

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

**IN THE MATTER OF THE REQUEST OF MIDSTATE)
COMMUNICATIONS, INC. FOR CERTIFICATION)
REGARDING ITS USE OF FEDERAL UNIVERSAL)
SERVICE SUPPORT (STUDY AREAS: ILEC-391670)
AND CLEC-399011))**

**ORDER GRANTING
CERTIFICATION**

TC23-028

On June 27, 2023, the South Dakota Public Utilities Commission (Commission) received a filing from Midstate Communications, Inc. (Company) regarding its request for certification regarding its use of federal universal service support. The purpose of this filing was to provide information constituting the Company's plan for the use of its federal universal service support and to otherwise verify that the Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. Pursuant to 47 C.F.R. § 54.314(a), in order for an eligible telecommunications carrier (ETC) to receive support pursuant to the Federal Communications Commission's (FCC's) high-cost program, a state must file an annual certification with the Universal Service Administrative Company (USAC) and the FCC stating that all federal high-cost support provided to the ETC "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended."

On June 29, 2023, the Commission electronically transmitted notice of the filing and the intervention deadline of July 14, 2023, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No parties sought intervention. On July 20, 2023, the Company responded to staff's data request.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 U.S.C. § 254.

At its regularly scheduled meeting of August 15, 2023, the Commission considered this matter. The Commission finds that the Company is eligible to receive federal support. The Commission finds that all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to approve the Company's request for certification. It is therefore

ORDERED, that the Company is eligible to receive federal support as all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is further

ORDERED, that the Commission approves the Company's request for certification.

Dated at Pierre, South Dakota, this 17th day of August 2023.

| |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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: <u>Adam DeHueck</u> |
| Date: <u>8/17/23</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner