

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

IN THE MATTER OF THE PETITION OF)	ORDER GRANTING MOTION
BROOKINGS MUNICIPAL UTILITIES D/B/A)	
SWIFTEL COMMUNICATIONS FOR)	TC08-103
APPROVAL OF A PARTIAL RELINQUISHMENT)	
OF ITS DESIGNATION AS AN ELIGIBLE)	
TELECOMMUNICATIONS CARRIER)	
)	

On August 11, 2008, the Public Utilities Commission (Commission) received a Petition to Partially Relinquish its Designation as an Eligible Telecommunications Carrier (ETC) from Brookings Municipal Utilities d/b/a Swiftel Communications (Swiftel). Swiftel explained that it has provided the services required of a designated ETC through an agreement with Sprint. The agreement with Sprint will expire in March 2009. Swiftel stated that it "has agreed to assign to Crossroads Wireless, Inc. (Crossroads) a substantial portion of its FCC licenses, wireless system and related assets, since Crossroads desires to provide comparable wireless services following the expiration of the Sprint affiliation arrangement." Swiftel further stated that it will "maintain its wireless operations in portions of Brookings County, South Dakota, since this county includes Swiftel's certificated telephone service area and the immediately surrounding rural communities." Swiftel requests, therefore, to amend the scope of its ETC designation so as to exclude the areas it will no longer serve, which are described on the attached Exhibits A and B. On September 24, 2008, the Commission received a Supplement to Petition to Partially Relinquish its Designation as an Eligible Telecommunications Carrier from Swiftel.

On August 14, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of August 29, 2008, to interested individuals and entities. No petitions to intervene or comments were filed.

At its regularly scheduled meeting on September 9, 2008, the Commission voted unanimously to approve the Petition to Partially Relinquish its Designation as an Eligible Telecommunications Carrier for the areas described on Exhibits A and B. Swiftel requested that the relinquishment be effective when the transaction with Crossroads was completed. On August 7, 2009, the Commission received a Motion from Swiftel requesting that the Commission issue an order finding that Swiftel's transaction with Crossroads was not completed and therefore, Swiftel's ETC designation has not been partially relinquished.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically SDCL 49-31-78.

At its regularly scheduled meeting on October 6, 2009, the Commission considered the Motion. Staff recommended granting the Motion. The Commission voted unanimously to grant the Motion and found that Swiftel's transaction with Crossroads was not completed and therefore, Swiftel's ETC designation has not been partially relinquished. It is therefore

ORDERED, that the Motion is hereby granted, that Swiftel's transaction with Crossroads was not completed and therefore Swiftel's ETC designation has not been partially relinquished.

Dated at Pierre, South Dakota, this 15th day of October, 2009.

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>Arlaine Koeb</i></u>
Date: <u>10/15/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman *dk*

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner