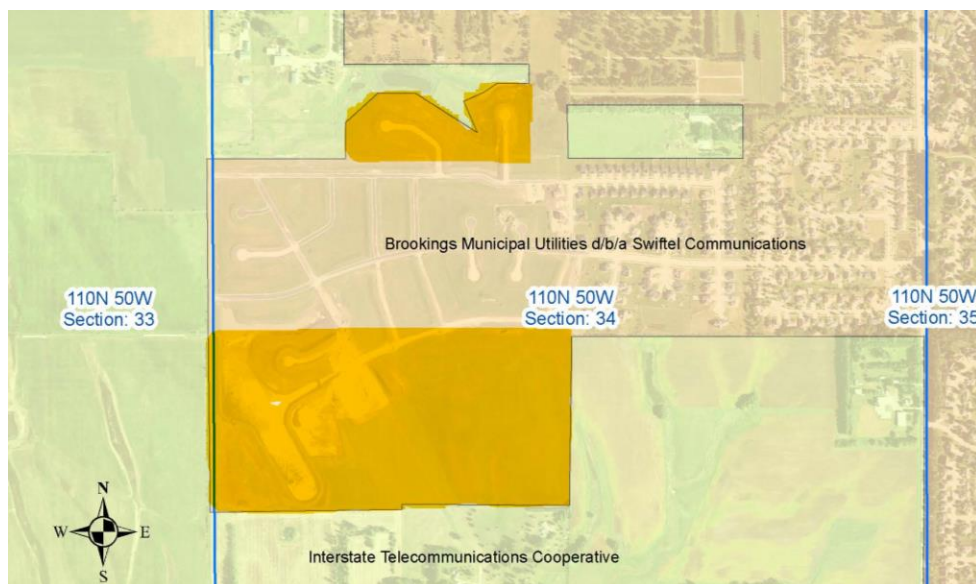
DATE: March 8, 2023

STAFF MEMORANDUM

In June 2013, the Commission approved the study area boundaries (SABs) of incumbent local exchange carriers (ILECs) in South Dakota. Commission Staff (Staff) then filed those SABs with the FCC. On January 9, 2014, the Federal Communications Commission (FCC) released an Order¹ clarifying that annual updates of SAB changes made as of December 31 of the previous year must be submitted by March 15 of each year, with biennial certifications required when no changes are made.

In March of 2014, Staff requested the Commission delegate to Staff the authority to certify SAB changes with certain exceptions. The Commission granted Staff's request and delegated the authority "to certify [SAB] changes with the exceptions that the Commission will certify the [SABs] biannually and if any ILEC disputes Staff's authority in this matter, it may petition the Commission for relief."²

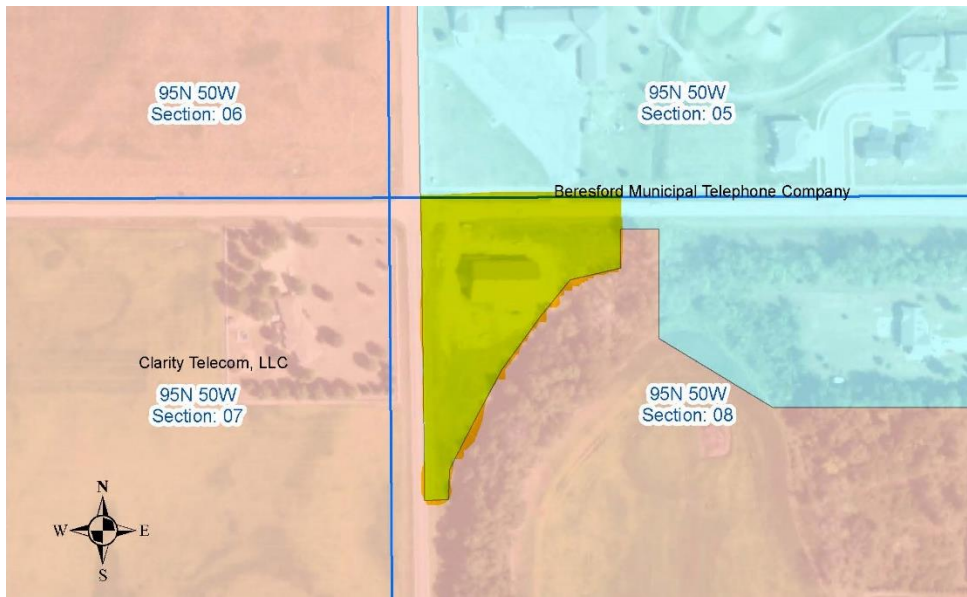
Therefore, Staff has reopened docket TC13-026 for the Commission to complete its biennial certification of the South Dakota SABs for 2023. Staff is aware of three boundary changes that have occurred since the Commission's previous Order Certifying Study Area Boundary Changes on February 22, 2021. Those changes resulted from amended certificates of authority issued in dockets TC21-041, TC22-057, and TC22-069. The boundary changes are depicted in the maps below. The highlighted portion of the maps were added to respective boundaries of Brookings Municipal Utilities dba Swiftel Communications and Beresford Municipal Telephone Company.



