

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

<b>IN THE MATTER OF THE PETITION BY THE ) DEPARTMENT OF PUBLIC SAFETY/9-1-1 ) COORDINATION BOARD FOR DECLARATORY ) RULING DETERMINING COMPETITIVE LOCAL ) EXCHANGE CARRIER PROCESSES FOR ) REQUESTING 9-1-1 TRAFFIC DELIVERY FROM ) RURAL LOCAL EXCHANGE CARRIERS )</b>	<b>ORDER GRANTING INTERVENTION; ORDER ESTABLISHING PROCEDURAL SCHEDULE  TC18-013</b>
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On May 11, 2018, the South Dakota Public Utilities Commission (Commission) received a Petition for Declaratory Ruling from the South Dakota Department of Public Safety, 911 Coordination Board, to resolve the following issue: Does South Dakota law require bona fide requests as a prerequisite to determining if rural local exchange carrier (RLEC) exemptions do or do not apply when a competitive local exchange carrier (CLEC) is requesting delivery of 9-1-1 traffic from an RLEC, assuming voluntary agreements are not feasible?

On May 17, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline June 1, 2018, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On May 31, 2018, the South Dakota Telecommunications Association (SDTA) filed a Petition to Intervene in the docket. On June 1, 2018, NextGen Communications, Inc. (NextGen) filed a Petition to Intervene in the docket. On June 1, 2018, South Dakota Network, LLC filed comments. On June 11, 2018, Commission staff filed a letter in the docket requesting the Commission establish a procedural schedule.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.02, 20:10:01:15.03, 20:10:01:15.05, 20:10:01:34, and 20:10:01:35.

At its June 12, 2018, meeting, the Commission considered the petitions to intervene and the Request for a procedural schedule. No party objected to the interventions. The Commission found that the petitions to intervene demonstrated good cause to grant intervention and voted unanimously to grant intervention to SDTA and NextGen. The Commission voted unanimously to establish the following procedural schedule:

Initial Comments due by all Parties:	June 18, 2018
Reply Comments due by all Parties:	June 22, 2018 by 12:00 p.m.
Commission Decision:	June 26, 2018

It is therefore

ORDERED, that the Petition to Intervene of SDTA is hereby granted. It is further  
ORDERED, that the Petition to Intervene of NextGen is hereby granted. It is further  
ORDERED, that the above procedural schedule is established for this proceeding.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of June 2018.

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: Karen E. Bremer

Date: 06/18/18

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiogen  
KRISTIE FIEGEN, Chairperson

Gary Hanson  
GARY HANSON, Commissioner

Chris Nelson  
CHRIS NELSON, Commissioner