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South Dakota

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- 2-1) Pursuant to §51.911(c), please do a side by side comparison of the Switched Access intrastate originating and terminating rates to the Switched Access originating and terminating rate of the Incumbent Local Exchange Carrier. Also provide documentation on where you referenced the Incumbent Local Exchange Carrier rate.

RESPONSE: See Exhibit A attached hereto, which consists of a table comparing OrbitCom's intrastate originating and terminating rates to those of CenturyLink/Qwest Corporation, as well as the tariff pages upon which OrbitCom has relied in creating the attached table. Specifically, OrbitCom obtained the attached information from the CenturyLink/Qwest Corporation tariff library, which information can be found at http://www.centurylink.com/tariffs/sd_gc_acc_t.pdf. The CenturyLink/Qwest Corporation rates upon which OrbitCom relies in making its revisions were deemed effective as of July 3, 2012. OrbitCom reserves the right to supplement this response, if necessary, as CenturyLink/Qwest Corporation has also submitted its proposed tariff revisions to this Commission. To the extent that CenturyLink/Qwest Corporation makes any changes or the Commission requires any changes, OrbitCom will respond accordingly.

OrbitCom's proposed revisions are consistent with A.R.S.D. 20:10:27:02.01, which rule requires that a "competitive local exchange carrier shall charge intrastate switched access rates that do not exceed the intrastate switched access rate of the Regional Bell Operating Company operating in the state." Furthermore, the proposed revisions are consistent with the FCC's Second Order on Reconsideration which clarifies that the charges associated with various rate elements need not be identical to the RBOC rate so long as the total rate charged does not exceed the RBOC rate. OrbitCom's proposed revisions establish a rate which does not exceed CenturyLink's rate in South Dakota.

As the Commission is aware, OrbitCom operates in 14 different states. Because OrbitCom submits invoices to the same IXC's for all of the states in which it operates, it is imperative for OrbitCom to maintain consistency in its rate elements and charges. OrbitCom's proposed rates in this matter are consistent with those proposed in the other states in which it operates.