

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

IN THE MATTER OF THE APPLICATION)	ORDER GRANTING WITHDRAWAL
OF MIDCONTINENT COMMUNICATIONS)	OF INTERVENTIONS;
FOR AN AMENDED CERTIFICATE OF)	ORDER GRANTING AMENDED
AUTHORITY)	CERTIFICATE OF AUTHORITY
)	
)	
)	TC12-035

On April 25, 2012, Midcontinent Communications (Midcontinent) filed with the South Dakota Public Utilities Commission (Commission) an Application for Approval of an Amended Certificate of Authority to allow Midcontinent to provide local exchange service within the rural exchange area of Lennox, S.D. In addition, Midcontinent requested a waiver of the application requirements in ARSD 20:10:32:15 to the extent Midcontinent will not be serving the entire Knology study area.

On April 26, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of May 11, 2012, to interested individuals and entities. On May 11, 2012, Knology Community Telephone (Knology) and South Dakota Telecommunications Association (SDTA) filed to intervene. The interventions were granted by order dated June 11, 2012. On August 13, 2012, Knology filed a Withdrawal of Intervention. On August 14, 2012, SDTA filed a Petition to Withdraw Intervention with the Commission.

On August 28, 2012, at its regularly scheduled meeting, the Commission considered the withdrawals of intervention, the request for an Amended Certificate of Authority, and the request to waive ARSD 20:10:32:15.

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 unanimously voted to grant the petitions to withdraw the interventions. The Commission also unanimously voted to grant the Amended Certificate of Authority and the waiver request. The Commission finds that Midcontinent has met the legal requirements established for the granting of an Amended Certificate of Authority. Midcontinent has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in within the exchange area of Lennox, S.D. Further, the Commission finds that pursuant to SDCL 49-31-69, the Amended Certificate of Authority is in the public interest and shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that Knology's and SDTA's requests for withdrawal of their interventions are granted, and it is further

ORDERED, that the request to waive ARSD 20:10:32:15 is granted; and it is further

ORDERED, the request for an Amended Certificate of Authority is granted.

Dated at Pierre, South Dakota, this 6th day of September, 2012.

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: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner