

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

IN THE MATTER OF THE FILING BY
BROADVOX-CLEC, LLC FOR
APPROVAL OF ITS TARIFF NO. 1

**TC 12-114
APPLICATION FOR WAIVER
OF CERTAIN REQUIREMENTS
OF A.R.S.D. §§20:10:29:10, 20:10:29:12
AND 20:10:29:16**

Broadvox-CLEC, LLC ("Broadvox"), hereby requests waiver of ARSD §§20:10:29:10, 20:10:29:12, and 20:10:29:16 to allow its South Dakota initial access tariff to go into effect. In support of its request, Broadvox states as follows. On July 11, 2012, Broadvox submitted its initial switched access services tariff in Docket No. TC 12-114

Rules ARSD §§20:10:29:10, 20:10:29:12, and 20:10:29:16 *inter alia* require that local exchange carriers should tariff equal rates for originating and terminating traffic. A waiver of these rules is necessary to allow Broadvox to mirror the rates of the ILEC.

This Commission has granted similar requests such as the request contained in Commission Docket TC 12-027, which request for waiver or suspension was filed by the South Dakota Telecommunications Association ("SDTA"), the Local Exchange Carriers Association ("LECA") and Qwest Corporation d/b/a CenturyLink QC ("CenturyLink").¹ In that docket, the Commission agreed that a waiver of certain language within A.R.S.D. §§ 20:10:29:10, 20:10:29:12 and 20:10:29:16 was appropriate until such further time as the Commission took action.

¹ See Order dated May 1, 2012.

Wherefore, Broadvox-CLEC, LLC (“Broadvox”), respectfully requests waiver of ARSD §§20:10:29:10, 20:10:29:12, and 20:10:29:16 in this specific instance to allow its South Dakota initial switched access tariff , which mirrors the ILEC rates, to go into effect.

Respectfully submitted this 19th day of February, 2013,

For Broadvox-CLEC, LLC

By:



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