

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

**IN THE MATTER OF PETITION FOR ARBITRATION)
OF AN INTERCONNECTION AGREEMENT BETWEEN) TC21-124
MIDCONTINENT COMMUNICATIONS AND)
JAMES VALLEY COOPERATIVE TELEPHONE)
COMPANY)**

MIDCONTINENT’S RESPONSE TO JAMES VALLEY’S LIST OF DISPUTED ISSUES

As provided in the schedule adopted in this proceeding on March 31, 2022, Midcontinent Communications (“Midco”) hereby submits its response to the April 11, 2022 submission of disputed issues (the “Disputed Issues List”) by James Valley Cooperative Telephone Company (“James Valley”).¹

Following review of the Disputed Issues List and correspondence between the parties concerning the issues identified in that list and other open matters, Midco has identified 4 issues that remain open. The following is a summary of those issues:

Issue	Description	Affected Provisions
1	Whether Midco should be required to describe itself as a local exchange carrier in the recitals to the agreement.	<i>General Terms and Conditions, Preamble</i>
2	Whether the agreement should be voided if Midco sells its business to an entity that is not a local exchange carrier.	<i>General Terms and Conditions, Section 6</i>
3	Whether Midco would be permitted to provide wholesale services under the agreement.	<i>General Terms and Conditions, Sections 9.6.1, 16, 22.2.2, Glossary, Sections 2.15, 2.21 Number Portability Attachment, Section 3.1 Interconnection Attachment, Sections 2.3, 5.2, 5.3 Exhibit 1</i>

¹ See *Order Establishing Procedural Schedule; Order Assessing Filing Fee*, Docket TC21-124 (rel. March 31, 2022).

Issue	Description	Affected Provisions
4	Whether a standard provision on compliance with laws should be revised to impose additional obligations on Midco.	<i>General Terms and Conditions, Section 10</i>

Attachment 1 to this response provides a more detailed discussion of the Disputed Issues List. It indicates which issues on the Disputed Issues List have been resolved or remain open, Midco's proposed resolution of each open issue, and the rationale for the proposed resolution.

Midcontinent will continue to discuss the open issues with James Valley in an effort to reach a negotiated settlement of this proceeding. If any issues are resolved, Midcontinent will report on the resolution so that those issues may be removed from the disputed issues list.

Respectfully submitted,

Midcontinent Communications

/s/Patrick Mastel

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