

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

<b>IN THE MATTER OF THE PETITION OF )</b>	<b>ORDER ASSESSING FILING</b>
<b>VENTURE COMMUNICATIONS COOPERATIVE )</b>	<b>FEE</b>
<b>FOR ARBITRATION PURSUANT TO THE )</b>	
<b>TELECOMMUNICATIONS ACT OF 1996 TO )</b>	<b>TC06-159</b>
<b>RESOLVE ISSUES RELATING TO AN )</b>	
<b>INTERCONNECTION AGREEMENT WITH )</b>	
<b>ALLTEL COMMUNICATIONS, INC. )</b>	

On September 14, 2006, Venture Communications Cooperative (Venture) filed a petition for arbitration of certain unresolved terms and conditions of a proposed Interconnection Agreement between Venture and Alltel Communications, Inc. (Alltel), pursuant to Section 252 of the Telecommunications Act of 1934, as amended (the Act) (47 U.S.C. Section 252), SDCL 49-31-81, and ARSD 20:10:32:29. Venture filed a list of unresolved issues consisting of: (1) the definition of InterMTA Tariff, (2) the definition of Third Party Provider, (3) the definition of Wireline Local Calling Area, (4) ISP bound traffic, (5) Resale of Service, (6) concerning interconnection facilities between the Parties, (7) SS7 Messages, (8) concerning land to mobile traffic-direct interconnection, (9) Dialing Parity, (10) Telecommunications Traffic, (11) InterMTA Traffic, (12) Venture Provided Direct Interconnection Facilities, (13) Bill and Keep, (14) Billing and Payment, (15) Regulatory Approval, and (16) Rates and Factors. Venture "respectfully requests that the Commission grant the following relief: 1. Order arbitration of the unresolved issues identified in this Petition between Venture and Alltel; 2. Issue an order directing Venture and Alltel to submit to the Commission for approval an interconnection agreement reflecting: (i) the agreed upon language in Exhibit 1 and (ii) the resolution in this arbitration proceeding of the unresolved issues in accordance with the recommendations made by Venture herein, at the hearing on such issues, and in Exhibit 1; 3. 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 1) to the date on which the Commission approves the Parties' executed Agreement in accordance with Section 252(e) of the Act; 4. Retain jurisdiction of this arbitration until the Parties have submitted an executed interconnection agreement for approval by the Commission; and 5. 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.

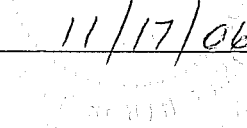
On October 6, 2006, the Commission received a Petition to Intervene from South Dakota Telecommunications Association (SDTA). On October 10, 2006, the Commission received a Response of Alltel Communications, Inc. to Petition for Arbitration of Venture Communications Cooperative. At its regularly scheduled meeting of October 19, 2006, the Commission granted intervention to SDTA, subject to restrictions as agreed to by SDTA and WWC. On October 27, 2006, the Commission received a Request to Use Office of Hearing Examiners pursuant to SDCL § 1-26-18.3 from WWC. On October 31, 2006, the Commission received an Opposition to Request of Alltel Communications, Inc. to Use the Office of Hearing Examiners from Venture.

At its October 31, 2006, meeting, the Commission considered the assessment of filing fees. 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. The Request to use the Office of Hearing Examiners was deferred.

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.

Dated at Pierre, South Dakota, this 17<sup>th</sup> day of November, 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>Delaine Kelbo</u>
Date:	<u>11/17/06</u>
 (OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Dustin M. Johnson  
DUSTIN M. JOHNSON, Commissioner *sk*

Gary Hanson  
GARY HANSON, Commissioner