

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

IN THE MATTER OF THE FILING BY U S WEST) COMMUNICATIONS, INC. FOR APPROVAL OF) AN INTERCONNECTION AGREEMENT) BETWEEN U S WEST COMMUNICATIONS,) INC. AND DIECA COMMUNICATIONS, INC.) D/B/A COVAD COMMUNICATIONS COMPANY)	ORDER APPROVING AGREEMENT TC99-017
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On February 22, 1999, U S WEST Communications, Inc. (U S WEST) filed for approval by the South Dakota Public Utilities Commission (Commission) an interconnection agreement between DIECA Communications, Inc. d/b/a Covad Communications Company (DIECA) and U S WEST.

On February 25, 1999, 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 March 17, 1999, to do so. No comments were filed other than by staff on February 25, 1999. Staff recommended in its filing that the agreement not be approved until such time as the agreement was made subject to South Dakota law and that DIECA obtained a certificate of authority to provide local service in South Dakota.

At its duly noticed November 15, 1999, meeting, the Commission considered whether to approve the agreement between U S WEST and DIECA. Commission staff recommended its approval as the conditions of its recommendation had been met.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. In accordance with 47 U.S.C. § 252(e)(2), the Commission found that the agreement does not discriminate against a telecommunications carrier that is not a party to the agreement and the agreement is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the agreement. It is therefore

ORDERED, that the Commission approves the agreement.

Dated at Pierre, South Dakota, this 18th day of November, 1999.

CERTIFICATE OF SERVICE
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>Maureen Kalbo</u>
Date: <u>11/22/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner