

Rec'd Elec. 4/20/06

200 South 5th Street, Room 2200
Minneapolis, Minnesota 55402

Qwest Corporation
Law Department
(612) 672-8905-Phone
(612) 672-8911-Fax

Jason D. Topp
Corporate Counsel



April 20, 2006

Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

**Re: In the Matter of the Filing by Qwest Corporation for Approval
of Revisions to its Exchange and Network Services Tariff
Case No. TC06-010**

Dear Ms. Van Gerpen:

On February 16, 2006, Qwest submitted a proposed confidentiality agreement with the Commission. The Commission declined to sign the agreement at that time because there were no other parties to the case. Because many PSAPs wanted access to Qwest's cost study information, Qwest forwarded the confidentiality agreement to the PSAPs, and they signed Exhibit As agreeing to be bound by its terms.

On April 17, 2006, Qwest contacted the Commission informing it that it needed the Commission's signature on the confidentiality agreement before its vendor would consent to release of information to the PSAPs. In reviewing the agreement, Commission Staff noted a slight discrepancy in the language of the agreement from South Dakota law. Specifically, the following sentence in Section 5:

The party bringing the objection before the Commission or court of competent jurisdiction has the burden of satisfying the Commission or court of the need for protection or production;

was modified to read:

The party requesting confidentiality has the burden of proving by a preponderance of the evidence that the information qualifies as confidential information by showing that disclosure would result in material damage to its financial or competitive position, reveal a trade secret, or impair the public interest.

Patricia Van Gerpen

Page 2

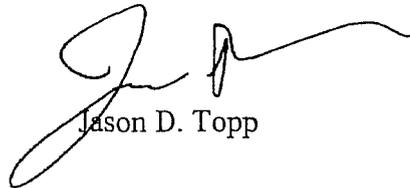
April 20, 2006

All other terms and conditions remain the same. On April 19, 2006, Qwest and the Commission staff signed the revised agreement.

As things sit right now, PSAPs have signed Exhibit As to the original confidentiality agreement but have not signed an Exhibit A to the revised agreement. One option would be to require the PSAPs to re-sign Exhibit As. Such an effort would be costly, time consuming and result in further delay in this proceeding.

Qwest submits that because the PSAPs signed Exhibit As that reflect precisely the same confidentiality obligations as are contained in the revised agreements, that the original Exhibit As are effective in binding PSAPs to confidentiality obligations contained in both agreements. In the interests of efficiency, Qwest suggests that the PSAPs' signatures be considered binding with respect to the confidentiality obligations contained in both versions of the confidentiality agreement. To the extent and PSAP has concern about this process, we suggest that they contact Qwest to resolve the issue and sign an Exhibit A expressly tied to the revised agreement before receiving or reviewing the information. I would suggest that Commission staff share this letter with the PSAPs before discussing the confidential information provided by Qwest with them.

Very truly yours,



Jason D. Topp

JDT/bardm

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April, 2006, the original and 10 copies of the foregoing **Letter to the South Dakota Public Utilities Commission regarding the revised Confidentiality Agreement** was served upon the following party:

Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

and copies sent electronically or via U.S. mail, addressed to the following:

Colleen E. Sevold
Manager-Regulatory Affairs
Qwest Corporation
125 South Dakota Avenue, 8th Floor
Sioux Falls, SD 57194
colleen.sevold@qwest.com

Ginger Walker
Interim Director of Communications
Brown County
25 Market Street
Aberdeen, SD 57401

David Atherton
Director of Communications
Minnehaha County
500 North Minnesota Avenue
Sioux Falls, SD 57104

Doug Pavel
Director of Communications
Pennington County
300 Kansas City Street
Rapid City, SD 57701

Bob Wilcox
SDACC Executive Director
South Dakota Association of County
Commissioners
222 East Capitol Avenue, Suite 1
Pierre, SD 57501

Kris Jacobsen
Administrative Assistant
South Dakota Association of County
Commissioners
222 East Capitol Avenue, Suite 1
Pierre, SD 57501



Dianne Barthel