

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

**IN THE MATTER OF THE APPLICATION OF)
CROWN CASTLE FIBER LLC FOR A CERTIFICATE)
OF AUTHORITY TO PROVIDE LOCAL EXCHANGE) Docket No. TC18-057
AND INTEREXCHANGE LONG DISTANCE)
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 September 10, 2018 Crown Castle Fiber LLC (hereinafter referenced as "Crown Castle" or "Applicant") filed an Application with the Commission, pursuant to the provisions of ARSD §§ 20:10:32:03 and 20:10:24:02, seeking authority to "provide facilities-based and resold local exchange and interexchange telecommunications services throughout the State of South Dakota." More specifically, according to the Application, Crown Castle "will provide services to wholesale (e.g., other carriers) and customers in government, health care, education, financial services, and other enterprises." (Application Par. 8(a)). It is also noted that Crown Castle "will provide primarily facilities-based Private Line, Ethernet, and Wavelength services." (Application Par. 8(d)). While it is claimed in the Application that Crown Castle "will not provide traditional switched local exchange, interexchange, voice or switched access services," it is also somewhat inconsistently

indicated that the “Applicant may provide voice telephone services in the future” and that it “intends to use the existing local exchange boundaries and established local calling scope of the incumbent local exchange carriers in South Dakota.” (Application Par. 9).

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 because the Application, as filed, indicates that Crown Castle is seeking a statewide certification to provide certain “local exchange services.” Crown Castle states that it “seeks authority to provide services in all areas that are currently open, or become open in the future, to competition so that it may expand into other services as warranted by market conditions.” (Application Par. 9). Based on these statements concerning the geographic scope of Crown Castle’s Application, SDTA believes that all its 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 rural safeguard provisions contained in federal and state laws are properly considered and applied.

5. Also, even though Crown Castle indicates that it “will provide only non-switched services and will not provide traditional local exchange service” and that it “does not intend to provide service to residential customers in the service area of any rural telephone company . . .”, more detailed information is needed regarding the specific wholesale and commercial telecommunications services that Crown Castle plans to offer within such service areas. (Application Par. 15). Additional information, for example, is necessary to gauge the span or reach of Crown Castle’s telecommunications facilities into the public

switched network in order to determine specifically whether or not these facilities, in supporting wholesale or commercial enterprise service offerings, would be used for the provision of "exchange access" services within rural telephone company service areas.

6. And finally, given that Crown Castle is seeking statewide authority to offer local exchange 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. SDTA questions whether this notice has in fact been provided to all incumbent local exchange carriers in the State, including its member companies. Crown Castle has not indicated in its' Application that it has complied with this requirement.

7. Based on all the foregoing, SDTA is an interested party in this matter and seeks intervening party status.

Dated this 28th day of September, 2018.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Richard D. Coit", written in a cursive style.

Richard D. Coit
Executive Director and General Counsel

CERTIFICATE OF SERVICE

I hereby certify that an original of the Petition for Intervention, dated September 28, 2018, was served upon the PUC electronically, directed to the attention of:

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

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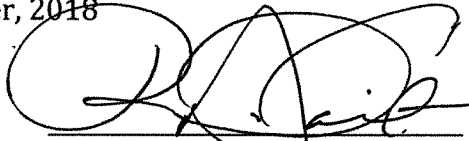
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Dated this 28~~th~~ day of September, 2018

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

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