

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

**IN THE MATTER OF THE APPLICATION OF NEW)
CINGULAR WIRELESS PCS, LLC, A SUBSIDIARY)
OF AT&T MOBILITY LLC, FOR DESIGNATION AS)
AN ELIGIBLE TELECOMMUNICATIONS CARRIER)
IN NON-RURAL STUDY AREAS)**

**ORDER DISMISSING AND
CLOSING THE DOCKET**

TC11-072

On June 13, 2011, the Public Utilities Commission (Commission) received an application from New Cingular Wireless PCS, LLC, a subsidiary of AT&T Mobility LLC, (AT&T Mobility) requesting approval to designate AT&T Mobility as an eligible telecommunications carrier pursuant to SDCL § 49-31-78 and section 214(e) of the Federal Communications Act of 1934, as amended, for the purpose of qualifying to obtain all available federal universal service support including, but not limited to, support for non-rural, insular and high costs areas, and for low-income customers.

On June 16, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of July 1, 2011. On July 1, 2011, James Valley Wireless, LLC (James Valley Wireless) filed a Petition to Intervene. On July 25, 2011, Native Yes We Can Foundation (Yes We Can) filed a Petition to Intervene. At its regularly scheduled meeting of July 26, 2011, the Commission granted intervention to James Valley Wireless and denied intervention to Yes We Can.

On October 14, 2011, AT&T Mobility filed a Motion for Protective Order with the Commission. In its Motion, AT&T Mobility stated that all of the parties had agreed to the Protective Order. At its regularly scheduled meeting of October 25, 2011, the Commission granted the motion. On June 4, 2012, the Commission received a request from AT&T Mobility to dismiss and close the docket.

The Commission finds that it has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. § 214(e).

At its regularly scheduled meeting of June 19, 2012, Commission Staff recommended dismissing and closing of this docket. The Commission voted unanimously to dismiss and close the docket. It is therefore

ORDERED this docket shall be dismissed and closed.

Dated at Pierre, South Dakota, this 28th day of June, 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: <u>Joy Deery</u>
Date: <u>06-28-12</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Feigen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner