

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

**IN THE MATTER OF THE APPLICATION OF)
MIDDLE MILE INFRASTRUCTURE, LLC)
FOR A CERTIFICATE OF AUTHORITY TO) TC21-111
PROVIDE INTEREXCHANGE SERVICE 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. On or about September 1, 2021, Middle Mile Infrastructure, LLC (hereinafter referenced as "Middle Mile" 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 a fiber-based telecommunications network "throughout the entire state of South Dakota."

3. The Application indicates that Middle Mile does not intend to offer voice service in competition with rural telecommunications carriers in South Dakota. However, if a Certificate of Authority is granted without conditions, Middle Mile may have the legal ability to do so.

4. 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 Middle Mile's Application, SDTA believes that all its member local exchange carriers (LECs) have an interest in and stand to be impacted by this proceeding.

5. 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 Middle Mile's Application.

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

Dated this 17 day of September 2021.

Respectfully submitted:

/s/ Kara Semmler
Kara C. Semmler
Executive Director and General Counsel
SDTA
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CERTIFICATE OF SERVICE

I hereby certify that an original of the Petition for Intervention, dated September 17, 2021, filed in PUC Docket TC21-111 was served upon the PUC electronically, directed to the attention of:

Ms. Patty Van Gerpen, Executive Director
South Dakota Public Utilities Commission
patty.vangerpen@state.sd.us

A copy was also sent by e-mail to each of the following individuals:

Ms. Amanda Reiss
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Dated this 17 day of September 2021

/s/ Kara Semmler
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