

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

**IN THE MATTER OF THE PETITION OF )  
SANTEL COMMUNICATIONS COOPERATIVE, )  
INC. FOR SUSPENSION OR MODIFICATION )  
OF 47 U.S.C. SECTION 251(b)(2) OF THE )  
COMMUNICATIONS ACT OF 1934 AS )  
AMENDED )**

**ORDER APPROVING  
STIPULATION**

**TC08-027**

On February 8, 2008, Santel Communications Cooperative (Santel) filed a petition with the Public Utilities Commission (Commission) for a suspension and modification of the number portability requirement in Section 251(b)(2) of the Communications Act of 1934, as amended. Santel's requested modification of intermodal LNP and LNP to VoIP providers concerns the transport of ported calls. Santel's requested suspension is for the purpose of negotiating transport arrangements with wireless carriers and VoIP providers, as necessary. Santel also requested an immediate suspension of Section 251(b)(2) pending this Commission's consideration of the modification request until 90 days following the Commission's decision. Santel respectively requested that the Commission: (A) Issue an interim order that suspends any obligation for Santel to provide intermodal or VoIP LNP; (B) Issue a final order that grants a modification of Santel's obligation to provide intermodal and VoIP LNP as requested herein and a suspension of Santel's obligation to implement intermodal and VoIP LNP until the transport issue is resolved; and (C) Grant Santel such other and further relief that may be proper.

On February 14, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of February 29, 2008, to interested individuals and entities. On February 29, 2008, the Commission received Petitions to Intervene from the following companies:

Midcontinent Communications (Midcontinent);  
Alltel Communications, LLC (Alltel);  
Verizon Wireless (VAW) LLC, CommNet Cellular License Holding LLC, Missouri Valley Cellular, Inc., Sanborn Cellular, Inc., and Eastern South Dakota Cellular, Inc. d/b/a Verizon Wireless (Collectively Verizon Wireless); and  
South Dakota Telecommunications Association (SDTA)

On March 24, 2008, the Commission received an Opposition of Santel Communications Cooperative, Inc. to Petition to Intervene filed by Midcontinent Communications. At a regularly scheduled meeting of March 25, 2008, the Commission granted intervention to Midcontinent, Alltel, Verizon Wireless and SDTA. On April 23, 2008, the Commission received a Stipulation for Procedural Schedule signed by the parties.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. sections 251 and 252. The Commission may rely upon any or all of these or other laws of this state in making its determination.

At a regularly scheduled meeting of April 22, 2008, the Commission considered the Stipulation for Procedural Schedule. The Commission voted unanimously to approve the Stipulation for Procedural Schedule. It is therefore

