THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

= =

IN THE MATTER OF THE APPLICATION OF NATIVE AMERICAN TELECOM, LLC FOR A CERTIFICATE OF AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES AND LOCAL EXCHANGE SERVICES IN SOUTH DAKOTA

TC11-087

= =

Transcript of Recorded Proceedings
May 14, 2012

= =

BEFORE THE PUBLIC UTILITIES COMMISSION,
CHRIS NELSON, CHAIRMAN
KRISTIE FIEGEN, VICE CHAIRMAN
GARY HANSON, COMMISSIONER

APPEARANCES

Scott Swier
Todd Lundy
Richard Coit
Bill Van Camp
Meredith Moore
Margo Northrup
Kathy Ford
Scott Knudson

Reported By Cheri McComsey Wittler, RPR, CRR

CHAIRMAN JOHNSON: We will call the meeting to order. Chairman Nelson is present in the meeting room. Commissioner Fiegen is present on the line. One more time, Commissioner Hanson.

Okay. We do have a quorum so we are going to proceed with TC11-087, In the matter of the Application of Native American Telecom, LLC for Certificate of Authority to provide interexchange telecommunications services and local exchange services in South Dakota.

Mr. Swier has issued a Subpoena to the Commission, and in particular Ms. Wiest has received that Subpoena. And, Ms. Wiest, I think I'm going to turn it over to you first to maybe give us an understanding of why the Subpoena is not being complied with and why we're even here today, and then we'll go to Mr. Swier and see how it plays out from there.

Ms. Wiest.

MS. AILTS WIEST: Well, this matter was put on the agenda due to the fact the Subpoena requested information filed confidential with the Commission. And so at this point I think the Commission just needs to hear from Mr. Swier as to his position on the Subpoena and perhaps address the fact that it is requesting information that has been filed by other parties in other dockets, not this docket, that were filed as

confidential.

CHAIRMAN HANSON: Thank you. Appreciate that -- that explanation.

Mr. Swier, we'll turn it over to you. I think you understand the context of what the issue is today, the fact that you're requesting information that's been declared confidential or has been -- I shouldn't say declared but has been filed as confidential in other dockets, not this one.

Go ahead, Scott.

MR. SWIER: Thank you, Mr. Chair. Mr. Chair, as you know, NAT has the burden of proving that it has sufficient technical, financial, and managerial capabilities in this docket.

The information that NAT is seeking through its Rule 45 Subpoena is directly related to the legal standards that apply in this certification proceeding.

The information requested is necessary for the case to be properly litigated, and the production of this information will ensure that the Commission has the necessary information before it to review the application.

NAT's financial capabilities to provide the proposed services is directly related to this case. NAT has represented that it has the financial resources to

provide the telecommunication services as outlined in its application. Sprint and CenturyLink dispute NAT's financial claims. Since 2000 the Commission has granted literally hundreds of applications that provide telecommunication services in South Dakota. Each of those hundreds of dockets has included a review by the Commission of an Applicant's financial capabilities.

NAT is entitled to review the financial documents of those previous applicants so that NAT can analyze the financial threshold that the Commission has established is adequate to receive a Certificate of Authority in South Dakota.

NAT believes, number one, just from a relevancy standpoint that a review of the prior Applicant's financial documents will show that very few, if any, LECs are flush with income at their inception.

NAT also believes that its review of the prior Applicant's financial documents will show that it is much more financially viable than the vast majority of LECs that have received a Certificate of Authority from the Commission.

Now regarding the confidentiality issue, as the Commission is well-aware, on February 10 of 2012 it granted a very specific protective order in this case. The protective order is very clear as to how confidential

information should be treated. So the fact that the information we're requesting is confidential really should have no bearing because we do have that very thorough protective order in place.

Also the Commission is the custodian of these documents. Therefore, the Commission is a very reasonable place to go to ask for these documents. I am well within my right to issue the Subpoena.

We think we're entitled to the documents. We think the protective order ameliorates any potential confidentiality issues, and we'd ask the Commission to grant the Subpoena as it was served.

CHAIRMAN HANSON: Thank you. I appreciate your enunciating your position on this particular question.

The challenge that I think we are faced with here is that even though we have a protective order in place, the requests for confidentiality come not from in many cases parties that are part of this particular docket that were part of issuing that protective order but rather are parties in the many other dockets that you've referenced that have not had any due process so far as whether or not their confidential information should be released.

As you're aware, there are several Administrative Rules that provide a process for obtaining

confidential information such as this that allow the folks that have requested their information be confidential that gives them some due process as we determine whether or not that information can be released.

Can you help me understand why you should not go through that Administrative Rule process as opposed to what you've attempted today?

MR. SWIER: Sure, Mr. Chair.

Well, number one is that those particular administrative provisions apply to the situation where a company has filed various financial documents under the confidentiality provision. Those Administrative Rules then allow an opposing party to challenge the confidentiality of those documents.

So, in other words, if NAT filed confidential documents and Sprint or CenturyLink challenged the confidentiality of those documents, then we go through the administrative rule procedure that's set out.

In this case NAT is not challenging the confidentiality of these financial documents. We agree that they're confidential. There is no -- there is no reason to go through the process of determining if a confidentiality designation is proper or not proper.

Here we're alleging, again, that the documents

are confidential. Therefore, your specific Administrative Rule does not apply to this case and my Rule 45 Subpoena is the only way for us to get these documents. So that is why the administrative rules the PUC has for confidentiality doesn't apply in this case.

CHAIRMAN HANSON: Thank you.

We've got a number of individuals on the telephone, and we've got several in the audience today that represent various telecommunication interests.

I think the only testimony that I want to take from any of those individuals today would be limited to -- well, I would limit testimony only coming from individuals representing businesses that have information that is confidential that this Subpoena seeks to obtain.

And what I would like to hear is obviously you folks represent or may represent businesses that have filed confidential financial statements, and we have a Subpoena that attempts to get at those and provide them to a party that was not party to your particular docket when those confidential financials were filed.

And so I would like to, first of all, limit any testimony at this point to only folks representing companies that have these confidential financials that are being sought. And then, secondly, to kind of constrain our comments to why this Subpoena shouldn't be

granted in that case.

Just a second.

Before I get to that, Mr. Swier, do you have any objection to hearing from the folks in the limited fashion in which I have laid out?

MR. SWIER: No. As long as they are speaking directly to their particular client, I believe that they would have standing, and I don't object.

CHAIRMAN HANSON: Thank you. I appreciate that.

Commissioner Hanson, have you joined us?

COMMISSIONER HANSON: Yes. Can you hear me all right?

CHAIRMAN HANSON: Yes. I can hear you. Thank you.

COMMISSIONER HANSON: All right. Having a real challenge getting through here. So if I drop off, I'll try to get back on.

CHAIRMAN HANSON: Okay. Sounding good at this point. Thank you.

With that, I see Mr. Coit has approached the podium. Mr. Coit, would you like to go first?

MR. COIT: Sure. Mr. Chairman, Commissioners and Staff, my name is Richard Coit. I'm with the South Dakota Telecommunications Association. I'm not sure -- I guess, based on Mr. Swier's comment, I'm not

sure as SDTA if we have standing or not.

I would say that there are four -- looking at the list of companies in the Subpoena, there are four SDTA member companies that were parties, applicants, in some dockets: TC08-113, which was MidState Communications; TC09-091, which was McCook Cooperative; TC11-005, which was Brookings Municipal; and TC11-083, which was Hills Telephone. All of those companies are members of the SDTA.

With respect to those individual dockets, I did not get an opportunity to go in and look to see what, if any, confidential information was actually present in those dockets.

With that being said, you know, I do have some comments with respect to the process and relevancy, but I guess I would ask the Commission, you know, as to, you know, whether they feel I have sufficient interest to comment or not.

CHAIRMAN HANSON: I don't see the issue today dealing with the relevancy question. That is not an issue for today. Certainly maybe for another day.

MR. COIT: Well, my only comment would be certainly, you know, with respect to any of those companies that are SDTA member companies, provided there is some confidential information in those dockets, you

know, it would seem that, you know, each of those individual companies should have gotten notice and gotten an opportunity to, you know, protest with respect -- you know, with respect to any of the applicants.

I mean, the process -- they have due process rights, and I think those due process rights have to be respected.

Thank you.

CHAIRMAN HANSON: Thank you, Mr. Van Camp.

MR. VAN CAMP: Thank you, Mr. Chairman. Bill Van Camp. I'm the attorney for AT&T Communications of the Midwest.

You know, as an initial matter the rapid nature in which this came about hasn't allowed me to actually sit down and go through the list with my client and review what has been filed.

But I do know in this specific instance of TC04-029 there was confidential information filed. Clearly under your rules my client has the right to review that confidential information.

I'll venture to say that there are additional dockets where clients of mine, be it AT&T or others, have filed confidential information and clearly each of those have the due process rights that Mr. Coit identified before those are turned over in a blanket Subpoena.

Thank you.

CHAIRMAN HANSON: Thank you.

Ms. Northrup, do you --

MS. NORTHRUP: Yes. Good morning. This is Margo Northrup on behalf of South Dakota Network, LLC, who is one of the companies that's listed on the list of documents.

And in our specific situation we actually filed a Motion in that docket asking for trade secret protection because we've filed some audited financials in that docket.

And so, you know, I just found out about this, you know, not as SDN -- SDN was not notified of this so they have not been given any due process. And under -- and not only our Administrative Rules, I believe there's a process that if there's confidential information that's sought that needs to be followed, which would include giving notice -- under our South Dakota Statute 15-6-26C there's a statute that allows us to go in and ask for a protective order in this type of situation, and we can't do that. And these other companies can't do that unless they're given notice that our confidential information might be at risk.

And I think that if you don't allow -- or if you don't follow this process, it's going to make it a lot

more difficult and -- it's going to be more -- it's going to be more difficult for the Commission to get confidential information because it's going to be a lot harder for us to turn over, you know, our very, very trade secrets and proprietary information not knowing whether it can be turned over without any sort of information to us as a company.

And so, you know, I don't think that there -- it doesn't appear to me that the Subpoena can be granted without giving notice to each of the parties whose information is sought.

Thank you.

CHAIRMAN HANSON: Thank you.

We'll now go to the individuals on the phone.

Todd Lundy, does your client fit within the category that we can hear from today?

MR. LUNDY: Not as you've defined it, Mr. Chairman, no. My comments would have gone to relevance and other logistical issues.

CHAIRMAN HANSON: Okay. Thank you.

Meredith Moore, does your client -- and I think maybe it's already been testified -- fits within the category?

MS. MOORE: It does, Mr. Chairman. Mystic Communications is one of the entities for which

confidential documentation has been requested.

I would echo the comments of Ms. Northrup, Mr. Coit, and Mr. Van Camp with regard to some of the due process considerations and potentially some additional safeguards that might need to be put in place here, depending on how that information is ultimately going to be used.

And I appreciate that that's not typically the standard employed when determining whether subpoenas should be granted, and Mr. Swier is correct in that regard, but I do think there are some considerations that need to be taken into account by the Commission in determining how compliance is effectuated in regard to this particular Subpoena.

There are several other of my clients who are also on that list. Unfortunately, because of the timing of this matter I have not had the opportunity to visit with all of them, but I think they would echo the same concerns with regard to how this information is going to be used and what additional safeguards might be put into place in order to protect that information.

Thank you.

CHAIRMAN HANSON: Thank you.

Kathy Ford, does your client fit within that category?

MS. FORD: Yes, sir. Good morning. I represent Midcontinent Communications.

And there are actually five Midcontinent dockets on the exhibit attached to the Subpoena, including TC00-085, TC03-068, TC04-081, TC05-161, and TC07-057. And I have checked each of those dockets, and there was confidential information filed by Midcontinent in each of those proceedings.

I would again echo the comments of the other attorneys have made to this point and would just add to the comments that, you know, Midcontinent is not a party to this NAT docket and, therefore, is not a party to the confidentiality protective order referenced by Mr. Swier.

Our opinion is, of course, that there is a procedural process under ARSD 20:10:01:43 that addresses requests for access to confidential information, and I would say that I disagree with Mr. Swier's assessment that that only applies in the instance where a party to a docket or opposing the docket is asking for access to confidential information.

I've looked at the rule, and it doesn't say anything about a specific docket or being parties to the docket. So at a minimum we think they should have to follow the procedural rules in the administrative code.

And then I also wanted to say that, you know,

it's the Commission's role to ensure fairness in the application of its rules. And there appears to be an underlying assumption in this Subpoena that the Commission is not applying the rules in a fair manner to NAT.

And although we're not parties to the docket, I don't see anything in the most recent Summary Judgment Order or anything else that indicates that the Commission has or is holding NAT to a higher standard than any other company.

So without such a showing, I guess our position would be that the information in other parties' financials is irrelevant, and we would oppose any attempt to provide our information without us having due process to challenge it.

CHAIRMAN HANSON: Thank you.

Mr. Knudson, does your client fit within the category?

MR. KNUDSON: I would say that we're in the same position as CenturyLink. We have serious reservations about the relevancy of this information and (Inaudible) this particular docket and (Inaudible) verify is what would happen with the hearing for June 7 because we need to plan ahead with respect to travel schedules and so forth.

CHAIRMAN HANSON: Thank you. I appreciate that -- that comment.

And I don't -- let me -- I'm looking at Karen Cremer from Staff. I don't know if you care to weigh in at all on this.

MS. CREMER: It really is not our record.

CHAIRMAN HANSON: I understand.

MS. CREMER: So thank you.

CHAIRMAN HANSON: Thank you.

Mr. Swier, I'll give you a minute of rebuttal, and then I'll open it up for Commissioner questions.

MR. SWIER: Thank you, Mr. Chair.

We have complied with Rule 45. The Commission is the custodian of these documents. It would be just like any other third-party Subpoena in any other civil case.

And, again, we've complied with Rule 45. We don't -- we think it's very clear that the Administrative Rules that have been cited do not apply to this type of situation and that the Subpoena in this case should be granted.

And if the Commission is not going to grant the Subpoena, then I would ask that either objections or a protective order be sought so that we can expeditiously take this matter to the Circuit Court for review if we

deem it necessary.

But I think it's very clear we've complied here. We'd ask the court to issue -- we'd ask the court to abide by -- excuse me. We'd ask the Commission to abide by the Subpoena and provide the requested information which you're the custodian.

CHAIRMAN HANSON: Thank you. At this point, Commissioner questions.

I'm not hearing anything so either there's no questions or we've got mute buttons on.

COMMISSIONER FIEGEN: Mr. Chairman.

CHAIRMAN HANSON: Commissioner Fiegen.

COMMISSIONER FIEGEN: Just to look at Rule 20:10:01:43, it looks like that rule is request for access of confidential information, and that's what I've been looking at.

Is Mr. Swier -- is that the one he's looking at, or is he looking at another rule?

CHAIRMAN HANSON: Mr. Swier, would you like to respond?

MR. SWIER: I couldn't hear which rule Commissioner Fiegen cited.

CHAIRMAN HANSON: It was 20:10:01:43.

MR. SWIER: And I don't have that in front of me. Is that the rule that cites -- well, I don't have

the rules in front of me so I can't comment on that particular rule.

But I know that earlier Commission Staff had questions regarding us not following the administrative process, and I indicated, again, I didn't think that that rule was applicable. But I can definitely look at the 20:10:01:43 because, again, I don't have that in front of me.

CHAIRMAN HANSON: Commissioner Fiegen, does that answer the question?

COMMISSIONER FIEGEN: Yes. Thank you. I guess good enough for today.

CHAIRMAN HANSON: Commissioner Hanson, any questions?

COMMISSIONER HANSON: I don't have any questions. Thank you, Mr. Chairman.

CHAIRMAN HANSON: Okay. Ms. Wiest, any last thoughts?

MS. AILTS WIEST: I just wanted a clarification from Mr. Swier. I don't know if I understood your point about asking for objections? You said something about that before you took it to court?

MR. SWIER: Well, I believe the proper process would be that if an entity receives a Rule 45 Subpoena, they can either -- by the time of the date and time of

production either request a protective order or simply file written objections in response to the Subpoena.

But I don't think it's proper procedure to simply ignore the Subpoena, let the date and time of production go by. I think there has to be some type of response by the due date so that, again, if this is appealed, a record is created.

MS. AILTS WIEST: Well, is it possible -- I mean, our rule references that the Commission on its own motion can quash the Subpoena. That would be action by the Commission, would it not?

MR. SWIER: Yes. Absolutely.

MS. AILTS WIEST: And then is it your position that when someone files information as confidential that the Commission pursuant to a Subpoena can give that information to anyone as long as that person says it's subject to a protective order without the person who filed the confidential information being given any notice that their confidential information is being released?

MR. SWIER: Yes. I think under our South Dakota Rules it can do that. The Commission is the custodian of this information. I would issue a Rule 45 Subpoena to any governmental entity in the state regarding information that that administrative agency is the custodian of, without having to provide individual notice

to all the companies.

So I think that, again, because the PUC is the custodian, that this Rule 45 Subpoena is proper in asking for the information, especially in light of the protective order that is in place in this case.

NAT has had to provide all of its confidential information pursuant to the protective order. The protective order is in place to make sure that that confidential information does not go any further than the scope of the protective order. So, yes, I believe that it is proper to simply subpoena the Commission to produce the records that it has the custody of.

MS. AILTS WIEST: Was it your position that even if there wasn't a protective order in place that the Commission would still need to comply with the subpoena and release any confidential information requested by anyone?

MR. SWIER: No.

MS. AILTS WIEST: Oh. I thought that's what you said.

MR. SWIER: I think the protective order makes this an entirely different case, and that was the entire content -- or intent of the protective order was to make sure the confidential information is indeed protected to the greatest extent possible.

MS. AILTS WIEST: And the parties who actually have an interest in their own financial information being released do not deserve any notice that their information can be released to someone else?

MR. SWIER: I think under our rules that the notice is not provided. It would be just like another party subpoenaing NAT for documents that are essentially confidential but that NAT is the custodian of.

NAT would be provided with the Rule 45 Subpoena. NAT would then have to as the custodian of the record either produce the documents, seek a protective order, or object on whatever basis to the Subpoena.

So I don't see just because we're dealing with the governmental entity where the demands are any different than what it would be from a typical private subpoenaed party.

MS. AILTS WIEST: Thank you. I would -- I would have a recommendation to the Commission.

CHAIRMAN HANSON: Certainly.

MS. AILTS WIEST: I certainly do have a concern about the due process of parties who have filed confidential information with the Commission. And at least under our rules it's certainly appeared that it would be the expectation of the parties that there would be a process before the Commission to release that

information.

At this point in time I believe those parties have -- those interested persons have, for the most part, not received any notice of the Subpoena, are not aware that a party is requesting confidential information, and I would recommend that the Commission on its own motion quash this Subpoena.

CHAIRMAN HANSON: Thank you.

We're at the point of -- let me just -- any further Commissioner questions?

Hearing none, we are at the point of motions. And I will move that the Commission quash this Subpoena based on the authority granted to us in ARSD 20:10:01:17.01 for the reason that this Subpoena does not give all of the affected parties any due process rights to object to this or to be heard in that fashion.

And, secondly, that the Commission has a very specific rule, ARSD 20:10:01:43, that provides anyone, not just parties to those dockets, but anyone access to confidential information, while preserving the due process rights of those that are affected.

Discussion on the Motion?

COMMISSIONER HANSON: Mr. Chairman.

CHAIRMAN HANSON: Commissioner Hanson.

COMMISSIONER HANSON: Thank you for the Motion.

I think it's very well articulated. The parties have made excellent points regarding their concerns. It's certainly -- this matter is not as simple as it has been presented to us. Due process absolutely needs to be followed, and your Motion succinctly provides for that it.

I think there's a tremendous concern regarding the trade secrets, proprietary information, which needs to be protected, and certainly I'm very concerned about the relevance of the information that's being sought. It needs to be substantiated. And there simply must be a reasonable assumption that the information that's being requested is somehow -- contributes to the conclusion of the docket.

And that -- I don't -- I'm very uncomfortable with just a Subpoena asking for information -- I won't use the term fishing expedition but it absolutely has to be germane in some content and has to be shown to us to be relevant and the parties need to be able to go through the due process.

And I think this particular Subpoena circumvents all of those. So I'm pleased to support the Motion that you made.

CHAIRMAN HANSON: Thank you.

Other discussion?

I will simply say in response to Commissioner Hanson that the question of relevance is one that is entirely open yet in my mind. I'm not foreclosed how this information which, you know, ultimately may come forward how it may impact upon this case.

And so I just wanted to make it very clear that my Motion in no way goes to any predetermination on relevance. That is completely an open question in my mind on this point.

Other discussion?

Seeing none, all those in favor will vote aye, those opposed nay.

Commissioner Hanson.

COMMISSIONER HANSON: Aye.

CHAIRMAN HANSON: Commissioner Fiegen.

COMMISSIONER FIEGEN: Fiegen votes aye.

CHAIRMAN HANSON: And Nelson votes aye. Motion carries.

Now if I might turn to Rolayne, the question that I believe Mr. Knudson asked about, how this affects other timing and the upcoming hearing in this matter.

