

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

IN THE MATTER OF THE FILING BY) ORDER GRANTING WAIVER
NORTHEAST NEBRASKA TELEPHONE)
COMPANY FOR A WAIVER OF ARSD §§) TC06-132
20:10:32:52, 20:10:32:53 AND 20:10:32:54)

On August 1, 2006, Northeast Nebraska Telephone Company (Northeast) filed a Petition for a Waiver of ARSD Sections 20:10:32:52, 20:10:32:53 and 20:10:32:54, inclusive. Northeast's study area consists primarily of a geographic area contained within the state of Nebraska. Northeast's service area in South Dakota consists of the North Bristow exchange. North Bristow is the rural portion of an exchange where the larger portion of the exchange and the central office is located in Nebraska. Northeast has no wire centers in South Dakota. Northeast asserts that for companies such as Northeast who have a very small portion of their overall study area in South Dakota, the requirement of certifying the use of universal service fund monies in accordance with the requirements of the newly-adopted ARSD Sections 20:10:32:52, 20:10:32:53 and 20:10:32:54 is unduly burdensome and unnecessary for the Commission to certify that Northeast is using federal high cost support for its intended purposes. Because its study area is largely contained within the state of Nebraska and because it will comply with the Nebraska Public Service Commission requirements for ETC certification, Northeast requests that it be allowed to file a copy of its Nebraska ETC certification with the SDPUC; and that the SDPUC accept such filings as sufficient to make the determination as to include Northeast on the list of certified carriers it provides to the FCC and USAC on or before October 1 of each year.

On August 3, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of August 25, 2006, to interested individuals and entities. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254.

On September 12, 2006, at its regularly scheduled meeting, the Commission considered this matter. Commission Staff had no objection to granting the waiver. The Commission voted to grant a waiver of ARSD Sections 20:10:32:52, 20:10:32:53 and 20:10:32:54, finding that compliance is unduly burdensome and unnecessary. It is therefore

ORDERED, that the request for a waiver of ARSD Sections 20:10:32:52, 20:10:32:53 and 20:10:32:54 is hereby granted.

Dated at Pierre, South Dakota, this 26th day of September, 2006.

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><i>William Kelbo</i></u>
Date: <u>9/26/06</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