

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

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| IN THE MATTER OF THE APPROVAL OF THE) | ORDER GRANTING LIMITED |
| PETITION FOR ARBITRATION OF AN) | INTERVENTION |
| INTERCONNECTION AGREEMENT BETWEEN) | |
| MIDCONTINENT COMMUNICATIONS AND) | |
| JAMES VALLEY COOPERATIVE TELEPHONE) | |
| COMPANY) | TC21-124 |

On December 6, 2021, the Public Utilities Commission (Commission) received a Petition for Arbitration of an Interconnection Agreement Between Midcontinent Communications (Midcontinent) and James Valley Cooperative Telephone Company (James Valley) from Midcontinent. 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. On December 28, 2021, Commission Staff (Staff) filed a letter regarding scheduling and a response to the Motion to Dismiss. On December 29, 2021, Midcontinent filed Opposition to Motion to Dismiss. On December 29, 2021, Staff filed Consent to Intervention and a Motion to Bifurcate Issue and Scheduling Hearing. On December 30, 2021, James Valley filed a Reply to Staff and Midcontinent's Responses to Motion to Dismiss. On January 3, 2022, James Valley filed a Response to Midcontinent's Petition for Arbitration.

On December 9, 2021, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05 and 20:10:32.

At its regularly scheduled meeting on January 4, 2022, the Commission considered SDTA's Limited Petition to Intervene. Staff, Midcontinent and James Valley stated they did not object to the intervention. The Commission found that the Limited Petition to Intervene demonstrated good cause to grant intervention and voted unanimously to grant limited intervention to SDTA. It is therefore

ORDERED, that limited intervention is hereby granted to SDTA. It is further

ORDERED, that SDTA's intervention shall be limited to the issue which was bifurcated and shall not extend to arbitration of the terms of the interconnection agreement.

Dated at Pierre, South Dakota, this 6th day of January 2022.

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: Adam DeHreck

Date: 1/6/22

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner