

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

IN THE MATTER OF THE JOINT PETITION)
FILED BY SULLY BUTTES TELEPHONE)
COOPERATIVE, INC. AND QWEST)
CORPORATION FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS CARRIER)
FOR SULLY BUTTES TELEPHONE)
COOPERATIVE, INC. IN THE SISSETON)
EXCHANGE AND FOR RELINQUISHMENT OF)
QWEST CORPORATION'S DESIGNATION AS)
AN ELIGIBLE TELECOMMUNICATIONS)
CARRIER IN THE SISSETON EXCHANGE)

ORDER GRANTING ETC
DESIGNATION; ORDER
APPROVING ETC
RELINQUISHMENT

TC00-117

On August 2, 2000, the Public Utilities Commission (Commission) received a Joint Petition for ETC Designation and Relinquishment from Sully Buttes Telephone Cooperative, Inc. (Sully Buttes) and Qwest Corporation (Qwest). Sully Buttes sought designation as an eligible telecommunications carrier (ETC) for the Sisseton, South Dakota, exchange. Qwest requested that its ETC designation for the Sisseton exchange be relinquished and transferred to Sully Buttes. In Docket TC99-112, the Commission had approved the sale of the Sisseton exchange to Sully Buttes.

The Commission electronically transmitted notice of the filing and the intervention deadline to interested individuals and entities. No person or entity filed to intervene.

Pursuant to 47 U.S.C. § 214(e)(2), the Commission is required to designate a common carrier that meets the requirements of section 214(e)(1) as an ETC for a service area designated by the Commission. Pursuant to 47 U.S.C. § 214(e)(1), a common carrier that is designated as an ETC is eligible to receive universal service support and shall, throughout its service area, offer the services that are supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services. The carrier must also advertise the availability of such services and the rates for the services using media of general distribution.

The Federal Communications Commission (FCC) has designated the following services or functionalities as those supported by federal universal service support mechanisms: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equal; (4) single party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

As part of its obligations as an ETC, an ETC is required to make available Lifeline and Link Up services to qualifying low-income consumers. 47 C.F.R. § 54.405; 47 C.F.R. § 54.411.

On October 31, 2000, Sully Buttes submitted an affidavit of Randy W. Houdek, its general manager. Mr. Houdek stated that Sully Buttes will provide the following services to all of its customers in the Sisseton exchange following closing of the sale from Qwest:

1. Voice grade access to the public switched network;
2. Local exchange service, including an amount of local usage free of per minute charges under a flat-rated local service package;
3. Dual tone multi-frequency signaling;
4. Single party service;
5. Access to emergency services such as 911 or Enhanced 911 public services when such services are available;
6. Access to operator services;
7. Access to interexchange services;
8. Access to directory assistance; and
9. Toll block service to qualified low-income consumers.

With respect to the obligation to advertise the availability of services supported by the federal universal service support mechanism and the charges for those services using media of general distribution, Sully Buttes stated that it will advertise the availability of its local exchange services in media of general distribution in the Sisseton exchange. Sully Buttes stated it will offer the Lifeline and Link Up service discounts in the Sisseton exchange.

At its December 1, 2000, meeting, the Commission considered this matter. The Commission was informed that the sale of the Sisseton exchange to Sully Buttes was completed and that Sully Buttes took possession of the exchange at 12:01 a.m. December 1, 2000. The Commission had previously granted ETC status to Qwest (formerly known as U S WEST) for the Sisseton exchange, finding that Qwest provided all of the services supported by the federal universal support mechanism.

The Commission finds that Sully Buttes currently provides and will continue to provide the following services or functionalities throughout the Sisseton exchange: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling; (4) single-party service; (5) access to emergency services; (6) access to operator services; (7) access to interexchange service; (8) access to directory assistance; and (9) toll blocking for qualifying low-income consumers.

The Commission finds that Sully Buttes intends to provide Lifeline and Link Up programs to qualifying customers throughout the Sisseton exchange consistent with state and federal rules and orders.

The Commission finds that Sully Buttes shall advertise the availability of the services supported by the federal universal service support mechanism and the charges therefor throughout its service area using media of general distribution once each year. The Commission further finds that if the rate for any of the services supported by the federal universal service support mechanism changes, the new rate must be advertised using media of general distribution.

The Commission designates Sully Buttes as an ETC for the Sisseton exchange. The Commission further grants Qwest its request to relinquish its ETC designation and universal service obligations for the Sisseton Exchange.

It is therefore

ORDERED, that Sully Buttes is designated as an ETC for the Sisseton exchange; and it is

FURTHER ORDERED, that Qwest's request to relinquish its ETC designation and universal service obligations for the Sisseton Exchange is granted.

Dated at Pierre, South Dakota, this 14th day of December, 2000.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Debra Kalbo</u>
Date:	<u>12/14/00</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner