



*Advocating for South Dakota's Rural Broadband Providers*

November 15, 2019

Ms. Patty Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Ave.  
State Capitol Building  
Pierre, SD 57501

**RE: Docket TC19-048 (In the Matter of the Application of Standard Tandem, LLC for a Certificate of Authority to Provide Local Exchange and Interexchange Long Distance Services)**

Dear Ms. Van Gerpen:

Enclosed for filing in the above referenced docket you will find the electronic original of a "SDTA Petition to Intervene."

As is evidenced by the Certificate of Service attached to the Petition, service has been made to representatives of Standard Tandem, LLC.

Thank you for your assistance in filing and distributing copies of this Petition.

Sincerely,

Richard D. Coit  
SDTA Executive Director and General Counsel

CC: Service List

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

**IN THE MATTER OF THE APPLICATION OF )  
STANDARD TANDEM, LLC FOR A CERTIFICATE )  
OF AUTHORITY TO PROVIDE LOCAL EXCHANGE ) Docket No. TC19-048  
AND INTEREXCHANGE LONG DISTANCE SERVICES )  
IN SOUTH DAKOTA )**

**SDTA Petition to Intervene**

The South Dakota Telecommunications Association ("SDTA") hereby petitions the Commission for intervention in the above captioned proceeding pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, SDTA states as follows:

1. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. On or about October 30, 2019 Standard Tandem (LLC) (hereinafter referenced as "Standard Tandem") filed an Application with the Commission, pursuant to the provisions of ARSD § 20:10:32:03 and 20:10:24:02 seeking authority to "provide local exchange services and interexchange long distance services in the state of South Dakota." Standard Tandem states in its Application that it "proposes to offer wholesale and retail competitive telecommunications service, including local exchange, interexchange, and exchange access services, within the State of South Dakota using its own facilities and services available from other facilities-based carriers." Standard Tandem also generally indicates that it will provide its "services to business customers." (Application par. 8).

3. All of the SDTA member companies operate as “rural telephone companies” for purposes of the Federal Telecommunications Act of 1996 and also the state laws enacted in 1998 addressing local exchange competition (SDCL § 39-31-69, et. seq.).

4. SDTA files this Petition to Intervene based on a concern that while the Application includes a statement that it excludes those areas served by rural telephone companies, other information provided by the Application suggest that the company may in fact have an intention to provide certain local exchange services statewide. Standard Tandem is clearly a competitive tandem service provider and specifically indicates in its Application that it proposes to offer local exchange services including “exchange access services.” “Exchange access” is defined by 47 U.S.C. § 151(16) as the “offering of access to telephone exchange services or facilities for the purpose of the origination or termination of telephone toll services.”

5. Standard Tandem is seeking within its Application some flexibility from the Commission regarding the designation of its South Dakota service area -- requesting in paragraph (9) that it be exempted from the requirement to provide a service area map as part of its filing. The company merely indicates generally that its “service areas and exchanges will mirror those established of its underlying carrier.” And, that it “concur in the service maps of those carriers, as currently filed with the Commission and as subsequently redefined.” Further, notably, Standard Tandem elsewhere in its Application indicates that it plans to enter into interconnection agreements with not just CenturyLink QC (Qwest), but also other “certificated LECs.” As a proposed provider of wholesale exchange access services it is reasonable to expect that Standard Tandem, depending on its customer base, may require interconnection directly or indirectly into certain rural telephone company local exchanges and that access into such areas for either traffic

origination or termination may involve the provisioning of exchange access services within these exchange areas. Additional information or further clarification is needed from Standard Tandem before it can fairly be assumed that this is not the case.

It may be that Standard Tandem does not plan to compete directly with rural telephone companies to provide retail end user local exchange services, but at this time insufficient information is provided regarding the company's plans to provide wholesale exchange access services. More information is necessary to gauge the span or reach of Standard Tandem's telecommunications facilities into the public switched network and to determine whether or not its facilities would be used for the provision of "exchange access" services within rural telephone company service areas. Further, the Application fails to draw a clear picture as to how network facility and telecommunications service responsibilities would actually be divided between Standard Tandem, as a wholesale provider, and its exchange access, carrier customers.

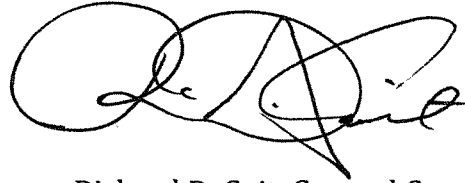
6. Given the above, all the SDTA member local exchange carriers (LECs) have an interest in and stand to be impacted by this proceeding. SDTA seeks intervention herein based on the individual interests of each of its member ILECs and based on their common interests to ensure that the rural safeguard provisions contained in federal and state laws are properly considered and applied.

7. Also, if Standard Tandem is seeking statewide authority to offer local exchange services, the provisions of SDCL § 49-31-70 and ARSD 20:10:32:04 are applicable and require that notice of the Application be provided to other, already certified local exchange carriers. It is SDTA's understanding that Standard Tandem has not yet complied with this requirement.

8. Based on the foregoing, SDTA is an interested party in this matter and seeks intervening party status.

Dated this ~~5th~~ day of November, 2019.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Richard D. Coit". The signature is stylized with large loops and a prominent "C" at the beginning.

Richard D. Coit, General Counsel  
SD Telecommunications Association  
P.O. Box 57  
Pierre, SD 57501  
(605) 224-7629

**CERTIFICATE OF SERVICE**

I hereby certify that an original of the Petition for Intervention, dated November 14, 2019, filed in PUC Docket TC19-048, was served upon the PUC electronically, directed to the attention of:

Ms. Patty Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501  
[patty.vangerpen@state.sd.us](mailto:patty.vangerpen@state.sd.us)

A copy premise was also sent by e-mail and/or US Postal Service First Class mail to each of the following individuals:

Ms. Amanda Reiss, Staff Attorney  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[amanda.reiss@state.sd.us](mailto:amanda.reiss@state.sd.us)

Ms. Lorena Reichert, Staff Analyst  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[lorena.reichert@state.sd.us](mailto:lorena.reichert@state.sd.us)

Mr. Carey Roesel - Representing: Standard Tandem, LLC  
Inteserra Consulting Group  
Ste. 450  
151 Southhall Lane  
Maitland, FL 32751  
[croesel@inteserra.com](mailto:croesel@inteserra.com)

Mr. David Erickson, President  
Standard Tandem LLC  
4300 E. Pacific Coast Highway  
Long Beach, CA 90801  
[regulatory@standardtandem.com](mailto:regulatory@standardtandem.com)

Dated this 15<sup>th</sup> day of November, 2019.



Richard D. Coit, General Counsel SDTA  
PO Box 57  
320 East Capitol Avenue  
Pierre, SD 57501-0057