

MINNEHAHA COUNTY
OFFICE OF THE STATE'S ATTORNEY

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NOV 15 2002

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

November 14, 2002

Ms. Debra Elofson, Executive Director
Public Utilities Commission
State Capitol Building
Pierre, South Dakota 57501

RE: Petition for Intervention in Qwest Tariff proceedings TC02-174

Dear Ms. Elofson:

Enclosed please find the original and 10 copies of the Petition to Intervene in the Qwest Tariff filing TC02-174. This Petition is filed on behalf of Minnehaha County and the City of Sioux Falls. By copy of this letter, I have served a copy of the Petition for Intervention upon Jeff Carmon, Qwest Manager-Policy & Law as shown on the attached certificate of service. If you have any questions please feel free to contact either Shawn Tornow from the Sioux Falls City Attorney's Office or myself.

Thank you for you consideration in this matter.

Sincerely,



Gary F. Colwill

cc: Jeff Carmon
Ken McFarland
Shawn Tornow

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PROCEEDINGS BEFORE

THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

FILING No. TC02-174

**IN THE MATTER OF THE FILING OF
BY QWEST CORPORATION FOR
APPROVAL OF REVISIONS TO ITS
EXCHANGE AND NETWORK
SERVICES TARIFF**

**PETITION FOR INTERVENTION BY
MINNEHAHA COUNTY, SOUTH
DAKOTA AND THE CITY OF SIOUX
FALLS, SOUTH DAKOTA**

COMES NOW, Minnehaha County, South Dakota and the City of Sioux Falls, South Dakota, and said entities hereby respectfully petition the South Dakota Public Utilities Commission for permission to intervene in the above proceedings, upon the following grounds and for the following reasons:

1. Petitioners jointly administer and fund a Public Safety Access Point (i.e., Metro Communications) located at the County's Public Safety Building in Sioux Falls, South Dakota.
2. As a result of a duly authorized joint powers agreement between the named Petitioners herein, Metro Communications is organized as an agency of Minnehaha County, but is managed by the Metro Council which is composed of the Mayor of the City of Sioux Falls, an appointed Minnehaha County Commissioner, and a citizen of the County jointly appointed by the Mayor and the Minnehaha County Commission.
3. Metro Communications is funded by allocation of the 911 surcharge authorized by state statute and by additional funding provided by each Petitioner. Additional funding comes from the general fund revenues of each Petitioner. The total of said funding for Metro Communications by the Sioux Falls/Minnehaha County taxpayers amounts to approximately \$2,500,000 per year.
4. Petitioners therefore have a direct and pecuniary interest in the proposed tariff proceedings since the tariff amendment proposals would allocate fees and charges for the implementation of Phase I Wireless to Metro Communication in a manner which may be inconsistent with

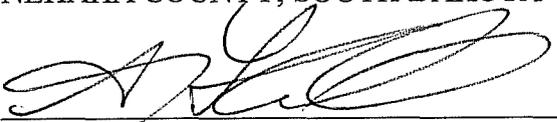
applicable Federal Communications Commission rulings and guidelines. This would result in additional significant charges to Metro Communications.

5. Petitioners have information which they in good faith believe relates to the advisability and/or inappropriateness of the proposed tariff amendments which should be presented in said proceedings. Without the involvement of Petitioners in these proceedings, there is no assurance that such information will be presented or given proper consideration.

WHEREFORE, Petitioners respectfully request that they be allowed to intervene in these proceedings.

Dated this 13th day of November, 2002.

MINNEHAHA COUNTY, SOUTH DAKOTA

By: 

Gary F. Colwill
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CITY OF SIOUX FALLS, SOUTH DAKOTA

By: 

R. Shawn Tornow
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CERTIFICATE OF SERVICE

The undersigned, attorney for applicant Minnehaha County, South Dakota, hereby certifies that on the ~~14~~¹⁵ day of November, 2002, he caused a true and correct copy of the above and foregoing Petition to Intervene to be served upon Jeff Carmon, Manager-Policy & Law, Qwest Corporation, 125 South Dakota Avenue, Sioux Falls, South Dakota 57194, by placing the same in the United States mail, first class, postage prepaid, to the above named party at the above address.



Gary F. Colwill

Minnehaha County Deputy State's Attorney