

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

<b>IN THE MATTER OF THE FILING BY )</b>	<b>ORDER APPROVING</b>
<b>MIDSTATE TELECOM, INC. FOR APPROVAL )</b>	<b>TARIFF</b>
<b>OF REVISIONS TO ITS INTRASTATE )</b>	
<b>SWITCHED ACCESS TARIFF )</b>	<b>TC04-126</b>

On July 2, 2004, the Public Utilities Commission (Commission) received a filing from Midstate Telecom, Inc. (Midstate) for approval of revisions to its Intrastate Switched Access Tariff No. 1. Midstate states that its revised tariff rates are based on a statewide average in accordance with ARSD 20:10:27:12. These rates are an interim rate based on the statewide average of the cost companies developed in Docket TC04-119.

On July 8, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of July 23, 2004, to interested individuals and entities. No comments or petitions to intervene were filed.

On August 17, 2004, the Commission considered Midstate's request for approval of revisions to its Intrastate Switched Access Tariff No. 1. Commission Staff recommended approval of the revised tariff rate subject to refund, with interest, should the final rate be lower than the interim rate. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19 and ARSD 20:10:27:12. The Commission voted to approve the revisions to Midstate's Intrastate Switched Access Tariff No. 1 subject to refund, with interest, should the final rate be lower than the interim rate. It is therefore

ORDERED, that Midstate's revised Intrastate Switched Access Tariff No. 1 is approved subject to refund, with interest, should the final rate be lower than the interim rate.

Dated at Pierre, South Dakota, this 26th day of August, 2004.

<b>CERTIFICATE OF SERVICE</b>
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: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner