

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

**IN THE MATTER OF THE PETITION OF )  
VENTURE COMMUNICATIONS COOPERATIVE )  
FOR ARBITRATION PURSUANT TO THE )  
TELECOMMUNICATIONS ACT OF 1996 )  
TO RESOLVE ISSUES RELATING TO AN )  
INTERCONNECTION AGREEMENT WITH )  
ALLTEL COMMUNICATIONS, INC. )**

**ORDER DISMISSING WITH  
PREJUDICE AND CLOSING  
DOCKET**

**TC06-159**

On September 14, 2006, Venture Communications Cooperative (Venture) filed with the Public Utilities Commission (Commission) a petition for arbitration of certain unresolved terms and conditions of a proposed Interconnection Agreement between Venture and Alltel Communications, Inc. (Alltel), pursuant to Section 252 of the Telecommunications Act of 1934, as amended (the Act) (47 U.S.C. Section 252), SDCL 49-31-81, and ARSD 20:10:32:29. Venture filed a list of unresolved issues consisting of: (1) the definition of InterMTA Tariff, (2) the definition of Third Party Provider, (3) the definition of Wireline Local Calling Area, (4) ISP bound traffic, (5) Resale of Service, (6) concerning interconnection facilities between the Parties, (7) SS7 Messages, (8) concerning land to mobile traffic-direct interconnection, (9) Dialing Parity, (10) Telecommunications Traffic, (11) InterMTA Traffic, (12) Venture Provided Direct Interconnection Facilities, (13) Bill and Keep, (14) Billing and Payment, (15) Regulatory Approval, and (16) Rates and Factors. Venture "respectively requests that the Commission grant the following relief: 1. Order arbitration of the unresolved issues identified in this Petition between Venture and Alltel; 2. Issue an order directing Venture and Alltel to submit to the Commission for approval an interconnection agreement reflecting: (i) the agreed-upon language in Exhibit 1 and (ii) the resolution in this arbitration proceeding of any unresolved issues in accordance with the recommendations made by Venture herein, at the hearing on such issues, and in Exhibit 1; 3. Order the Parties to pay interim compensation for transport and termination of telecommunications traffic from January 1, 2006 (the Effective Date set forth in Exhibit 1) to the date on which the Commission approves the Parties' executed Agreement in accordance with Section 252(e) of the Act; 4. Retain jurisdiction of this arbitration until the Parties have submitted an executed interconnection agreement for approval by the Commission; and 5. Take such other and further action as it deems necessary and appropriate."

On October 6, 2006, the Commission received a Petition to Intervene from South Dakota Telecommunications Association (SDTA). On October 10, 2006, the Commission received a Response of Alltel Communications, Inc. to Petition for Arbitration of Venture Communications Cooperative. At its regularly scheduled meeting of October 19, 2006, the Commission granted intervention to SDTA, subject to restrictions as agreed to by SDTA and WWC. On October 27, 2006, the Commission received a Request to Use Office of Hearing Examiners (OHE) pursuant to SDCL 1-26-18.3 from Alltel. On October 31, 2006, the Commission received an Opposition to Request of Alltel Communications, Inc. to Use the Office of Hearing Examiners from Venture. At its October 31, 2006, meeting, the Request to Use the Office of Hearing Examiners was deferred. On November 13, 2006, the Commission received Alltel's Reply to Venture's Opposition to Use Office of Hearing Examiners. At its November 14, 2006, meeting, the Commission granted the Request to Use the Office of Hearing Examiners.

On September 13, 2011, the Commission received a Joint Stipulation from Alltel and Venture requesting this docket be dismissed with prejudice. By order dated September 25, 2011, the OHE transferred the docket back to the Commission at the request of Venture and Alltel.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, and 49-31.

At its regularly scheduled meeting of October 11, 2011, the Commission considered this matter. The Commission voted unanimously to approve the Stipulation, dismiss the Complaint with prejudice, and close the docket.

It is therefore

ORDERED, that the docket is dismissed and closed.

Dated at Pierre, South Dakota, this 17th day of October, 2011.

<b>CERTIFICATE OF SERVICE</b>
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><i>Joy Deery</i></u>
Date: <u>10-17-11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

*Chris Nelson*  
CHRIS NELSON, Commissioner

*Kristie Fiegen*  
KRISTIE FIEGEN, Commissioner