

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

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| <b>IN THE MATTER OF THE FILING BY U S WEST )<br/>COMMUNICATIONS, INC. FOR APPROVAL OF )<br/>AN INTERCONNECTION AGREEMENT )<br/>BETWEEN COMMCHOICE, LLC AND U S )<br/>WEST COMMUNICATIONS, INC. )</b> | <b>ORDER APPROVING<br/>AGREEMENT<br/><br/>TC98-075</b> |
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On April 23, 1998, the South Dakota Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST) and CommChoice, LLC (CommChoice) regarding a contract entered into between the parties for an interconnection agreement pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On April 23, 1998, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until May 13, 1998, to do so. Parties to the agreement had until June 1, 1998, to file written responses to the comments. No parties filed comments.

At its duly noticed May 28, 1998, meeting, the Commission considered whether to approve the interconnection agreement between U S WEST and CommChoice. Commission staff recommended that the contract be amended to state that South Dakota law is applicable as the controlling law. Staff further recommended that the parties insert an effective date into the agreement. The matter was deferred. At its duly noticed June 11, 1998, meeting, the Commission again considered this matter. Commission Staff recommended approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. Upon review of the agreement, the Commission found that, as required by 47 U.S.C. § 252(e)(2)(A), the agreement does not discriminate against a telecommunications carrier not a party to the agreement nor is the implementation of this agreement inconsistent with the public interest, convenience, and necessity. It is therefore

ORDERED, that pursuant to 47 U.S.C. § 252(e) the Commission approves the interconnection agreement.

Dated at Pierre, South Dakota, this 19<sup>th</sup> day of June, 1998.

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| <b>CERTIFICATE OF SERVICE</b>  |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon. |
| By: <u><i>Alain Kees</i></u>   |
| Date: <u>6/19/98</u>   |
| (OFFICIAL SEAL)  |

BY ORDER OF THE COMMISSION:

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| <u><i>James A. Burg</i></u><br>JAMES A. BURG, Chairman               |
| <u><i>Pam Nelson</i></u><br>PAM NELSON, Commissioner                 |
| <u><i>Laska Schoenfelder</i></u><br>LASKA SCHOENFELDER, Commissioner |