Do we have any --

MS. AILTS WIEST: I would just suggest that Staff can discuss that with the parties. They usually work on procedural issues.

CHAIRMAN HANSON: Okay. We will not address that today.

Anything else for the good of the order?

Seeing none, is there a Motion to Adjourn?

COMMISSIONER FIEGEN: Move to adjourn.

CHAIRMAN HANSON: Move to adjourn. All those in favor will vote aye.

Commissioner Hanson.

COMMISSIONER HANSON: Aye.

CHAIRMAN HANSON: Commissioner Fiegen.

COMMISSIONER FIEGEN: Fiegen votes aye.

CHAIRMAN HANSON: And Nelson votes aye. Motion carries.

We are adjourned.

STATE OF SOUTH DAKOTA)

:SS CERTIFICATE

COUNTY OF HUGHES)

I, CHERI MCCOMSEY WITTLER, a Registered Professional Reporter, Certified Realtime Reporter and Notary Public in and for the State of South Dakota:

DO HEREBY CERTIFY that as the duly-appointed shorthand reporter, I transcribed the recording of the foregoing proceedings.

Dated at Pierre, South Dakota this 6th day of June, 2012.

Cheri McComsey Wittler,
Notary Public and
Registered Professional Reporter
Certified Realtime Reporter

1

10 [1] - 4:23
14 [1] - 1:9
15-6-26C [1] - 11:18

2

2000 [1] - 4:3
2012 [3] - 1:9, 4:23, 26:12
20:10:01:17.01 [1] - 22:14
20:10:01:43 [5] - 14:15, 17:14, 17:23, 18:7, 22:18

4

45 [8] - 3:16, 7:3, 16:13, 16:17, 18:24, 19:22, 20:3, 21:9

6

6th [1] - 26:11

7

7 [1] - 15:23

A

abide [2] - 17:4
able [1] - 23:19
absolutely [3] - 19:12, 23:4, 23:17
access [4] - 14:16, 14:19, 17:15, 22:19
account [1] - 13:12
action [1] - 19:10
add [1] - 14:10
additional [3] - 10:21, 13:4, 13:20
address [2] - 2:23, 25:1
addresses [1] - 14:15
adequate [1] - 4:11
adjourn [3] - 25:4, 25:5, 25:6
adjourned [1] - 25:14
Administrative [6] - 5:25, 6:7, 6:13, 7:2, 11:15, 16:18
administrative [6] - 6:11, 6:19, 7:4, 14:24, 18:4, 19:24
affected [2] - 22:15, 22:21
affects [1] - 24:20
agency [1] - 19:24
agenda [1] - 2:19
agree [1] - 6:21
ahead [2] - 3:10, 15:24
AILTS [10] - 2:18, 18:19, 19:8, 19:13, 20:13, 20:19, 21:1, 21:17, 21:20, 24:23
alleging [1] - 6:25
allow [3] - 6:1, 6:14, 11:24
allowed [1] - 10:14
allows [1] - 11:19
ameliorates [1] - 5:10
AMERICAN [1] - 1:4
American [1] - 2:7
analyze [1] - 4:10
AND [1] - 1:6
answer [1] - 18:10
appealed [1] - 19:7
appear [1] - 12:9
APPEARANCES [1] - 1:14
appeared [1] - 21:23
applicable [1] - 18:6
Applicant's [3] - 4:7, 4:14, 4:18
applicants [3] - 4:9, 9:4, 10:4
application [4] - 2:6, 3:22, 4:2, 15:2
APPLICATION [1] - 1:4
applications [1] - 4:4
applies [1] - 14:18
apply [5] - 3:17, 6:11, 7:2, 7:5, 16:19
applying [1] - 15:4
appointed [1] - 26:8
appreciate [5] - 3:2, 5:13, 8:9, 13:8, 16:1
approached [1] - 8:20
ARSD [3] - 14:15, 22:14, 22:18
articulated [1] - 23:1
assessment [1] - 14:17
Association [1] - 8:24
assumption [2] - 15:3, 23:12
AT&T [2] - 10:11, 10:22
attached [1] - 14:4
attempt [1] - 15:13
attempted [1] - 6:8
attempts [1] - 7:18
attorney [1] - 10:11
attorneys [1] - 14:10
audience [1] - 7:8
audited [1] - 11:10
Authority [3] - 2:8, 4:12, 4:20
authority [1] - 22:13
AUTHORITY [1] - 1:5
aware [3] - 4:23, 5:24, 22:4
aye [8] - 24:11, 24:14, 24:16, 24:17, 25:7, 25:9, 25:11, 25:12

B

based [2] - 8:25, 22:13
basis [1] - 21:12
bearing [1] - 5:3
BEFORE [1] - 1:11
behalf [1] - 11:5
believes [2] - 4:13, 4:17
Bill [2] - 1:16, 10:10
blanket [1] - 10:25
Brookings [1] - 9:7
burden [1] - 3:12
businesses [2] - 7:13, 7:16
buttons [1] - 17:10

C

CAMP [1] - 10:10
Camp [4] - 1:16, 10:9, 10:11, 13:3
capabilities [3] - 3:14, 3:23, 4:7
care [1] - 16:4
carries [2] - 24:18, 25:13
case [12] - 3:19, 3:24, 4:24, 6:20, 7:2, 7:5, 8:1, 16:16, 16:20, 20:5, 20:22, 24:5
cases [1] - 5:18
category [4] - 12:16, 12:23, 13:25, 15:18
CenturyLink [3] - 4:2, 6:17, 15:20
certainly [7] - 9:21, 9:23, 21:19, 21:20, 21:23, 23:3, 23:9
Certificate [3] - 2:7, 4:11, 4:20
CERTIFICATE [2] - 1:5, 26:2
certification [1] - 3:17
Certified [2] - 26:6, 26:19
CERTIFY [1] - 26:8
chair [4] - 3:11, 6:9, 16:12
CHAIRMAN [36] - 1:11, 1:12, 2:1, 3:2, 5:13, 7:6, 8:9, 8:13, 8:18, 9:19, 10:9, 11:2, 12:13, 12:20, 13:23, 15:16, 16:1, 16:7, 16:9, 17:7, 17:12, 17:19, 17:23, 18:9, 18:13, 18:17, 21:19, 22:8, 22:24, 23:24, 24:15, 24:17, 25:1, 25:6, 25:10, 25:12
chairman [8] - 2:2, 8:22, 10:10, 12:18, 12:24, 17:11, 18:16, 22:23
challenge [4] - 5:15, 6:14, 8:16, 15:15
challenged [1] - 6:17
challenging [1] - 6:20
checked [1] - 14:6
CHERI [1] - 26:5
Cheri [2] - 1:23, 26:17
CHRIS [1] - 1:11
Circuit [1] - 16:25
circumvents [1] - 23:22
cited [2] - 16:19, 17:22
cites [1] - 17:25
civil [1] - 16:15
claims [1] - 4:3
clarification [1] - 18:19
clear [4] - 4:25, 16:18, 17:2, 24:6
clearly [2] - 10:19, 10:23
client [7] - 8:7, 10:15, 10:19, 12:15, 12:21, 13:24, 15:17
clients [2] - 10:22, 13:15
code [1] - 14:24
Coit [6] - 1:16, 8:20, 8:21, 8:23, 10:24, 13:3
COIT [2] - 8:22, 9:22
coming [1] - 7:12
comment [5] - 8:25, 9:18, 9:22, 16:2, 18:1
comments [6] - 7:25, 9:15, 12:18, 13:2, 14:9, 14:11
Commission [33] - 2:11, 2:20, 2:21, 3:20, 4:3, 4:7, 4:10, 4:21, 4:23, 5:5, 5:6, 5:11, 9:16, 12:2, 13:12, 15:4, 15:8, 16:13, 16:22, 17:4, 18:3, 19:9, 19:11, 19:15, 19:21, 20:11, 20:15, 21:18, 21:22, 21:25, 22:6, 22:12, 22:17
COMMISSION [2] - 1:1, 1:11
Commission's [1] - 15:1
COMMISSIONER [14] - 1:12, 8:11, 8:15, 17:11, 17:13, 18:11, 18:15, 22:23, 22:25, 24:14, 24:16, 25:5, 25:9, 25:11
Commissioner [16] - 2:3, 2:4, 8:10, 16:11, 17:8, 17:12, 17:22, 18:9, 18:13, 22:10, 22:24, 24:1, 24:13, 24:15, 25:8, 25:10
Commissioners [1] - 8:22
Communications [1] - 14:2
communications [3] - 9:6, 10:11, 12:25
companies [10] - 7:23, 9:3, 9:4, 9:8, 9:24, 10:2, 11:6, 11:21, 20:1
company [3] - 6:12, 12:7, 15:10
completely [1] - 24:8
compliance [1] - 13:13
complied [4] - 2:14, 16:13, 16:17, 17:2
comply [1] - 20:15
concern [2] - 21:20, 23:7
concerned [1] - 23:9
concerns [2] - 13:19, 23:2
conclusion [1] - 23:13
confidential [40] - 2:20, 3:1, 3:7, 3:8, 4:25, 5:2, 5:22, 6:1, 6:3, 6:16, 6:22, 7:1, 7:14, 7:17, 7:20, 7:23, 9:12, 9:25, 10:18, 10:20, 10:23,

11:16, 11:22, 12:3, 13:1, 14:7, 14:16, 14:20, 17:15, 19:14, 19:18, 19:19, 20:6, 20:9, 20:16, 20:24, 21:8, 21:22, 22:5, 22:20
confidentiality [10] - 4:22, 5:11, 5:17, 6:13, 6:15, 6:18, 6:21, 6:24, 7:5, 14:13
considerations [2] - 13:4, 13:11
constrain [1] - 7:25
content [2] - 20:23, 23:18
context [1] - 3:5
contributes [1] - 23:13
cooperative [1] - 9:6
correct [1] - 13:10
COUNTY [1] - 26:3
course [1] - 14:14
Court [1] - 16:25
court [3] - 17:3, 18:22
created [1] - 19:7
Cremer [1] - 16:4
CREMER [2] - 16:6, 16:8
CRR [1] - 1:23
custodian [8] - 5:5, 16:14, 17:6, 19:21, 19:25, 20:3, 21:8, 21:10
custody [1] - 20:12

D

DAKOTA [3] - 1:2, 1:6, 26:1
Dakota [9] - 2:9, 4:5, 4:12, 8:24, 11:5, 11:18, 19:20, 26:7, 26:11
date [3] - 18:25, 19:4, 19:6
Dated [1] - 26:11
dealing [2] - 9:20, 21:13
declared [2] - 3:7, 3:8
deem [1] - 17:1
defined [1] - 12:17
definitely [1] - 18:6
demands [1] - 21:14
deserve [1] - 21:3
designation [1] - 6:24
determine [1] - 6:4
determining [3] - 6:23, 13:9, 13:13
different [2] - 20:22, 21:15
difficult [2] - 12:1, 12:2
directly [3] - 3:16, 3:24, 8:7
disagree [1] - 14:17
discuss [1] - 24:24
discussion [3] - 22:22, 23:25, 24:10
dispute [1] - 4:2
DO [1] - 26:8
docket [14] - 2:25, 3:14, 5:19, 7:19, 11:9, 11:11, 14:12, 14:19, 14:22, 14:23, 15:6, 15:22, 23:14
dockets [12] - 2:25, 3:9, 4:6, 5:20, 9:5, 9:10, 9:13, 9:25, 10:22, 14:3, 14:6, 22:19
documentation [1] - 13:1
documents [17] - 4:9, 4:15, 4:18, 5:6, 5:7, 5:9, 6:12, 6:15, 6:17, 6:18, 6:21, 6:25, 7:4, 11:7, 16:14, 21:7, 21:11
down [1] - 10:15
drop [1] - 8:16
due [15] - 2:19, 5:21, 6:3, 10:5, 10:6, 10:24, 11:14, 13:3, 15:14, 19:6, 21:21, 22:15, 22:20, 23:4, 23:20
duly [1] - 26:8
duly-appointed [1] - 26:8

E

echo [3] - 13:2, 13:18, 14:9
effectuated [1] - 13:13
either [5] - 16:23, 17:9, 18:25, 19:1, 21:11
employed [1] - 13:9
ensure [2] - 3:20, 15:1
entire [1] - 20:22
entirely [2] - 20:22, 24:3
entities [1] - 12:25
entitled [2] - 4:8, 5:9
entity [3] - 18:24, 19:23, 21:14
enunciating [1] - 5:14
especially [1] - 20:4
essentially [1] - 21:7
established [1] - 4:11
excellent [1] - 23:2
exchange [1] - 2:9
EXCHANGE [1] - 1:6
excuse [1] - 17:4
exhibit [1] - 14:4
expectation [1] - 21:24
expedition [1] - 23:17
expeditiously [1] - 16:24
explanation [1] - 3:3
extent [1] - 20:25

F

faced [1] - 5:15
fact [4] - 2:19, 2:23, 3:6, 5:1
fair [1] - 15:4
fairness [1] - 15:1
far [1] - 5:22
fashion [2] - 8:5, 22:16
favor [2] - 24:11, 25:7
February [1] - 4:23
few [1] - 4:15
FIEGEN [7] - 1:12, 17:11, 17:13, 18:11, 24:16, 25:5, 25:11
Fiegen [8] - 2:3, 17:12, 17:22, 18:9, 24:15, 24:16, 25:10, 25:11
file [1] - 19:2
filed [16] - 2:20, 2:24, 2:25, 3:8, 6:12, 6:16, 7:17, 7:20, 10:16, 10:18, 10:23, 11:8, 11:10, 14:7, 19:18, 21:21
files [1] - 19:14
financial [13] - 3:13, 3:23, 3:25, 4:3, 4:7, 4:8, 4:10, 4:15, 4:18, 6:12, 6:21, 7:17, 21:2
financially [1] - 4:19
financials [4] - 7:20, 7:23, 11:10, 15:13
first [3] - 2:13, 7:21, 8:21
fishing [1] - 23:17
fit [3] - 12:15, 13:24, 15:17
fits [1] - 12:22
five [1] - 14:3
flush [1] - 4:16
folks [4] - 6:2, 7:16, 7:22, 8:4
follow [2] - 11:25, 14:24
followed [2] - 11:17, 23:5
following [1] - 18:4
FOR [1] - 1:4
FORD [1] - 14:1
Ford [2] - 1:18, 13:24
foreclosed [1] - 24:3
foregoing [1] - 26:10
forth [1] - 15:25
forward [1] - 24:5
four [2] - 9:2, 9:3
front [3] - 17:24, 18:1, 18:7

