

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
VALLEY TELECOMMUNICATIONS)	AMENDED CERTIFICATE OF
COOPERATIVE ASSOCIATION, INC. FOR AN)	AUTHORITY
AMENDED CERTIFICATE OF AUTHORITY)	TC08-034

On March 26, 2008, the Public Utilities Commission (Commission) received a filing from Valley Telecommunications Cooperative Association, Inc. (Valley) for approval of a revision to its service territory. The revised boundary between Valley and BEK Communications Cooperative (BEK) in Campbell County, South Dakota, shall be the North Dakota/South Dakota state line with the exception of the W1/2W1/2 of Section 6, Township 128 North, Range 74 West and the NW1/4NW1/4 of Section 7, Township 128 North, Range 74 West in Campbell County, South Dakota, which will be served by BEK and the SW1/4 of Section 31, Township 129 North, Range 74 West in Emmons County, North Dakota, which will be served by Valley. Valley requested an Amended Certificate of Authority, pursuant to SDCL 49-31-69. Valley also requested a waiver of subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03, as the Commission already has the information needed on file.

On September 23, 2008, at its regularly scheduled meeting, the Commission considered Valley's request for approval of a revision to its service area, the request for an Amended Certificate of Authority, and a waiver of subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:32:03. The Commission finds that Valley has met the legal requirements established for the granting of an amended certificate of authority. Valley has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive subparagraphs 1 through 7, 9 through 21 and 23 of ARSD 20:10:32:03. Further, the Commission finds that pursuant to SDCL 49-31-69, an Amended Certificate of Authority shall be granted, that the proposed revision to Valley's service territory is in the public interest and the request shall be granted, and ARSD 20:10:32:03, subparagraphs 1 through 7, 9 through 21 and 23 shall be waived. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request for an Amended Certificates of Authority shall be granted; and it is

FURTHER ORDERED, that the proposed revision to Valley's service territory shall be granted; and it is

FURTHER ORDERED, that ARSD 20:10:32:03, parts 1 through 7, 9 through 21 and 23 shall be waived.

Dated at Pierre, South Dakota, this 3rd day of October, 2008.

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, electronically.	
By:	<u><i>Debra Kolbe</i></u>
Date:	<u>10/3/08</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin Johnson
DUSTIN M. JOHNSON, Commissioner