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November 9, 2018

Ms. Patricia Van Gerpen  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

Re: Docket No. TC18-058, IN THE MATTER OF THE APPLICATION OF  
MIDCONTINENT COMMUNICATIONS

Dear Ms. Van Gerpen:

Enclosed for filing in the above reference docket you will find the electronic original of the "Joint Petition to Intervene" of Venture Communications Cooperative, Santel Communications Cooperative, and Interstate Telecommunications Cooperative, Inc.


As is evidenced by the Certificate of Service attached to the Petition, service has been made to the Commission's published service list for the Docket as well as SDTA.

Thank you for your assistance in filing and distributing copies of these comments.

Thank you.

Very truly yours,

RITER, ROGERS, WATTIER &  
NORTHTRUP, LLP

By:   
Darla Pollman Rogers

DPR-fh  
Enclosures

cc: Service List

Robert C. Riter, Jr  
Margo D. Northrup

Darla Pollman Rogers  
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**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>MIDCONTINENT COMMUNICATIONS FOR AN</b>	)	
<b>AMENDED CERTIFICATE OF AUTHORITY TO</b>	)	
<b>PROVIDE LOCAL EXCHANGE SERVICE IN DEFINED</b>	)	<b>Docket No. TC18-058</b>
<b>CENSUS BLOCKS WITHIN RURAL AREAS IN</b>	)	
<b>MOODY, DAVISON, MINNEHAHA, HANSON, BEADLE,</b>	)	
<b>KINGSBURY AND CODINGTON COUNTIES AND A</b>	)	
<b>WAIVER OF ARSD 20:10:32:15</b>	)	

**Joint Petition to Intervene**

Come now Venture Communications Cooperative (“Venture”), Santel Communications Cooperative (“Santel”), and Interstate Telecommunications Cooperative, Inc. (“ITC”) (hereinafter sometimes referred to as “Companies”), and jointly petition 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 thereof, the Companies state as follows:

1. Venture is a telecommunications cooperative headquartered in Highmore, South Dakota. Santel is a telecommunications cooperative headquartered in Woonsocket, South Dakota. ITC is a telecommunications cooperative headquartered in Clear Lake, South Dakota.
2. Venture, Santel and ITC are all incumbent local exchange carriers and rural telephone companies under federal and state telecommunications law. All three of the Companies provide local exchange services and broadband Internet access services as designated eligible telecommunications carriers (“ETCs”) and are also recognized “carriers of last resort” throughout their defined rural study areas or service areas. As such, each of the Companies receives universal service support under the federal High Cost Program. This funding is specifically distributed to each of the companies based on voice and/or broadband services provided to end user locations within any portion of their service areas.
3. On October 22, 2018, Midcontinent Communications (“Midco”) filed a Petition for Waiver of ARSD § 20:10:32:15 and Granting of Expanded Certificate of Authority with ETC Status in Defined Census Blocks (hereinafter “Petition”). Midco made this filing as a carrier

recently chosen to receive Connect America Fund (“CAF”) Phase II dollars pursuant to FCC Auction 903, which concluded on August 21, 2018.

4. As indicated in its Petition, Midco appears to take the position that as a winner in the CAF Phase II Funding, it must obtain a certificate of authority to provide local exchange services and competitive ETC status throughout the entire area of all census blocks in which it was the successful bidder.

5. Midco alleged in its petition that a few of the census blocks in which it was the successful bidder overlap into the rural study areas/service areas of Venture, Santel, and ITC. Midco seeks an amended Certificate of Authority and ETC designation from this Commission covering the rural service areas of Companies, to the extent that such service areas are located in the following specific census blocks: for Venture, blocks # 271554601001253 and 460059567001263; for Santel blocks # 460359626002013, 460359626002002, 460359626002006, 460359626002131 and 460619641003365; for ITC blocks # 271739702003122, 460299546001170, and 460779581001000 (*see* Midco Petition Exhibit 5).

6. Based on their own review of the census block areas referenced above and the current PUC and FCC approved rural study area/service area boundaries for the Companies, Venture, Santel, and ITC question whether Midco is correct in its conclusion that the identified census blocks extend into or overlap any of their service areas.

7. Venture, Santel, and ITC provide services within high cost rural service areas and are protected by certain rural safeguards (*see* 47 U.S.C. § 253(f) and SDCL § 49-31-73). Midco is requesting a waiver of rural safeguard service requirements in the service areas of Venture, Santel, and ITC.

8. Venture, Santel, and ITC are interested in this proceeding and will be bound by and directly affected favorably or adversely by the Commission's decisions herein. (*See* ARSD § 20:10:01:15.05).

9. Venture, Santel, and ITC are interested parties in this matter and seek intervening party status.

Dated this 9<sup>th</sup> day of November, 2018.

Respectfully submitted,

A handwritten signature in cursive script that reads "Darla Pollman Rogers". The signature is written in black ink and is positioned above a horizontal line.

Darla Pollman Rogers

Margo D. Northrup

Riter, Rogers, Wattier & Northrup, LLP

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Attorneys for Joint Petitioners:

Venture Communications Coop.

Interstate Telecommunications Coop, Inc.

Santel Communications Cooperative

## CERTIFICATE OF SERVICE

I hereby certify that an original of the Joint Petition for Intervention, dated November 9, filed in PUC Docket TC18-058, 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](mailto: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:

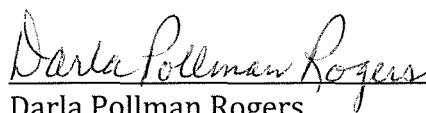
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Dated this 9th day of November, 2018.

  
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Darla Pollman Rogers