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## SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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April 20, 2009

Patricia Van Gerpen  
PUC Executive Director  
500 E. Capitol  
Pierre, SD 57501

Re: Resale Agreement between Qwest Corporation and  
Virtual Network Solutions – TC09 – 016

Dear Ms. Van Gerpen:

An interconnection Agreement between the above two companies was filed for commission approval on April 8, 2009. Commission Staff recommends disapproval of the agreement and dismissal of the docket. Virtual Network Solutions, Inc. does not have a certificate to serve in South Dakota.

Commission Staff spoke directly to both Qwest and Virtual Network Solutions, Inc. upon receipt of the filing. Mr. Kenneth Kapler from Virtual Network Solutions explained his belief this filing is a mistake. Mr. Kapler agrees his company does not have a Certificate of Authority in South Dakota. Virtual Network Solutions does not provide CLEC services. Rather it remarkets and sells the Qwest DSL internet product. As a result of the Virtual Network Solutions resale product an interconnection agreement should not have been filed. It appears a mistake occurred and staff recommends the Commission deny the filing and dismiss the docket.

Sincerely,

  
Kara Semmler

cc. Mr. Kenneth Kapler and Mr. George Thomson