

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

**IN THE MATTER OF THE PETITION OF )  
LTD BROADBAND LLC FOR CERTIFICATE OF )  
AUTHORITY TO PROVIDE RESOLD AND FACILITIES- ) Docket No. TC21-014  
BASED LOCAL EXCHANGE AND INTEREXCHANGE )  
TELECOMMUNICATIONS SERVICES IN THE )  
STATE OF 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. SDTA member companies are "rural telephone companies" under applicable state and federal law. SDTA member companies provide communication services, including broadband, to customers within their telephone territory. In addition, several SDTA companies provide communication services outside of their rural telephone territory as competitive local exchange companies.
3. On or about April 13, 2021 LTD Broadband, LLC (hereinafter referenced as "LTD" 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."

4. According to the Application, LTD may provision services to business customers, other carriers or other third parties. LTD does not anticipate providing any service other than, “private line services (i.e., high-capacity backhaul Ethernet), but may provide other arrangements such as dark fiber, fiber spectrum leases, or other high-capacity services.” (Application Par. 8(b)). While it is claimed in the Application that LTD “will not provide traditional switched local exchange, interexchange, voice or switched access services,” the Applicant indicates other service offerings may be beneficial in the future (Application Par. 13).

5. 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.). Based on the geographic scope of LTD’s Application, SDTA believes that all its member local exchange carriers (LECs) have an interest in and stand to be impacted by this proceeding.

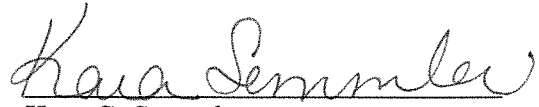
6. LTD’s application for a Certificate of Authority is related to LTD participation in the RDOF auction and its filing for ETC status with this Commission in TC21-001. SDTA argues that transparency and stakeholder participation in the RDOF and associated proceedings is of value in the regulatory process to fully evaluate all concerns and questions.

7. 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 carefully considered and incorporated into any Commission Order that may result from LTD’s application.

8. SDTA is an interested party in this matter and seeks intervening party status.

Dated this 15 day of April 2021.

Respectfully submitted:

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

Kara C. Semmler

General Counsel

SDTA

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