BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF MIDSTATE TELECOM FOR APPROVAL OF ITS COST BASED SWITCHED ACCESS RATES AND FOR A PHASE-IN	))))))	**ORDER GRANTING MOTION TO WITHDRAW PETITION, DISMISSING AND CLOSING DOCKET** **TC12-133**

On September 10, 2012, the South Dakota Public Utilities Commission (Commission) received a Petition from Midstate Telecom, Inc. (Midstate) for approval of its new intrastate switched access rates. Per ARSD 20:10:27:02.02, Midstate requested the Commission approve a higher rate than allowed under ARSD 20:10:27:02.01 and filed a cost study in support of the higher rate. Midstate also requested a phase-in period in which their current rate would be approved until March 10, 2013, after which the requested rate would go into effect. On September 13, 2012, the Commission electronically transmitted notice of the Petition and the intervention deadline of September 28, 2012, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On October 29, 2012, intervention was granted to AT&T Communications of the Midwest, Inc. On November 3, 2016, Midstate filed a Motion to Withdraw Petition.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1A, and 49-31 and ARSD 20:10:01, and 20:10:27 through 20:10:29, inclusive.

At its regularly scheduled meeting of November 22, 2016, the Commission considered this matter. Finding that all the parties were in agreement that the Petition may be withdrawn and the docket dismissed and closed, the Commission voted unanimously to grant Midstate's Motion to Withdraw Petition and to dismiss and close the docket. It is therefore

ORDERED, that Midstate's Motion to Withdraw Petition and dismiss and close the docket is hereby granted.

Dated at Pierre, South Dakota, this 28th day of November, 2016.

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, electronically or by mail.

By: Adam Dethlefs

Date: 11/28/16

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

CHRIS NELSON, Chairman

KRISTIE FIEGEN, Commissioner

GARY HANSON, Commissioner