

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

**IN THE MATTER OF THE FILING BY ZAYO  
GROUP, LLC FOR APPROVAL OF ITS ACCESS  
SERVICES TARIFF NO. 1**

**ORDER APPROVING  
TARIFF AND WAIVER**

**TC13-024**

On March 7, 2013, the Public Utilities Commission (Commission) received a filing from Zayo Group, LLC (Zayo) for approval of its South Dakota Switched Access Services Tariff No.1, with a requested effective date of April 7, 2013. In addition, and pursuant to ARSD 20:10:27:02, Zayo requested waiver of ARSD 20:10:29:10, 20:10:29:12, and 20:10:29:16 that state "[t]he per minute charge is equal for both originating and terminating traffic."

On March 14, 2013, the Commission electronically transmitted notice of the filing and the intervention deadline of March 29, 2013, to interested individuals and entities. No petitions to intervene or comments were filed.

At its regularly scheduled meeting of June 18, 2013, the Commission considered this matter. The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31. The Commission voted unanimously to approve Zayo's South Dakota Switched Access Services Tariff No. 1 with changes to Original Sheet 57, Section 4.1.2(C) and (D). The Commission also voted unanimously to grant waiver/suspension of ARSD 20:10:29:10, 20:10:29:12, and 20:10:29:16. It is therefore

ORDERED, that the Commission approves Zayo's South Dakota Switched Access Services Tariff No. 1 effective as of April 7, 2013 with changes to Original Sheet 57, Section 4.1.2(C) and (D). It is further

ORDERED, until such time as the Commission otherwise orders, the waiver/suspension of the specific provisions in rules ARSD 20:10:29:10, 20:10:29:12, and 20:10:29:16 that state "[t]he per minute charge is equal for both originating and terminating traffic" is hereby granted.

Dated at Pierre, South Dakota, this 19<sup>th</sup> day of June, 2013.

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| <b>CERTIFICATE OF SERVICE</b>  |
| 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 Lashley</u>   |
| Date: <u>6-20-13</u>   |
| (OFFICIAL SEAL)  |

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner