



G. David Carter | Member
david.carter@innovistalaw.com
RICHMOND: 804.729.0052
WASHINGTON: 202.869.1502

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Via Courier Service

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: South Dakota Network, LLC, Centralized Equal Access Service
2018 Annual Access Tariff Filing
Petition of James Valley Cooperative Telephone Company and Northern
Valley Communications, LLC to Reject or to Suspend and Investigate South
Dakota Network, LLC's Tariff**

Dear Ms. Dortch:

On September 24, 2018, James Valley Cooperative Telephone Company ("JVCTC") and Northern Valley Communications, LLC ("NVC"), pursuant to Section 204(a)(1) of the Communications Act and Section 1.773 of the Commission's rules, filed a Petition to Reject or to Suspend and Investigate the Revised Tariff filed by South Dakota Network, LLC ("SDN"), on September 17, 2018, as Transmittal No. 13 (the "Petition").

Following the filing of the Petition, JVCTC and NVC engaged in productive discussions regarding SDN's inclusion of language in Section 5.1 of its Revised Tariff stating that Direct Trunked Transport would be permitted, but only with regard to access stimulation traffic. Those discussions led SDN to withdraw the language in Section 5.1 of its Revised Tariff that JVCTC and NVC had asserted was unlawful. SDN's withdrawal was accomplished on September 27, 2018, via Transmittal No. 14. In its Reply to Petition to Reject or to Suspend and Investigate South Dakota Network, LLC's Tariff, filed on September 28, 2018, SDN indicates that the issues presented in Section I of the Petition are now moot. In light of SDN's withdrawal of the offending language in Section 5.1, JVCTC and NVC agreed to file a letter confirming that JVCTC and NVC agree that Section I of the Petition is now moot.

Section II of the Petition asks the Commission to reject or suspend SDN's Revised Tariff on the basis that SDN's calculation of the CLEC benchmark introduced a new rate element (equal access service) and benchmarked that rate element based on the NECA tariff, rather than CenturyLink. In its Reply, SDN provides additional information explaining its views regarding why the CLEC benchmark rate is appropriately calculated. Section III of the Petition asks the Commission to reject or suspend SDN's Revised Tariff on the basis that SDN excluded certain traffic volumes for its cost-based rate calculation that continue to be switched by SDN's tandem switch. In its Reply, SDN has asserted that if it "were to include some or all of the excluded

minutes of use, it would also need to add back in the investment and expenses following these minutes of use, increasing the revenue requirement.”

JVCTC and NVC express no opinion about whether the additional explanations provided by SDN are sufficient for the Commission to assess whether SDN’s proposed tariffed rate is lawful.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,

/s/ G. David Carter

G. David Carter

cc: Benjamin Dickens, Esq.
Pamela Arluk, Chief, Pricing Policy Division
Kris Monteith, Chief, Wireline Competition Bureau
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