

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF MIDCONTINENT COMMUNICATIONS FOR AN AMENDED CERTIFICATE OF AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICE IN THE IPSWICH RURAL SERVICE AREA	TC 17 - MIDCONTINENT'S APPLICATION FOR WAIVER OF ARSD 20:10:32:15
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Midcontinent Communications ("Midcontinent") by and through its undersigned counsel, in conjunction with its Amended Application for Amended Certificate of Authority filed simultaneously herewith, hereby seeks a waiver of ARSD 20:10:32:15. For its Application for Waiver, Midcontinent states:

1. Midcontinent seeks a waiver of the eligible telecommunications carrier service requirements pursuant to ARSD 20:10:32:18.
2. ARSD 20:10:32:15 requires Midcontinent, by seeking authority to provide local exchange service in the service areas of a rural telephone company, to satisfy the service requirements imposed on eligible telecommunications carriers pursuant to 47 U.S.C. § 214(e)(1) and applicable federal regulations. That section further permits application for a waiver under ARSD 20:10:32:18.
3. Midcontinent will show Valley Telecommunications Coop ("Valley") has begun offering video services to the residents of Ipswich, SD. As such, Valley has, by its actions, been removed from the protections afforded to rural telephone provider. *See*, 47 U.S.C. §251 (f)(1)(c).
4. Midcontinent is able to satisfy the local exchange service obligations provided in ARSD 20:10:32:10, as well as those provided in 47 U.S.C. § 214(e)(1) to the residents of the City of Ipswich, SD. However, Midcontinent does not intend to apply for full certification as an eligible telecommunications carrier in Ipswich. Rather, Midcontinent intends to apply for a


limited Lifeline Only ETC certification. Midcontinent intends to offer and provide service only within the city limits of the City of Ipswich, as depicted on the maps accompanying its Amended Application. To the extent that the Ipswich city limits are less than the entire Valley study area and service of less than the entire study areas of Valley requires a waiver, Midcontinent requests such a waiver.

5. Because Midcontinent can meet the service requirements as set forth in paragraph 4 above, granting a waiver to Midcontinent of the requirement to serve the entire service area of Valley will not adversely impact universal service or quality of service and is, therefore, in the public interest.

WHEREFORE, Midcontinent respectfully requests that the Commission grant its Application for Amended COA.

Dated this 10th day of Feb, 2017.

MIDCONTINENT
COMMUNICATIONS

By: 
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Midcontinent Communications