Map 1 – Changes made in Docket TC21-041

¹ http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0109/DA-14-28A1.pdf

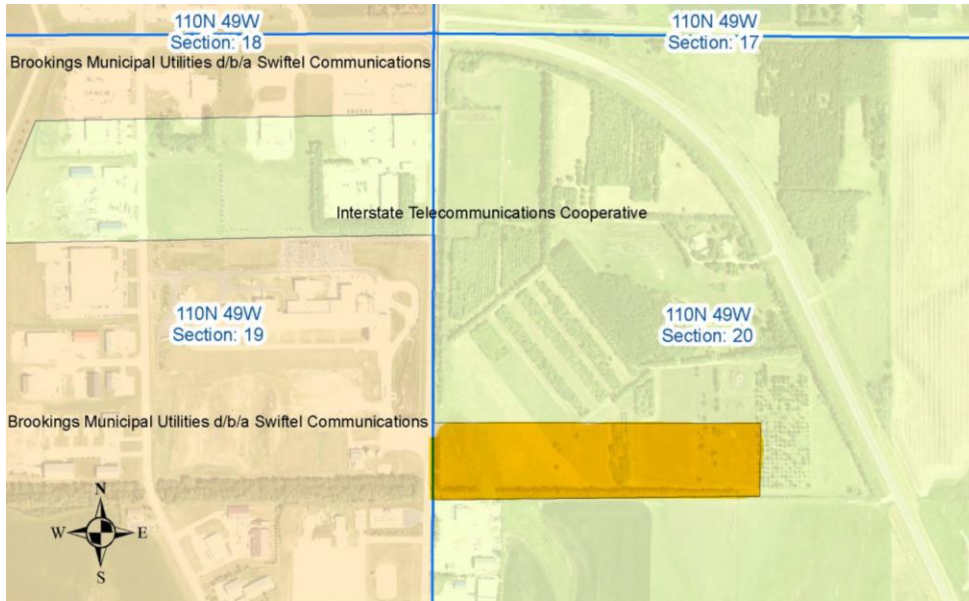
² See Docket TC13-026: Order Delegating Authority to Certify Study Area Boundary Changes (<https://puc.sd.gov/commission/orders/telecom/2014/TC13-026.pdf>)



Map 2 – Change made in Docket TC22-057



Map 3 – Additional Changes made in Docket TC22-057



Map 4 – Changes made in Docket TC22-069

The last biennial certification was made in 2021. For that year, the FCC issued a Public Notice establishing a later deadline. However, Staff is unaware of such an extension being offered this year. Therefore, the Commission’s certification is due by March 15, 2023. Staff respectfully requests the Commission certify to the FCC the SABs.