

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

IN THE MATTER OF THE APPLICATION OF) MIDCONTINENT COMMUNICATIONS FOR AN) AMENDED CERTIFICATE OF AUTHORITY) AND FOR A WAIVER OF ARSD 20:10:32:15)))	ORDER GRANTING AMENDED CERTIFICATE OF AUTHORITY AND GRANTING WAIVER TC15-063
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On August 18, 2015, the Public Utilities Commission (Commission) received a filing from Midcontinent Communications (Midcontinent) for an Application for an Amended Certificate of Authority, seeking to provide competitive local exchange services in the exchange areas of Bowdle and Roslyn. Midcontinent also filed an Application for Waiver of ARSD 20:10:32:15.

On August 20, 2015, the Commission electronically transmitted notice of the filing and the intervention deadline of September 4, 2015, to interested individuals and entities. On September 4, 2015, the South Dakota Telecommunications Association (SDTA) and Venture Communications Cooperative (Venture) each filed a Petition to Intervene. At the September 15, 2015, Commission meeting, the Commission granted SDTA and Venture intervention. On September 23, 2015, and October 5, 2015, Midcontinent responded to staff's first and second data requests. On October 13, 2015, Midcontinent filed an application for an amended certificate of authority to provide local exchange service in Bowdle and Roslyn, as well as Selby, Java, and Roscoe. At that time, Midcontinent also submitted an amended request for interconnection with Venture.

At its December 8, 2015, meeting, the Commission considered this matter. The parties stated they were working on a stipulation so action was deferred. On December 9, 2015, Midcontinent, SDTA, and Venture filed a Stipulation for Partial Settlement.

At an ad hoc meeting on December 10, 2015, the Commission considered the request for an Amended Certificate of Authority. The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:32:03. The Commission voted unanimously to grant the waiver of ARSD 20:10:32:15 and approve the Amended Certificate of Authority. The Commission finds that Midcontinent has met the legal requirements established for the granting of an Amended Certificate of Authority. The Commission finds that Midcontinent has met the requirements of ARSD 20:10:32:18 to grant the waiver of ARSD 20:10:32:15. The Commission also approved the Stipulation for Partial Settlement and this stipulation is incorporated herein by reference. As the Commission's final decision in this matter, it is therefore

ORDERED, that the Stipulation for Partial Settlement is approved; it is further

ORDERED, that Midcontinent Communications' requested waiver of ARSD 20:10:32:15 is granted; it is further

ORDERED, that Midcontinent Communications' request for an Amended Certificate of Authority is granted.

Dated at Pierre, South Dakota, this 14th day of December, 2015.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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, electronically or by mail.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>12/14/2015</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner