

TC05-060

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April 26, 2005

RECEIVED

APR 27 2005

Pamela Bonrud, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: Midstate Telecom, Inc.
Our File Number 05-072

Dear Pam:

Enclosed herein please find original and ten copies of the REQUEST FOR EXTENSION OF TIME OF EXEMPTION FROM DEVELOPING COMPANY SPECIFIC COST-BASED SWITCHED ACCESS RATES.

Sincerely yours,


Darla Pollman Rogers
Attorney at Law

DPR/ph

Enclosures

CC: Mark D. Benton (with enclosure)

RECEIVED

APR 27 2005

SOUTH DAKOTA
UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE
APPLICATION OF MIDSTATE
TELECOM, INC., FOR APPROVAL OF
EXTENSION OF TIME OF EXEMPTION
FROM DEVELOPING COMPANY
SPECIFIC COST-BASED SWITCHED
ACCESS RATES

DOCKET NUMBER _____
REQUEST FOR EXTENSION OF TIME
OF EXEMPTION FROM DEVELOPING
COMPANY SPECIFIC COST-BASED
SWITCHED ACCESS RATES

COMES NOW Midstate Telecom, Inc. (Midstate), by and through its attorney, Darla Pollman Rogers, of Riter, Rogers, Wattier & Brown, LLP, Pierre, South Dakota 57501, and requests the South Dakota Public Utilities Commission (Commission) for an extension of its three-year exemption from developing company specific cost-based switched access rates granted by the Commission in its Order dated May 16, 2002. This Motion is based on the following:

1. Midstate filed an Application for a Certificate of Authority to provide telephone services in the Qwest service areas, and particularly in the City of Chamberlain, South Dakota, on January 18, 2001. Within said Application, Midstate requested an exemption from the requirement to develop intrastate switched access rates based on company-specific costs, as such costs were unknown at the time.

2. On April 24, 2001, the Commission granted Midstate a Certificate of Authority to provide local exchange services, and the Commission also granted Midstate a one-year exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11. The Commission approved Midstate's intrastate switched access Tariff No. 1 pursuant to ARSD 20:10:27:12.

3. On April 2, 2002, Midstate filed a Motion for Extension of the one-year waiver from developing company specific cost-based switched access rates. This Motion was based on the fact that due to various other business decisions, Midstate did not offer services to customers in Chamberlain until the end of April of 2002; therefore, Midstate did not have the data upon which to develop company specific cost-based switched access rates.

4. On May 16, 2002, the Commission granted Midstate an extension of the exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 for a period of three years, and approved the current intrastate switched access Tariff No. 1.

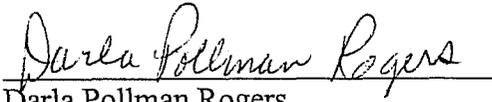
5. In its Order dated May 16, 2002, the Commission further ordered that "Midstate shall, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates." (Order TC02-032).

6. Pursuant to said Order, Midstate requests to continue the exemption from developing company specific cost-based switched access rates for a period of three years, and for the Commission to approve the current intrastate switched access Tariff No. 1 for that time period.

7. Midstate's business is still evolving and growing, which makes it difficult to establish a normal year upon which to develop company specific costs. Midstate started offering services in Oacoma just over one year ago. Producing a cost study is costly and consumes a great deal of resources. Midstate does not seek an increase in access rates above the current intrastate switched access Tariff No. 1 at this time.

WHEREFORE, Midstate requests the Commission to continue the exemption from developing company specific cost-based switched access rates for a period of three years, and for the Commission to approve the current intrastate switched access Tariff No. 1 for said three years.

DATED this twenty-sixth day of April, 2005.



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