

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

IN THE MATTER OF THE FILING BY) MIDCONTINENT COMMUNICATIONS DBA) MIDCO FOR APPROVAL OF WAIVER OF THE) UTILIZATION THRESHOLD REQUIREMENTS IN) SIOUX FALLS, SOUTH DAKOTA)		ORDER GRANTING WAIVER TC21-020
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On May 6, 2021, the South Dakota Public Utilities Commission (Commission) received a filing from Midcontinent Communications dba Midco (Midco) requesting a waiver of the utilization threshold requirements outlined in Federal Communications Commission's (FCC's) Number Resource Optimization Orders, FCC 00-429 and FCC 01-362 released in CC Docket No. 99-200, which would allow PA/Somos, the Number Pooling Administrator, to assign a new Code of 2,000 numbers to fulfill a customer request in the Sioux Falls Rate Center.

The Federal Communications Commission (FCC) allows state commissions to grant a waiver of the rules if a carrier has demonstrated a verifiable need for numbering resources. The waiver process is referred to as the "safety valve" process.¹

On May 7, 2021, the Commission electronically transmitted notice of the filing and the intervention deadline of May 12, 2021, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On May 11, 2021, Midco filed responses to Commission staff's data requests and an amended waiver request to assign a new Code of 1,000 numbers. On May 12, 2021, Midco filed updated documentation to support its waiver request.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 C.F.R. § 52.15(g)(4).

At its regularly scheduled meeting of May 13, 2021, the Commission considered this matter. The Commission voted unanimously to grant the waiver of the utilization threshold requirement in the Sioux Falls, South Dakota, rate center. It is therefore

ORDERED, that the waiver of utilization threshold requirement in the Sioux Falls, South Dakota, rate center is granted.

Dated at Pierre, South Dakota, this 19th day of May 2021.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
By: <u>Adam Dettruede</u>
Date: <u>5/19/21</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Ziegen
KRISTIE ZIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner

¹ *In the Matter of Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration, CC Docket No. 96-98 and CC Docket No. 99-200, paras. 57-66 (rel. Dec. 28, 2001).