

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

**IN THE MATTER OF THE REQUEST OF )  
MIDSTATE TELECOM, INC. FOR )  
CERTIFICATION REGARDING ITS USE OF )  
FEDERAL UNIVERSAL SERVICE SUPPORT )**

**ORDER GRANTING  
CERTIFICATION  
  
TC12-060**

On May 29, 2012, the Public Utilities Commission (Commission) received a filing from Midstate Telecom, Inc. (Company) regarding its request for certification regarding its use of federal universal service support. The purpose of this filing was to provide information constituting the Company's plan for the use of its federal universal service support and to otherwise verify that the Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. Pursuant to 47 C.F.R. § 54.314(a), in order for an eligible telecommunications carrier (ETC) to receive support pursuant to the Federal Communications Commission's (FCC's) high-cost program, a state must file an annual certification with the Universal Service Administrative Company (USAC) and the FCC stating that all federal high-cost support provided to the ETC "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of activities and services for which the support is intended." Certification must be filed with USAC and the FCC by October 1<sup>st</sup> of each year.

On May 31, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of June 15, 2012, to interested individuals and entities. No parties sought intervention.

At its regularly scheduled meeting of July 31, 2012, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 U.S.C. § 254. The Commission unanimously voted to approve the Company's request for certification. The Commission finds that the Company is eligible to receive federal support. The Commission finds that all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of activities and services for which the support is intended.

It is therefore

**ORDERED**, that the Company is eligible to receive federal support as all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of activities and services for which the support is intended. It is further

ORDERED, that the Commission approves the Company's request for certification.

Dated at Pierre, South Dakota, this 9<sup>th</sup> day of August, 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: *[Signature]*

Date: August 10, 2012

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Chris Nelson*

CHRIS NELSON, Chairman

*Kristie Fiegen*

KRISTIE FIEGEN, Commissioner

*Gary Hanson*

GARY HANSON, Commissioner