



Gary Hanson, Chair  
Chris Nelson, Vice Chair  
Kristie Fiegen, Commissioner

**SOUTH DAKOTA  
PUBLIC UTILITIES COMMISSION**

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November 23, 2011

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW Room TW-A325  
Washington, D.C. 20554

**Re: Notice of Ex Parte Filing: Ex Parte Letter filed In the Matter of the Connect America Fund, WC Docket No. 10-90; National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; High Cost Universal Service Support, WC Docket No. 05-337; Developing an Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link-Up, WC Docket No. 03-109**

Dear Ms. Dortch:

Attached for your records is a copy of a letter sent via e-mail to Chairman Julius Genachowski and each of the FCC Commissioners dated November 23, 2011 in the above-referenced dockets. This notice and attached letter are being electronically filed in each of the dockets listed above.

If you have any questions about this filing please contact the undersigned at 605.773.3201 or [rolayne.wiest@state.sd.us](mailto:rolayne.wiest@state.sd.us).

Thank you for your attention to this matter.

Respectfully submitted,

/s/

Rolayne Ailts Wiest  
SDPUC Commission Counsel

cc: *The Honorable Chairman Julius Genachowski*  
*The Honorable Commissioner Mignon Clyburn*  
*The Honorable Commissioner Michael Copps*  
*The Honorable Commissioner Robert McDowell*

*Zachary Katz, Chief Counsel and Senior Legal Advisor to the Chairman  
Angela Kronenburg, Wireline Legal Advisor to Commissioner Clyburn  
Lisa Hone, Wireline Advisor to Commissioner Copps  
Christine Kurth, Wireline Policy Advisor to Commissioner McDowell  
Sharon Gillett, Wireline Competition Bureau Chief*



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November 23, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Call Routing and Termination Problems**

***Ex Parte Letter filed in the Matter of the Connect America Fund, WC Docket No. 10-90; National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; High Cost Universal Service Support, WC Docket No. 05-337; Developing an Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link-Up, WC Docket No. 03-109***

Dear Chairman Genachowski:

On behalf of the many South Dakota telephone subscribers who have been affected by the call completion problems plaguing many rural areas of our country, the South Dakota Public Utilities Commission (SDPUC) wants to thank the FCC for conducting the Call Termination Workshop on October 18. The participants were able to relate their troubling experiences and shine some light on where the problem is occurring.

We write today to urge the FCC to aggressively follow up on what was learned in this workshop to bring a permanent resolution to this problem. While none of the presenters at the workshop "named names," it became clear from the testimony that participants were able to point to some specific points in the call routing path where the calls are being lost. Participants used the word "fraud" to describe the use of SIM cards to game the system and possibly cause calls to be lost. IXCs testified that they have identified and no longer do business with certain least cost routers because of trouble they have had getting calls completed. It is apparent that there is some knowledge regarding which entities may be causing the problem.

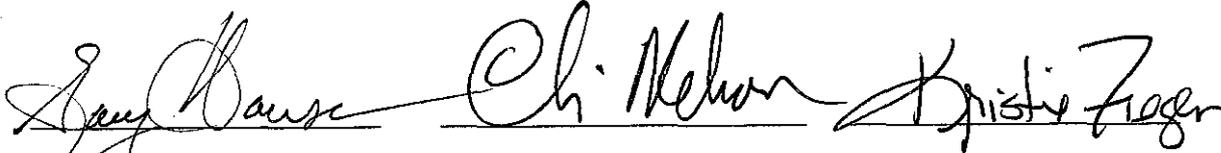
It is now time for the FCC to use its authority to force the bad actors to begin providing the quality of service the citizens of this country deserve or levy whatever penalties are provided in federal law for failure to complete calls.

We note that the Montana Telecommunications Association has suggested some possible actions that the FCC should pursue. We support its call for an Enforcement Advisory which may lead to remedial action by the Commission.

We stress again that the Call Termination Workshop was a very good step toward resolving these problems. Much of the resolution portion of the workshop focused on creating communication paths between LECs and IXCs. While communication is good, we don't believe that in itself will force bad actors to change their practices. The FCC must do everything within its authority under federal law to take the information learned at the workshop and force those responsible to change their practices.

The citizens of these United States of America deserve no less from their telecommunications enforcement agency.

Respectfully submitted,



Gary Hanson, Chairman

Chris Nelson, Vice Chairman

Kristie Fiegen, Commissioner

cc: Zachary Katz, Chief Counsel and Senior Legal Advisor to the Chairman  
The Honorable Commissioner Mignon Clyburn  
c/o Angela Kronenburg, Wireline Legal Advisor to Commissioner Clyburn  
The Honorable Commissioner Michael Copps  
c/o Lisa Hone, Wireline Advisor to Commissioner Copps  
The Honorable Commissioner Robert McDowell  
c/o Christine Kurth, Wireline Policy Advisor to Commissioner McDowell  
Sharon Gillett, Wireline Competition Bureau Chief