G

GARY [1] - 1:12
germane [1] - 23:18
given [3] - 11:14, 11:22, 19:18
governmental [2] - 19:23, 21:14
grant [2] - 5:12, 16:22
granted [7] - 4:3, 4:24, 8:1, 12:9, 13:10, 16:21, 22:13
greatest [1] - 20:25
guess [4] - 8:25, 9:16, 15:11, 18:11

H

HANSON [41] - 1:12, 3:2, 5:13, 7:6, 8:9, 8:11, 8:13, 8:15, 8:18, 9:19, 10:9, 11:2, 12:13, 12:20, 13:23, 15:16, 16:1, 16:7, 16:9, 17:7, 17:12, 17:19, 17:23, 18:9, 18:13, 18:15, 18:17, 21:19, 22:8, 22:23, 22:24, 22:25, 23:24, 24:14, 24:15, 24:17, 25:1, 25:6, 25:9, 25:10, 25:12
Hanson [7] - 2:4, 8:10, 18:13, 22:24, 24:2, 24:13, 25:8
harder [1] - 12:4
hear [6] - 2:22, 7:15, 8:11, 8:13, 12:16, 17:21
heard [1] - 22:16
hearing [5] - 8:4, 15:23, 17:9, 22:11, 24:21
help [1] - 6:6
HEREBY [1] - 26:8
higher [1] - 15:9
hills [1] - 9:8
holding [1] - 15:9
HUGHES [1] - 26:3
hundreds [2] - 4:4, 4:6

I

identified [1] - 10:24
ignore [1] - 19:4
impact [1] - 24:5
IN [2] - 1:4, 1:6
Inaudible [2] - 15:21, 15:22
inception [1] - 4:16
include [1] - 11:17
included [1] - 4:6
including [1] - 14:4
income [1] - 4:16
indeed [1] - 20:24
indicated [1] - 18:5
indicates [1] - 15:8
individual [3] - 9:10, 10:2, 19:25
individuals [4] - 7:7, 7:11, 7:13, 12:14
information [58] - 2:20, 2:24, 3:6, 3:15, 3:18, 3:20, 3:21, 5:1, 5:2, 5:22, 6:1, 6:2, 6:4, 7:13, 9:12, 9:25, 10:18, 10:20, 10:23, 11:16, 11:22, 12:3, 12:5, 12:7, 12:11, 13:6, 13:19, 13:21, 14:7, 14:16, 14:20, 15:12, 15:14, 15:21, 17:5, 17:15, 19:14, 19:16, 19:18, 19:19, 19:22, 19:24, 20:4, 20:7, 20:9, 20:16, 20:24, 21:2, 21:3, 21:22, 22:1, 22:5, 22:20, 23:8, 23:10, 23:12, 23:16, 24:4
initial [1] - 10:13
instance [2] - 10:17, 14:18
intent [1] - 20:23
interest [2] - 9:17, 21:2
interested [1] - 22:3

interests [1] - 7:9
interexchange [1] - 2:8
INTEREXCHANGE [1] - 1:5
irrelevant [1] - 15:13
issue [7] - 3:5, 4:22, 5:8, 9:19, 9:21, 17:3, 19:22
issued [1] - 2:10
issues [3] - 5:11, 12:19, 24:25
issuing [1] - 5:19

J

JOHNSON [1] - 2:1
joined [1] - 8:10
judgment [1] - 15:7
June [2] - 15:23, 26:12

K

Karen [1] - 16:4
Kathy [2] - 1:18, 13:24
kind [1] - 7:24
knowing [1] - 12:5
Knudson [3] - 1:18, 15:17, 24:20
KNUDSON [1] - 15:19
KRISTIE [1] - 1:12

L

laid [1] - 8:5
last [1] - 18:17
least [1] - 21:23
LECs [2] - 4:15, 4:19
legal [1] - 3:16
light [1] - 20:4
limit [2] - 7:12, 7:21
limited [2] - 7:11, 8:4
line [1] - 2:3
list [4] - 9:3, 10:15, 11:6, 13:16
listed [1] - 11:6
literally [1] - 4:4
litigated [1] - 3:19
LLC [3] - 1:4, 2:7, 11:5
local [1] - 2:9
LOCAL [1] - 1:6
logistical [1] - 12:19
look [3] - 9:11, 17:13, 18:6
looked [1] - 14:21
looking [5] - 9:2, 16:3, 17:16, 17:17, 17:18
looks [1] - 17:14
Lundy [2] - 1:15, 12:15
LUNDY [1] - 12:17

M

majority [1] - 4:19
managerial [1] - 3:13
manner [1] - 15:4
Margo [2] - 1:17, 11:5
matter [7] - 2:6, 2:18, 10:13, 13:17, 16:25, 23:3, 24:21
MATTER [1] - 1:4
MCCOMSEY [1] - 26:5
McComsey [2] - 1:23, 26:17
McCook [1] - 9:6
mean [2] - 10:5, 19:9
meeting [2] - 2:1, 2:2
member [2] - 9:4, 9:24
members [1] - 9:9
Meredith [2] - 1:17, 12:21
Midcontinent [4] - 14:2, 14:3, 14:7, 14:11
MidState [1] - 9:5
Midwest [1] - 10:12
might [4] - 11:23, 13:5, 13:20, 24:19
mind [2] - 24:3, 24:9
mine [1] - 10:22
minimum [1] - 14:23
minute [1] - 16:10
Moore [2] - 1:17, 12:21
MOORE [1] - 12:24
morning [2] - 11:4, 14:1
most [2] - 15:7, 22:3
motion [2] - 19:10, 22:6
Motion [9] - 11:9, 22:22, 22:25, 23:5, 23:23, 24:7, 24:17, 25:4, 25:12
motions [1] - 22:11
move [3] - 22:12, 25:5, 25:6
MR [17] - 3:11, 6:9, 8:6, 8:22, 9:22, 10:10, 12:17, 15:19, 16:12, 17:21, 17:24, 18:23, 19:12, 19:20, 20:18, 20:21, 21:5
MS [15] - 2:18, 11:4, 12:24, 14:1, 16:6, 16:8, 18:19, 19:8, 19:13, 20:13, 20:19, 21:1, 21:17, 21:20, 24:23
municipal [1] - 9:7
must [1] - 23:11
mute [1] - 17:10
Mystic [1] - 12:24

N

name [1] - 8:23
NAT [17] - 3:12, 3:15, 3:24, 4:8, 4:9, 4:13, 4:17, 6:16, 6:20, 14:12, 15:5, 15:9, 20:6, 21:7, 21:8, 21:9, 21:10
NAT's [2] - 3:23, 4:2
NATIVE [1] - 1:4
Native [1] - 2:7
nature [1] - 10:13
nay [1] - 24:12
necessary [3] - 3:18, 3:21, 17:1
need [5] - 13:5, 13:12, 15:23, 20:15, 23:19
needs [5] - 2:21, 11:17, 23:4, 23:8, 23:11
NELSON [1] - 1:11
Nelson [3] - 2:2, 24:17, 25:12
network [1] - 11:5
none [3] - 22:11, 24:11, 25:4
NORTHRUP [1] - 11:4
Northrup [4] - 1:17, 11:3, 11:5, 13:2
Notary [2] - 26:7, 26:18
notice [9] - 10:2, 11:18, 11:22, 12:10, 19:18, 19:25, 21:3, 21:6, 22:4
notified [1] - 11:13
number [3] - 4:13, 6:10, 7:7

O

object [3] - 8:8, 21:12, 22:16
objection [1] - 8:4
objections [3] - 16:23, 18:21, 19:2
obtain [1] - 7:14
obtaining [1] - 5:25
obviously [1] - 7:15
OF [7] - 1:2, 1:4, 1:5, 26:1, 26:3
one [8] - 2:3, 3:9, 4:13, 6:10, 11:6, 12:25, 17:17, 24:2
open [3] - 16:11, 24:3, 24:8
opinion [1] - 14:14
opportunity [3] - 9:11, 10:3, 13:17
oppose [1] - 15:13
opposed [2] - 6:7, 24:12
opposing [2] - 6:14, 14:19
order [23] - 2:2, 4:24, 4:25, 5:4, 5:10, 5:16, 5:19, 11:20, 13:21, 14:13, 15:8, 16:24, 19:1, 19:17, 20:5, 20:7, 20:8, 20:10, 20:14, 20:21, 20:23, 21:11, 25:3
outlined [1] - 4:1
own [3] - 19:9, 21:2, 22:6

P

part [3] - 5:18, 5:19, 22:3
particular [10] - 2:11, 5:14, 5:18, 6:10, 7:19, 8:7, 13:14, 15:22, 18:2, 23:21
parties [16] - 2:24, 5:18, 5:20, 9:4, 12:10, 14:22, 15:6, 21:1, 21:21, 21:24, 22:2, 22:15, 22:19, 23:1, 23:19, 24:24
parties' [1] - 15:12
party [10] - 6:14, 7:19, 14:11, 14:12, 14:18, 16:15, 21:7, 21:16, 22:5
perhaps [1] - 2:23
person [2] - 19:16, 19:17
persons [1] - 22:3
phone [1] - 12:14
Pierre [1] - 26:11
place [8] - 5:4, 5:7, 5:17, 13:5, 13:21, 20:5, 20:8, 20:14
plan [1] - 15:24
plays [1] - 2:16
pleased [1] - 23:22
podium [1] - 8:21
point [10] - 2:21, 7:22, 8:19, 14:10, 17:7, 18:20, 22:2, 22:9, 22:11, 24:9
points [1] - 23:2
position [6] - 2:22, 5:14, 15:11, 15:20, 19:13, 20:13
possible [2] - 19:8, 20:25
potential [1] - 5:10
potentially [1] - 13:4
predetermination [1] - 24:7
present [3] - 2:2, 2:3, 9:12
presented [1] - 23:4
preserving [1] - 22:20
previous [1] - 4:9
private [1] - 21:15
procedural [3] - 14:15, 14:24, 24:25
procedure [2] - 6:19, 19:3
proceed [1] - 2:6
proceeding [1] - 3:17
Proceedings [1] - 1:8
proceedings [2] - 14:8, 26:10
process [24] - 5:21, 5:25, 6:3, 6:7, 6:23, 9:15, 10:5, 10:6, 10:24, 11:14, 11:16, 11:25, 13:4, 14:15, 15:14, 18:5, 18:23, 21:21, 21:25, 22:15, 22:21, 23:4, 23:20
produce [2] - 20:11, 21:11
production [3] - 3:19, 19:1, 19:5
Professional [2] - 26:6, 26:18
proper [6] - 6:24, 18:23, 19:3, 20:3, 20:11
properly [1] - 3:19
proposed [1] - 3:24
proprietary [2] - 12:5, 23:8
protect [1] - 13:21
protected [2] - 20:24, 23:9
protection [1] - 11:10
protective [19] - 4:24, 4:25, 5:4, 5:10, 5:16, 5:19, 11:20, 14:13, 16:24, 19:1, 19:17, 20:5, 20:7, 20:8,

20:10, 20:14, 20:21, 20:23, 21:11
protest [1] - 10:3
PROVIDE [1] - 1:5
provide [10] - 2:8, 3:23, 4:1, 4:4, 5:25, 7:18, 15:14, 17:5, 19:25, 20:6
provided [3] - 9:24, 21:6, 21:9
provides [2] - 22:18, 23:5
proving [1] - 3:12
provision [1] - 6:13
provisions [1] - 6:11
Public [2] - 26:7, 26:18
PUBLIC [2] - 1:1, 1:11
PUC [2] - 7:5, 20:2
pursuant [2] - 19:15, 20:7
put [3] - 2:18, 13:5, 13:20

Q

quash [3] - 19:10, 22:7, 22:12
questions [7] - 16:11, 17:8, 17:10, 18:4, 18:14, 18:16, 22:10
quorum [1] - 2:5

R

rapid [1] - 10:13
rather [1] - 5:20
real [1] - 8:15
really [2] - 5:2, 16:6
Realtime [2] - 26:6, 26:19
reason [2] - 6:23, 22:14
reasonable [2] - 5:7, 23:12
rebuttal [1] - 16:10
receive [1] - 4:11
received [3] - 2:11, 4:20, 22:4
receives [1] - 18:24
recent [1] - 15:7
recommend [1] - 22:6
recommendation [1] - 21:18
record [3] - 16:6, 19:7, 21:10
Recorded [1] - 1:8
recording [1] - 26:9
records [1] - 20:12
referenced [2] - 5:21, 14:13
references [1] - 19:9
regard [4] - 13:3, 13:11, 13:13, 13:19
regarding [5] - 4:22, 18:4, 19:23, 23:2, 23:7
Registered [2] - 26:5, 26:18
related [2] - 3:16, 3:24
release [2] - 20:16, 21:25
released [5] - 5:23, 6:5, 19:19, 21:3, 21:4
relevance [4] - 12:19, 23:10, 24:2, 24:8
relevancy [4] - 4:13, 9:15, 9:20, 15:21
relevant [1] - 23:19
Reported [1] - 1:23
Reporter [4] - 26:6, 26:18, 26:19
reporter [1] - 26:9
represent [4] - 7:9, 7:16, 14:1
represented [1] - 3:25
representing [2] - 7:13, 7:22
request [2] - 17:14, 19:1
requested [7] - 2:19, 3:18, 6:2, 13:1, 17:5, 20:16, 23:13
requesting [4] - 2:23, 3:6, 5:2, 22:5
requests [2] - 5:17, 14:16
reservations [1] - 15:20
resources [1] - 3:25
respect [6] - 9:10, 9:15, 9:23, 10:3, 10:4, 15:24
respected [1] - 10:7
respond [1] - 17:20
response [3] - 19:2, 19:6, 24:1
review [8] - 3:21, 4:6, 4:8, 4:14, 4:17, 10:16, 10:20, 16:25
Richard [2] - 1:16, 8:23
rights [5] - 10:6, 10:24, 22:16, 22:21
risk [1] - 11:23
Rolayne [1] - 24:19
role [1] - 15:1
room [1] - 2:2
RPR [1] - 1:23
Rule [10] - 3:16, 6:7, 7:2, 7:3, 16:13, 16:17, 18:24, 19:22, 20:3, 21:9
rule [11] - 6:19, 14:21, 17:14, 17:18, 17:21, 17:25, 18:2, 18:6, 19:9, 22:18
Rules [4] - 5:25, 6:13, 11:15, 16:19
rules [9] - 7:4, 10:19, 14:24, 15:2, 15:4, 18:1, 19:21, 21:5, 21:23

