

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

IN THE MATTER OF THE FILING FOR)	ORDER DISAPPROVING
APPROVAL OF A RESALE AGREEMENT)	AGREEMENT
BETWEEN QWEST CORPORATION AND DPI)	
TELECONNECT, L.L.C.)	TC00-132

On August 30, 2000, the South Dakota Public Utilities Commission (Commission) received a filing from Qwest Corporation (Qwest) for approval of a negotiated resale agreement between Qwest and DPI Teleconnect, L.L.C. (DPI) pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On August 31, 2000, 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 September 19, 2000, to do so. No parties filed comments.

At its duly noticed December 12, 2000, meeting, the Commission considered whether to approve the interconnection agreement between Qwest and DPI. Commission Staff recommended not approving the agreement as DPI did not have a certificate of authority to provide local service in South Dakota. Staff also reported that on November 27, 2000, a letter was received from DPI stating they did not wish to pursue the interconnection agreement.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-81, and the Federal Telecommunications Act of 1996. Upon review of the agreement, the Commission found that pursuant to 47 U.S.C. § 252(e)(2)(A), the implementation of this agreement would be inconsistent with the public interest, convenience, and necessity. It is therefore

ORDERED, that pursuant to 47 U.S.C. § 252(e) and SDCL 49-31-81, the Commission does not approve the interconnection agreement which is the subject of this docket.

Dated at Pierre, South Dakota, this 20th day of December, 2000.

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><i>Arlaine Kelso</i></u>
Date: <u>12/21/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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