

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

<b>IN THE MATTER OF THE REQUEST OF ) CITIZENS TELECOMMUNICATIONS COMPANY ) OF MINNESOTA, LLC FOR CERTIFICATION ) REGARDING ITS USE OF FEDERAL ) UNIVERSAL SERVICE SUPPORT (STUDY AREA ) 361123) )</b>	<b>ORDER DENYING WAIVER; ORDER DENYING CERTIFICATION  TC20-021</b>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------

On June 24, 2020, the South Dakota Public Utilities Commission (Commission) received a filing from Citizens Telecommunications Company of Minnesota, LLC (Company) regarding its request for certification regarding its use of federal universal service support. The Company is also requesting the Commission grant a waiver of the Commission's ETC filing requirements pursuant to ARSD 20:10:32:56, on grounds that the reporting requirements in support of ETC certification are unduly burdensome and unnecessary. The purpose of this filing was to provide information constituting the Company's plan for the use of its federal universal service support and to otherwise verify that the Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. Pursuant to 47 C.F.R. § 54.314(a), in order for an eligible telecommunications carrier (ETC) to receive support pursuant to the Federal Communications Commission's (FCC's) high-cost program, a state must file an annual certification with the Universal Service Administrative Company (USAC) and the FCC stating that all federal high-cost support provided to the ETC "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended."

On June 25, 2020, the Commission electronically transmitted notice of the filing and the intervention deadline of July 10, 2020, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No parties sought intervention. On July 6 and July 16, 2020, the Company responded to Commission staff's data requests.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 U.S.C. § 254.

At its regularly scheduled meeting of August 4, 2020, the Commission considered this matter. The Commission finds that Citizens failed to show, for the South Dakota portion of the Jasper study area, that all federal high-cost support provided to it was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to deny the Company's request for a waiver and deny the request for certification.

It is therefore

ORDERED, that a waiver pursuant to ARSD 20:10:32:56 is hereby denied. It is further

ORDERED, that the Company's request for certification is hereby denied.

Dated at Pierre, South Dakota, this 6th day of August 2020.

<p><b>CERTIFICATE OF SERVICE</b></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>Karon E. Cremer</u></p> <p>Date: <u>8/06/20</u></p> <p>(OFFICIAL SEAL)</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner