

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

<b>IN THE MATTER OF THE FILING BY AT&amp;T )</b>	<b>ORDER APPROVING )</b>
<b>COMMUNICATIONS OF THE MIDWEST, INC. )</b>	<b>ACCESS SERVICES AND )</b>
<b>FOR APPROVAL OF ITS ACCESS SERVICES )</b>	<b>INTERCONNECTION )</b>
<b>AND INTERCONNECTION SERVICES TARIFF )</b>	<b>SERVICES TARIFF )</b>
	<b>TC99-082 )</b>

On May 28, 1999, the South Dakota Public Utilities Commission (Commission) received a filing by AT&T Communications of the MidWest, Inc. (AT&T) seeking approval of its Access Services and Interconnection Services Tariff. The purpose of the filing is to "reflect services associated with AT&T's Digital Link Tariff which was filed for informational purposes on April 3, 1999. AT&T is filing this tariff with the assumption that Commission approval is not needed for the same reasons Commission approval was not needed for the ADL tariff; this is a business only service and AT&T serves less than 50,000 local exchange subscribers." The tariff has an effective date of June 28, 1999. By letter dated June 4, 1999, General Counsel Rolayne Wiest requested AT&T to explain why SDCL 49-31-19 did not apply to this filing. AT&T responded on June 29, 1999, that its tariff does not conform to the traditional meaning of "access charges for switching and transporting services between facilities as stated in SDCL 49-31-19." On September 9, 1999, Commission Staff sent a data request to AT&T. AT&T filed a Petition for Exemption from Developing Cost-Based Switched Access Rates on September 24, 1999.

On November 15, 1999, at a duly noticed meeting, the Commission considered this matter. Commission Staff recommended approval of granting the exemption requested per ARSD 20:10:27:11 and denial of the request to mirror U S WEST Communications, Inc.'s rates.

The Commission has jurisdiction over this matter pursuant to SDCL 49-31-19 and ARSD 20:10:27:02, 20:10:27:11 and 20:10:27:12. The Commission found that it had good cause to waive ARSD 20:10:27:12. The Commission unanimously voted to approve AT&T's Access Services and Interconnection Services Tariff. It is therefore

ORDERED, that good cause was found to waive ARSD 20:10:27:12. It is further

ORDERED, that the Commission approves AT&T's Access Services and Interconnection Services Tariff.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of December, 1999.

<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>Aldine Kelleo</i></u>
Date: <u>12/8/99</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