

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

**IN THE MATTER OF THE PETITION FOR A)
DECLARATORY RULING BY DEPARTMENT OF)
PUBLIC SAFETY/911 COORDINATION BOARD)
REGARDING DETERMINING RESPONSIBILITY)
FOR RURAL CARRIER INTERCONNECTION TO)
THE NEXT GENERATION 9-1-1 SYSTEM)**

**ORDER GRANTING WAIVER
OF DEADLINE AND SETTING
PROCEDURAL SCHEDULE**

TC17-063

On October 27, 2017, the South Dakota Public Utilities Commission (Commission) received a Petition for a Declaratory Ruling from the South Dakota Department of Public Safety 911 Coordination Board (911 Coordination Board) to resolve the following issue: Whether it is NextGen Communications, Inc. (NextGen) or the rural carriers comprising South Dakota Telecommunications Association (SDTA) that has the responsibility to transport 911 traffic between the rural carriers' service areas and NextGen's centralized points of interconnection.

On November 2, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline November 17, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On October 30, 2017, NextGen and SDTA each filed a petition to intervene. On November 9, 2017, South Dakota Network, LLC (SDN) filed a petition to intervene in the docket. On November 15, 2017, the Commission issued an Order Granting Intervention to NextGen and SDTA. On November 17, 2017, the 911 Coordination Board filed a Waiver of Sixty Day Deadline pursuant to ARSD 20:10:01:35. The waiver is predicated upon agreement of all parties to a proposed procedural schedule. On November 27, 2017, the Commission issued an Order Granting Intervention to SDN.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05, 20:10:01:34, and 20:10:01:35. The Commission may rely upon any or all of these or other laws of this state in making its determination.

At its regularly scheduled meeting on December 5, 2017, the Commission considered this matter. Finding that the waiver request and procedural schedule was acceptable to all parties, the Commission voted unanimously to grant the Waiver of Sixty Day Deadline and to set the procedural schedule as proposed. It is therefore

ORDERED, that the Waiver of Sixty Day Deadline is hereby granted. It is further

ORDERED, that all submissions on the Petition for Declaratory Ruling shall be filed by December 19, 2017, and all responses to the submissions shall be filed by January 16, 2018.

Dated at Pierre, South Dakota, this 12th day of December, 2017.

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: <u>Adam de Hueck</u>
Date: <u>12/12/17</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner