

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
MIDSTATE TELECOM, INC. FOR APPROVAL)	WITHDRAWAL OF
TO OFFER A DIFFERENT LOCAL CALLING)	INTERVENTION AND
AREA)	ORDER GRANTING
)	APPROVAL TO OFFER A
)	DIFFERENT CALLING AREA
)	TC06-035

On May 2, 2006, the South Dakota Public Utilities Commission (Commission) received an application from Midstate Telecom, Inc. (MTI). According to its application, MTI submitted the application pursuant to the provisions of ARSD 20:10:32:11, to provide a different local calling area than that which is offered by Qwest Corporation (Qwest).

On May 4, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of May 19, 2006, to interested individuals and entities. On May 26, 2006, Qwest filed a Petition for Leave to Intervene. At its regularly scheduled June 13, 2006, meeting, the Commission granted Qwest's request for intervention. On December 15, 2006, the Commission received Qwest's Motion to Dismiss Petition for Leave to Intervene.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:32:11.

At its regularly scheduled meeting of December 19, 2006, the Commission considered this matter. The Commission voted unanimously to grant the withdrawal of Qwest's Petition for Leave to Intervene. Commission Staff recommended approval of the application. The Commission found that MTI had shown that the different calling area would not be contrary to universal service, public safety and welfare, quality of service, and consumer rights concerns. It is therefore

ORDERED, that the withdrawal of Qwest's Petition for Leave to Intervene is granted; and it is

FURTHER ORDERED, that the application of MTI for a different local calling area is hereby approved.

Dated at Pierre, South Dakota, this 2nd day of January, 2007.

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>Delaine Kolbo</u>
Date: <u>1/4/7</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner