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Telecopier Transmittal Sheet  
**URGENT**  
**PLEASE DELIVER IMMEDIATELY**

Date: September 19, 2006

To: Ms. Hillary Brady  
Company: South Dakota Office of Hearing Examiners  
Fax #: 605-773-6818  
From: Paul Schudel  
Re: Golden West Companies/WWC License, L.L.C., OHE File PUC 6-06

Ms. Brady:

I discovered last evening that two FCC regulations that are cross-referenced in 47 C.F.R. § 51.715 relating to the Motion Seeking Interim Compensation were not included among the materials previously provided to you and relating to this morning's oral arguments. I am thus attaching copies of 47 C.F.R. §§ 51.707 and 51.513 so these sections will be available for your reference.

Further, while I may have missed a communication regarding the call-in details for our conference call scheduled for 9:30 a.m. CDT today, please confirm that counsel are to follow the instructions set out in you September 1 letter and call the conference operator at 1-800-254-1665, or if not, please provide the relevant information regarding an alternate conference arrangement to be used.

Thank you.

Cc: Talbot Wieczorek (w/ att. Via fax 605-342-0480)  
Steve Rowell (w/att. Via fax 501-905-4443)  
Kara Van Bockern and Rolayne Wiest (w/ att. Via fax 605-773-3809)  
Meredith Moore (w/ att. Via fax 605-335-4961)  
Rich Coit (w/ att. Via fax 605-224-1637)

We are transmitting 7 (including this transmittal sheet). If transmission is incomplete, please contact Diane Henninger at (402) 437-8500.

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**THE ORIGINAL OF THIS TRANSMISSION WILL  WILL NOT  BE SENT SEPARATELY.**

Goto Section: [51.705](#) | [51.709](#)

FCC 51.707

Revised as of September 15, 2006

Goto Year: [2006](#) | [2008](#)

Sec. [51.707](#) Default proxies for incumbent LECs' transport and termination rates.

(a) A state commission may determine that the cost information available to it with respect to transport and termination of telecommunications traffic does not support the adoption of a rate or rates for an incumbent LEC that are consistent with the requirements of Sec. Sec. [51.505](#) and [51.511](#). In that event, the state commission may establish rates for transport and termination of telecommunications traffic, or for specific components included therein, that are consistent with the proxies specified in this section, provided that:

(i) Any rate established through use of such proxies is superseded once that state commission establishes rates for transport and termination pursuant to Sec. Sec. [51.705](#)(a)(1) or [51.705](#)(a)(3); and

(ii) The state commission sets forth in writing a reasonable basis for its selection of a particular proxy for transport and termination of telecommunications traffic, or for specific components included within transport and termination.

(b) If a state commission establishes rates for transport and termination of telecommunications traffic on the basis of default proxies, such rates must meet the following requirements:

(i) Termination. The incumbent LEC's rates for the termination of telecommunications traffic shall be no greater than 0.4 cents (\$0.004) per minute, and no less than 0.2 cents (\$0.002) per minute, except that, if a state commission has, before August 8, 1996, established a rate less than or equal to 0.5 cents (\$0.005) per minute for such calls, that rate may be retained pending completion of a forward-looking economic cost study.

(ii) Transport. The incumbent LEC's rates for the transport of telecommunications traffic, under this section, shall comply with the proxies described in Sec. [51.513](#)(c)(3), (4), and (5) of this part that apply to the analogous unbundled network elements used in transporting a call to the end office that serves the called party.

[ [61 FR 45619](#) , Aug. 29, 1996, as amended at [61 FR 52709](#) , Oct. 8, 1996]

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FCC 51.513

Revised as of September 15, 2006

Goto Year: 2006 | 2008

Sec. 51.513 Proxies for forward-looking economic cost.

(.) A state commission may determine that the cost information available to it with respect to one or more elements does not support the adoption of a rate or rates that are consistent with the requirements set forth in Sec. Sec. 51.505 and 51.511. In that event, the state commission may establish a rate for an element that is consistent with the proxies specified in this section, provided that:

( ) Any rate established through use of such proxies shall be superseded once the state commission has completed review of a cost study that complies with the forward-looking economic cost based pricing methodology described in Sec. Sec. 51.505 and 51.511, and has concluded that such study is a reasonable basis for establishing element rates; and

(.) The state commission sets forth in writing a reasonable basis for its selection of a particular rate for the element.

(b) The constraints on proxy-based rates described in this section apply on a geographically averaged basis. For purposes of determining whether geographically deaveraged rates for elements comply with the provisions of this section, a geographically averaged proxy-based rate shall be computed based on the weighted average of the actual, geographically deaveraged rates that apply in separate geographic areas in a state.

(c) Proxies for specific elements--(1) Local loops. For each state listed below, the proxy-based monthly rate for unbundled local loops, on a statewide weighted average basis, shall be no greater than the figures listed in the table below. (The Commission has not established a default proxy ceiling for loop rates in Alaska.)

Table

State	Proxy ceiling
Alabama	\$17.25
Arizona	12.85
Arkansas	21.18
California	11.10
Colorado	14.97
Connecticut	13.23
Delaware	13.24
District of Columbia	10.81
Florida	13.68
Georgia	16.09
Hawaii	15.27
Idaho	20.16
Illinois	13.12
Indiana	13.29
Iowa	15.94
Kansas	19.85
Kentucky	16.70
Louisiana	16.98
Maine	18.69

Maryland.....	13.36
Massachusetts.....	9.83
Michigan.....	15.27
Minnesota.....	14.81
Mississippi.....	21.97
Missouri.....	18.32
Montana.....	25.18
Nebraska.....	18.05
Nevada.....	18.95
New Hampshire.....	16.00
New Jersey.....	12.47
New Mexico.....	18.66
New York.....	11.75
North Carolina.....	16.71
North Dakota.....	25.36
Ohio.....	15.73
Oklahoma.....	17.63
Oregon.....	15.44
Pennsylvania.....	12.30
Puerto Rico.....	12.47
Rhode Island.....	11.48
South Carolina.....	17.07
South Dakota.....	25.33
Tennessee.....	17.41
Texas.....	15.49
Utah.....	15.12
Vermont.....	20.13
Virginia.....	14.13
Washington.....	13.37
West Virginia.....	19.25
Wisconsin.....	15.94
Wyoming.....	25.11

(c) Local switching. (i) The blended proxy-based rate for the usage-sensitive component of the unbundled local switching element, including the switching matrix, the functionalities used to provide vertical features, and the trunk ports, shall be no greater than 0.4 cents (\$0.004) per minute, and no less than 0.2 cents (\$0.002) per minute, except that, where a state commission has, before August 8, 1996, established a rate less than or equal to 0.5 cents (\$0.005) per minute, that rate may be retained pending completion of a forward-looking economic cost study. If a flat-rated charge is established for these components, it shall be converted to a per-minute rate by dividing the projected average minutes of use per flat-rated subelement, for purposes of assessing compliance with this proxy. A weighted average of such flat-rate or usage-sensitive charges shall be used in appropriate circumstances, such as when peak and off-peak charges are used.

(ii) The blended proxy-based rate for the line port component of the local switching element shall be no less than \$1.10, and no more than \$2.00, per line port per month for ports used in the delivery of basic residential and business exchange services.

(c) Dedicated transmission links. The proxy-based rates for dedicated transmission links shall be no greater than the incumbent LEC's tariffed interstate charges for comparable entrance facilities or direct-trunked transport offerings, as described in Sec. Sec. 69.110 and 69.112 of this chapter.

(c) Shared transmission facilities between tandem switches and end offices. The proxy-based rates for shared transmission facilities between tandem switches and end offices shall be no greater than the weighted per-minute equivalent of DS1 and DS3 interoffice dedicated transmission link rates that reflects the relative number of DS1 and DS3 circuits used in the tandem to end office links (or a surrogate based on the proportion of copper and fiber facilities in the interoffice network), calculated using a loading factor of 9,000 minutes per month per voice-grade circuit, as described in Sec. 69.112 of this chapter.

(i) Tandem switching. The proxy-based rate for tandem switching shall be no greater than 0.15 cents (\$0.0015) per minute of use.

(ii) Collocation. To the extent that the incumbent LEC offers a comparable form of collocation in its interstate expanded interconnection tariffs, as described in Sec. Sec. 64.1401 and 69.121 of this chapter, the proxy-based rates for collocation shall be no greater than the effective rates for equivalent services in the interstate expanded interconnection tariff. To the extent that the incumbent LEC does not offer a comparable form of collocation in its interstate expanded interconnection tariffs, a state commission may, in its discretion, establish a proxy-based rate, provided that the state commission sets forth in writing a reasonable basis for concluding that its rate would approximate the result of a forward-looking economic cost study, as described in Sec. 51.505.

(iii) Signaling, call-related database, and other elements. To the extent that the incumbent LEC has established rates for offerings comparable to other elements in its interstate access tariffs, and has provided cost support for those rates pursuant to Sec. 61.49(h) of this chapter, the proxy-based rates for those elements shall be no greater than the effective rates for equivalent services in the interstate access tariffs. In other cases, the proxy-based rate shall be no greater than a rate based on direct costs plus a reasonable allocation of overhead loadings, pursuant to Sec. 61.49(h) of this chapter.

[ 61 FR 45619 , Aug. 29, 1996, as amended at 61 FR 52709 , Oct. 8, 1996]

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