

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

**IN THE MATTER OF THE APPLICATION BY )  
ELECTRIC LIGHTWAVE, LLC DBA ALLSTREAM )  
FOR A CERTIFICATE OF AUTHORITY TO ) TC21-113  
PROVIDE LOCAL EXCHANGE AND INTEREXCHANGE )  
SERVICE IN THE STATE OF SOUTH DAKOTA )**

**JOINT STIPULATION**

The parties in the above captioned proceeding, the South Dakota Telecommunications Association (“SDTA”) and Electric Lightwave, LLC DBA Allstream (“Allstream”) (collectively, the “Parties”), through their respective counsel and/or authorized representatives, submit this Joint Stipulation as a resolution of all pending issues related to the Allstream Application for a Certificate of Authority (the “COA Application”) in the above-captioned docket. Through execution of this document, each of the parties agrees to the following terms:

1. Allstream filed a COA Application with this Commission on September 17, 2021.
2. The parties agree to the issuance of Allstream’s requested Certificate of Authority if the

Order issuing the Certificate of Authority incorporates the following agreed upon terms:

- a. The Certificate of Authority granted by the Commission should not permit Allstream to provide any telephone exchange services or switched access services within Rural Telephone Company service areas without having first received a local exchange certification from the Commission. For purposes of this Joint Stipulation, “Rural Telephone Company” shall be defined as in 47 U.S.C. §153(44)
- b. In the future, if Allstream intends to provide telephone exchange services or switched access services within any area served by a Rural Telephone Company, Allstream understands that it is required to come before the Commission in another proceeding. Pursuant to 47 U.S.C. § 253(f) the Commission may require a company to meet the requirements in 47 U.S.C. § 214(e)(1) before providing services in a Rural Telephone Company service area.

- c. The parties agree that the grant of statewide certification to Allstream, according to these conditions and as specified herein will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f).
- d. The parties agree that upon the Commission's approval of this Stipulation, the concerns of SDTA that are the basis for its intervention in the above-referenced dockets shall be deemed fully satisfied, and SDTA shall not oppose Allstream's COA Application.

AGREED AND STIPULATED to this 19 day of October, 2021.



---

Kara Semmler  
Executive Director and General Counsel  
South Dakota Telecommunications Association  
320 East Capitol Ave.  
P.O. Box 57  
Pierre, SD 57501  
Tel: (605) 224-7629



---

Douglas Denney  
Vice President, Legal & Regulatory  
Allstream  
18110 SE 34<sup>th</sup> St.  
Building One, Suite 100  
Vancouver, WA 98683  
Tel: (360) 558-4318