S

safeguards [2] - 13:5, 13:20
schedules [1] - 15:24
scope [1] - 20:10
Scott [3] - 1:15, 1:18, 3:10
SDN [2] - 11:13
SDTA [4] - 9:1, 9:4, 9:9, 9:24
second [1] - 8:2
secondly [2] - 7:24, 22:17
secret [1] - 11:9
secrets [2] - 12:5, 23:8
see [6] - 2:15, 8:20, 9:11, 9:19, 15:7, 21:13
seeing [2] - 24:11, 25:4
seek [1] - 21:11
seeking [1] - 3:15
seeks [1] - 7:14
seem [1] - 10:1
serious [1] - 15:20
served [1] - 5:12
SERVICES [2] - 1:6
services [5] - 2:9, 3:24, 4:1, 4:5
set [1] - 6:19
several [3] - 5:24, 7:8, 13:15
shorthand [1] - 26:9
show [2] - 4:15, 4:18
showing [1] - 15:11
shown [1] - 23:18
simple [1] - 23:3
simply [5] - 19:1, 19:4, 20:11, 23:11, 24:1
sit [1] - 10:15
situation [4] - 6:11, 11:8, 11:20, 16:20
someone [2] - 19:14, 21:4
sort [1] - 12:6
sought [5] - 7:24, 11:17, 12:11, 16:24, 23:10
sounding [1] - 8:18
South [9] - 2:9, 4:5, 4:12, 8:24, 11:5, 11:18, 19:20, 26:7, 26:11
SOUTH [3] - 1:2, 1:6, 26:1
speaking [1] - 8:6
specific [6] - 4:24, 7:1, 10:17, 11:8, 14:22, 22:18
Sprint [2] - 4:2, 6:17
SS [1] - 26:2
Staff [4] - 8:23, 16:4, 18:3, 24:24
standard [2] - 13:9, 15:9
standards [1] - 3:17
standing [2] - 8:8, 9:1
standpoint [1] - 4:14
state [1] - 19:23
STATE [2] - 1:2, 26:1
State [1] - 26:7
statements [1] - 7:17
Statute [1] - 11:18
statute [1] - 11:19
still [1] - 20:15
subject [1] - 19:17
Subpoena [37] - 2:10, 2:12, 2:14, 2:19, 2:22, 3:16, 5:8, 5:12, 7:3, 7:14, 7:18, 7:25, 9:3, 10:25, 12:9, 13:14, 14:4, 15:3, 16:15, 16:20, 16:23, 17:5, 18:24, 19:2, 19:4, 19:10, 19:15, 19:22, 20:3, 21:9, 21:12, 22:4, 22:7, 22:13, 22:14, 23:16, 23:21
subpoena [2] - 20:11, 20:15
subpoenaed [1] - 21:16
subpoenaing [1] - 21:7
subpoenas [1] - 13:9
substantiated [1] - 23:11
succinctly [1] - 23:5
sufficient [2] - 3:13, 9:17
suggest [1] - 24:23
summary [1] - 15:7
support [1] - 23:22
Swier [12] - 1:15, 2:10, 2:15, 2:22, 3:4, 8:3, 13:10, 14:13, 16:10, 17:17, 17:19, 18:20
SWIER [12] - 3:11, 6:9, 8:6, 16:12, 17:21, 17:24, 18:23, 19:12, 19:20, 20:18, 20:21, 21:5
Swier's [2] - 8:25, 14:17

T

TC00-085 [1] - 14:5
TC03-068 [1] - 14:5
TC04-029 [1] - 10:18
TC04-081 [1] - 14:5
TC05-161 [1] - 14:5
TC07-057 [1] - 14:5
TC08-113 [1] - 9:5
TC09-091 [1] - 9:6
TC11-005 [1] - 9:7
TC11-083 [1] - 9:7
TC11-087 [2] - 1:4, 2:6
technical [1] - 3:13
Telecom [1] - 2:7
TELECOM [1] - 1:4
telecommunication [3] - 4:1, 4:5, 7:9
Telecommunications [1] - 8:24
telecommunications [1] - 2:8
TELECOMMUNICATIONS [1] - 1:5
telephone [2] - 7:8, 9:8
term [1] - 23:17
testified [1] - 12:22
testimony [3] - 7:10, 7:12, 7:22
THE [5] - 1:1, 1:2, 1:4, 1:11
therefore [3] - 5:6, 7:1, 14:12
third [1] - 16:15
third-party [1] - 16:15
thorough [1] - 5:4
thoughts [1] - 18:18
threshold [1] - 4:10
timing [2] - 13:16, 24:21
TO [1] - 1:5
today [10] - 2:15, 3:5, 6:8, 7:8, 7:11, 9:19,

9:21, 12:16, 18:12, 25:2
Todd [2] - 1:15, 12:15
took [1] - 18:22
trade [3] - 11:9, 12:5, 23:8
transcribed [1] - 26:9
Transcript [1] - 1:8
travel [1] - 15:24
treated [1] - 5:1
tremendous [1] - 23:7
try [1] - 8:17
turn [4] - 2:12, 3:4, 12:4, 24:19
turned [2] - 10:25, 12:6
type [3] - 11:20, 16:19, 19:5
typical [1] - 21:15
typically [1] - 13:8

U

ultimately [2] - 13:6, 24:4
uncomfortable [1] - 23:15
under [8] - 6:12, 10:19, 11:14, 11:18, 14:15, 19:20, 21:5, 21:23
underlying [1] - 15:3
understood [1] - 18:20
unfortunately [1] - 13:16
unless [1] - 11:21
up [1] - 16:11
upcoming [1] - 24:21
UTILITIES [2] - 1:1, 1:11

V

VAN [1] - 10:10
Van [4] - 1:16, 10:9, 10:11, 13:3
various [2] - 6:12, 7:9
vast [1] - 4:19
venture [1] - 10:21
verify [1] - 15:22
viable [1] - 4:19
VICE [1] - 1:12
visit [1] - 13:17
vote [2] - 24:11, 25:7
votes [4] - 24:16, 24:17, 25:11, 25:12

W

weigh [1] - 16:5
well-aware [1] - 4:23
Wiest [4] - 2:11, 2:12, 2:17, 18:17
WIEST [10] - 2:18, 18:19, 19:8, 19:13, 20:13, 20:19, 21:1, 21:17, 21:20, 24:23
Wittler [2] - 1:23, 26:17
WITTLER [1] - 26:5
words [1] - 6:16
written [1] - 19:2