

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

IN THE MATTER OF THE PETITIONS OF ) ARMOUR INDEPENDENT TELEPHONE ) COMPANY, BRIDGEWATER-CANISTOTA ) INDEPENDENT TELEPHONE COMPANY, ) GOLDEN WEST TELECOMMUNICATIONS ) COOPERATIVE, INC., KADOKA TELEPHONE ) COMPANY, SIOUX VALLEY TELEPHONE ) COMPANY, UNION TELEPHONE COMPANY ) AND VIVIAN TELEPHONE COMPANY FOR ) ARBITRATION PURSUANT TO THE ) TELECOMMUNICATIONS ACT OF 1966 TO ) RESOLVE ISSUES RELATING TO ) INTERCONNECTION AGREEMENTS WITH ) WWC LICENSE L.L.C. )	ORDER ASSESSING FILING ) FEE; ORDER GRANTING ) MOTIONS FOR ) CONSOLIDATION )  TC06-036 ) TC06-037 ) TC06-038 ) TC06-039 ) TC06-040 ) TC06-041 ) TC06-042 )
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On May 3, 2006, Armour Independent Telephone Company, Bridgewater-Canistota Independent Telephone Company, Golden West Telecommunications Cooperative, Inc., Kadoka Telephone Company, Sioux Valley Telephone Company, Union Telephone Company and Vivian Telephone Company (Companies) filed petitions for arbitration of certain unresolved terms and conditions of proposed Interconnection Agreements between Companies and WWC License L.L.C. (WWC), pursuant to Section 252 of the Telecommunications Act of 1996, SDCL 49-31-81, and ARSD 20:10:32:29. Companies filed a list of unresolved issues consisting of: (1) Is the reciprocal compensation rate for Local Traffic proposed by Companies appropriate pursuant to 47 U.S.C. Section 252(d)(2)? (2) What is the appropriate Percent InterLATA Use factor to be applied to non-local traffic exchanged between the parties? (3) What is the appropriate manner by which the minutes of use of Local Traffic terminated by the parties, one to the other, should be calculated and billed? Companies "respectfully request that the Commission grant the following relief: A. Order arbitration of any unresolved issues between [Companies] and WWC; B. Issue an order directing [Companies] and WWC to submit to the Commission for approval an interconnection agreement reflecting: (i) the agreed-upon language in Exhibit A and (ii) the resolution in this arbitration proceeding of any unresolved issues in accordance with the recommendations made by [Companies] herein, at the hearing on such issues and in Exhibit A; C. Order the parties to pay interim compensation for transport and termination of telecommunications traffic from January 1, 2006 (the Effective Date set forth in Exhibit A) to the date on which the Commission approves the parties' executed interconnection agreement in accordance with Section 252(e) of the Act [footnote omitted]; D. Retain jurisdiction of this arbitration until the parties have submitted an executed interconnection agreement for approval by the Commission in accordance with Section 252(e) of the Act; and E. Take such other and further action as it deems necessary and appropriate." In accordance with ARSD 20:10:32:30, a non-petitioning party may respond to the petition for arbitration and provide additional information within 25 days after the Commission receives the petition. On May 15, 2006, the Commission received Motions for Consolidation from Companies.

At its May 23, 2006, meeting, the Commission considered the assessment of filing fees, setting a procedural schedule and the Motions for Consolidation. The Commission voted to require the parties to make a deposit not to exceed \$75,000.00, pursuant to SDCL 49-31-44. SDCL 49-31-44 authorizes the Commission to require a deposit of up to seventy-five thousand dollars (\$75,000)

in the telecommunications investigation fund to defray Commission expenses incident to analyzing and ruling upon this type of filing. No action was taken on the procedural schedule. The Commission also voted to grant the Motions for Consolidation.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. section 252. The Commission may rely upon any or all of these or other laws of this state in making its determination. It is therefore

ORDERED, that each of the parties shall deposit an initial assessment of \$2,500.00 in the telecommunications investigation fund and shall deposit any additional amounts as requested by the Deputy Executive Director up to the statutory limit of \$75,000.00; and it is further

ORDERED, that the Motions for Consolidation are granted.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of June, 2006.

<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:	<u>Melaine Kaabo</u>
Date:	<u>6/8/06</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner