

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

**IN THE MATTER OF THE APPLICATION OF )  
eNETWORKS, LLC FOR A CERTIFICATE OF ) Docket No. TC16-050  
AUTHORITY TO PROVIDE LOCAL EXCHANGE )  
SERVICES IN SOUTH DAKOTA )**

**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 July 22, 2016, eNetworks, LLC (hereinafter referenced as "eNetworks") filed an application with the Commission seeking a certificate of authority to provide local exchange services within the State of South Dakota.

3. All of the SDTA member companies operate as "rural telephone companies" for purposes of the Federal Telecommunications Act of 1996 and also the state laws enacted in 1998 addressing local exchange competition (SDCL § 39-31-69, et. seq.).

4. SDTA files this Petition to Intervene under the assumption that eNetworks is in fact seeking statewide certification to provide "local exchange services." eNetworks does state in paragraph 15 of its Application that it "does not plan on providing local exchange service in the service areas of a rural telephone company." However, the company also indicates in paragraph 8(a) of its Application that it "has not yet identified specific areas in

which Applicant intends to deploy these services, but is requesting authority to deploy them across the State of South Dakota.” These statements are inconsistent and give rise to questions concerning the geographic scope of eNetwork’s certification request.

5. Further, the Application, as filed, is deficient in describing the specific telecommunications services to be provided in South Dakota by eNetworks. The Application suggests that eNetworks is not a typical competitive local exchange service provider, providing competitive switched local exchange services to retail end user customers. The company instead, more specifically, appears to be a wholesale provider of fiber transport/transmission services to either “wireless carriers,” other “telecommunications carriers,” or “enterprise customers.” (See Application par. 8(c) and 8(d)). As to the fiber transport services referenced in the filed Application, SDTA believes clarification is needed as to whether the company intends to provide purely non-switched telecommunications services and more information should be provided concerning the span or reach of these planned facilities into the public switched network.

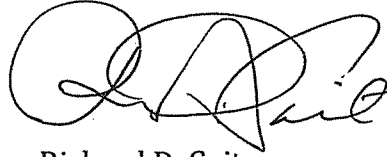
7. If eNetworks is seeking a statewide certificate of authority for its services, the provisions of SDCL § 49-31-70 and ARSD 20:10:32:04 are applicable and require that notice of the Application be provided to other, already certified local exchange carriers.

8. SDTA seeks intervention herein based on the individual interests of each of its member rural local exchange carriers and based on their common interests to ensure that the rural safeguard provisions contained in federal and state laws are properly considered and applied by the Commission.

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

Dated this 11 day of August, 2016.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Richard D. Coit". The signature is fluid and cursive, with the first name "Richard" being the most prominent part.

Richard D. Coit  
Executive Director and General Counsel