

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

IN THE MATTER OF THE APPLICATION OF)
MIDSTATE TELECOM, INC. FOR APPROVAL)
OF EXTENSION OF TIME OF EXEMPTION)
FROM DEVELOPING COMPANY SPECIFIC)
COST-BASED SWITCHED ACCESS RATES)

ORDER GRANTING
PETITION FOR EXTENSION
AND APPROVAL OF TARIFF

TC02-032

On April 2, 2002, the Public Utilities Commission (Commission) received a petition from Midstate Telecom, Inc. (Midstate) requesting an extension of the one-year exemption from developing company specific cost-based switched access rates for a period of three years, and to approve the current intrastate switched access tariff, and any subsequently filed tariffs, for said three-year period. On April 24, 2001, the Commission had granted Midstate a Certificate of Authority to provide local exchange services and a one-year exemption from establishing company specific cost-based switched access rates.

On April 4, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of April 19, 2002, to interested individuals and entities.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 49-31, specifically 49-31-18 and 49-31-19 and ARSD Chapters 20:10:27 through 20:10:29, inclusive.

On May 9, 2002, at its regularly scheduled meeting, the Commission considered Midstate's request. The Commission voted to grant the extension for exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 for a period of three years from the date of the order and to approve the current intrastate switched access tariff no. 1 pursuant to ARSD 20:10:27:12. It is therefore

ORDERED, that Midstate's petition for an extension to be exempt from establishing company specific cost-based switched access rates is granted and its intrastate switched access tariff no.1 is approved; and it is further

ORDERED, that Midstate shall, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 16th day of May, 2002.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u><i>Aldine Kalbo</i></u></p> <p>Date: <u>5/17/02</u></p> <p>(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner