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**From:** Allen Beyers [mailto:abeyers3@abe.midco.net]

**Sent:** Wednesday, March 07, 2012 8:56 AM

**To:** Van Gerpen, Patty

**Subject:** PUC hearing

Ms. VanGerpen,

I would encourage the commission to hear this case. I do not know if the SDPUC regulates television or internet services or not but there can be no argument as to whether those services are considered telecommunications, because they clearly are. It is hard to find a definition that does not specifically talk about television as an example of telecommunications. This is not a question of regulating content but rather how they place their transmission facilities, which the law makes painfully clear need to be 18' above a roadway. Midco cannot circumvent the rules just because they think they are not subject to them. Once they place telecommunications facilities over a roadway they are bound by the statute. If the intent of the law was to exclude them, then there would or should be wording as to what height television and internet telecommunications facilities should be. A visitor from a foreign country cannot legally urinate in the streets of America just because he is allowed to do so where he is from. Once he sets foot on our soil he becomes subject to our laws. Midco should be subject to our laws as well.

Please refer to the attachment that has a few definitions that I found immediately upon searching for the definition of telecommunications.

Thank you.

Allen Beyers