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Subject: UPDATE - SD PUC Agenda of the January 4, 2021, Commission Meeting

To keep this docket moving along and since all parties have now responded to James Valley's motion to dismiss, the Commission shall make its determination at the January 4 meeting under *OR how shall the commission proceed*. Despite not being specifically identified on the agenda as a question being decided; the parties are present, the matter is fully argued (James Valley may still file or orally address any rebuttal), and time is somewhat of the essence.

I will include this email in the record.

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Telecommunications

1. **TC21-124** **In the Matter of the Approval of the Petition for Arbitration of an Interconnection Agreement Between Midcontinent Communications and James Valley Cooperative Telephone Company (Staff Analyst: Brittany Mehlhaff; Staff Attorney: Kristen Edwards)**

On December 6, 2021, Midcontinent Communications (Midcontinent) filed a Petition for Arbitration of an Interconnection Agreement Between Midcontinent and James Valley Cooperative Telephone Company (James Valley). On December 22, 2021, James Valley filed a Motion to Dismiss Untimely Petition, asserting that Midcontinent failed to timely file its Petition for Arbitration. On December 27, 2021, the South Dakota Telecommunications Association (SDTA) filed a Limited Petition to Intervene, requesting intervention solely for the purposes of addressing whether Midcontinent is required to obtain a Certificate of Authority to provide the services contemplated under its proposed interconnection agreement.

TODAY, shall the commission grant intervention to SDTA for the purposes requested in its Limited Petition to Intervene? AND shall the commission establish a hearing date for the Motion to Dismiss? OR how shall the commission proceed?