

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

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| IN THE MATTER OF THE ESTABLISHMENT OF) SWITCHED ACCESS REVENUE) REQUIREMENT FOR CHEYENNE RIVER) SIOUX TRIBE TELEPHONE AUTHORITY) | ORDER DENYING INTERVENTION TC04-104 |
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On June 22, 2004, Cheyenne River Sioux Tribe Telephone Authority (CRSTTA) filed for approval by the Public Utilities Commission (Commission) its 2003 Intrastate Switched Access Cost Study. On July 26, 2004, CRSTTA filed an amended 2003 Intrastate Switched Access Cost Study. On June 13, 2005, CRSTTA filed to include uncollectibles in its 2003 Study.

On June 24, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of July 9, 2004, to interested individuals and entities. On October 20, 2004, the Commission received a Memorandum from Harlan Best, Staff Analyst. On August 31, 2005, the Commission received Petitions to Intervene from MCImetro Access Transmission Services, LLC (MCI) and Midcontinent Communications (Midcontinent). On September 14, 2005, the Commission received a Petition to Intervene from AT&T Communications of the Midwest, Inc. (AT&T). On September 14 and 15, 2005, the Commission received Updated Memorandums from Harlan Best. On September 16, 2005, the Commission received Joint Answers of LECs to MCI and Midcontinent's Petitions to Intervene. On September 23, 2005, the Commission received a Joint Answer of CRST and Alliance to AT&T's Petitions to Intervene. On September 26, 2005, the Commission received Staff's Response to MCI, Midcontinent and AT&T's Petitions to Intervene.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26-17.1, 49-1A-9, 49-31-12.6, 49-31-18, 49-31-19 and ARSD 20:10:01:15.02, 20:10:01:15.05, 20:10:27:07 and 20:10:27:08.

At a regularly scheduled meeting of September 27, 2005, the Commission found that the Petitions to Intervene were not timely filed. It is therefore

ORDERED, that the Petitions to Intervene of MCI, Midcontinent and AT&T are hereby denied.

Dated at Pierre, South Dakota, this 4th day of October, 2005.

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| CERTIFICATE OF SERVICE |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon. |
| By: <u>Melaine Kalbo</u> |
| Date: <u>10/5/05</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Robert K. Sahr
ROBERT K. SAHR, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner