

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

**IN THE MATTER OF THE FILING FOR) ORDER APPROVING
APPROVAL OF A RECIPROCAL TRANSPORT) AGREEMENT
AND TERMINATION AGREEMENT BETWEEN)
BROOKINGS MUNICIPAL UTILITIES D.B.A) TC01-189
SWIFTEL COMMUNICATIONS AND)
MCLEODUSA TELECOM DEVELOPMENT, INC.)
AND DAKOTA COMMUNITY TELEPHONE, INC.)**

On November 7, 2001, Brookings Municipal Utilities d.b.a Swiftel Communications (Swiftel) filed for approval by the South Dakota Public Utilities Commission (Commission) a reciprocal transport and termination agreement between McLeodUSA Telecom Development, Inc. (McLeod) and Dakota Community Telephone, Inc. (DCT) and Swiftel.

On November 8, 2001, 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 November 27, 2001, to do so. No comments were filed.

At its duly noticed January 3, 2002, meeting, the Commission considered whether to approve the agreement between Swiftel and McLeod and DCT. Commission Staff recommended approval.

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 8th day of January, 2002.

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>Hilaine Kolbo</u>
Date: <u>1/9/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner