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## STAFF MEMORANDUM

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**To:** Commissioners and Advisors  
**From:** Brian Rounds  
**RE:** Delegation of Authority to Certify Study Area Boundary Changes

March 7, 2014

On June 18, 2013, the Commission approved a set of study area boundaries, and on June 25, 2013, Commission Staff (Staff) filed those boundaries with the FCC. Since then, Staff has worked with the FCC and affected ILECs to correct small errors in the data. A copy of the most recent study area boundaries can be seen on the Commission's website<sup>1</sup>. Additionally, Staff intends to work with ILECs to continue attaching boundaries to geographical features.

At the time of last year's approval, Staff's understanding was that the FCC would take annual updates of study area boundary data. With that in mind, Staff hoped to have all geographical boundaries attached to geographical features for the commission's approval this summer. However, the FCC's final approval of the initial dataset has taken longer than expected (submissions are being accepted until March 17, 2014), and the FCC recently clarified how it would like to receive updates to the boundaries going forward.

On January 9, 2014, the FCC released an Order<sup>2</sup> clarifying the certification process, which included the following paragraphs:

5. *We applaud the ILECs and state commissions that have "diligently embraced" the review of the online map and the boundary reconciliation process, and encourage parties to complete this process as quickly as possible. To that end, we will rely on the certified boundaries submitted by March 17, 2014, or, in the absence of such data, on certified boundaries already submitted by ILECs and state commissions earlier in 2013. Furthermore, filers are required to review and recertify their study area boundary data every two years and must provide updated data when study area boundaries change.*
6. *As specified in the Study Area Boundary Order, ILECs and states are required to submit updated data by March 15 of each year showing any changes to their study area boundaries made as of December 31 of the previous year. The initial deadline to file updates in accordance with this requirement is March 17, 2014 (because March 15 falls on a Saturday), which coincides with the aforementioned extended deadline for submitting revised study area boundary data in response to the online map published in December 2013. Therefore, all parties whose study area boundaries have changed, whether in response to resolving overlaps and voids or to other factors, should submit and certify revised data by March 17, 2014.*

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<sup>1</sup> <http://arccgis.sd.gov/server/PUC/Telco/>

<sup>2</sup> [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2014/db0109/DA-14-28A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0109/DA-14-28A1.pdf)

Given the recent order, Staff would prefer to certify and file updates with the FCC as we work with ILECs on attaching boundaries to geographical features. However, requesting commission approval of each update would be administratively burdensome. Instead, Staff requests the Commission delegate the authority to certify the study area boundaries with the following exceptions:

- 1) The Commission will certify the study area boundaries biannually. Commission Staff will file the most recent set of study area boundaries every other year, beginning October 1<sup>st</sup> of 2015, for the Commission's approval by December 31<sup>st</sup> of that year; and
- 2) If any ILEC disputes Staff's authority in this matter, they may petition the Commission for relief.