

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

IN THE MATTER OF THE ESTABLISHMENT OF)	ORDER APPROVING
SWITCHED ACCESS RATES FOR THE LOCAL)	SETTLEMENT STIPULATION
EXCHANGE CARRIERS ASSOCIATION)	AND ORDER APPROVING
)	TARIFF REVISIONS
)	TC04-119

On June 30, 2004, the Local Exchange Carriers Association (LECA) filed for approval by the Public Utilities Commission (Commission) revised pages of its LECA Tariff No. 1. LECA stated, "[T]he purpose of these revisions is to implement changes in rates as necessitated by revisions in member companies' revenue requirements and access minutes of use." LECA requested that the revised rates be effective August 1, 2004. The Commission considered this matter at its July 20, 2004, meeting. LECA's tariff revisions were allowed to go into effect as of August 1, 2004, subject to refund with interest to the extent required in the Commission's final decision in this docket. On August 3, 2004, the Commission received revised tariff pages from LECA. The following tariff sheets were filed with regard to the LECA Tariff No. 1:

25th Revised Checklist Page 3, Canceling 24th Revised Checklist Page 3
22nd Revised Page 17-1, Canceling 21st Revised Page 17-1
22nd Revised Page 17-4, Canceling 21st Revised Page 17-4

On July 1, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of July 16, 2004, to interested individuals and entities. On August 30, 2005, the Commission received Petitions to Intervene from MCI (MCI) and Midcontinent Communications (Midcontinent). On September 2, 2005, the Commission received an Amended Petition to Intervene from MCImetro Access Transmission Services, LLC (MCImetro). On September 14, 2005, the Commission received a Petition to Intervene from AT&T Communications of the Midwest, Inc. (AT&T). On September 15, 2005, the Commission received Answers of LECA to MCI and Midcontinent's Petitions to Intervene. On September 16, 2005, the Commission received Joint Answers of LECs to MCI and Midcontinent's Petitions to Intervene. On September 23, 2005, the Commission received an Answer of LECA to AT&T's Petition to Intervene. On September 26, 2005, the Commission received Staff's Response to MCI, Midcontinent and AT&T's Petitions to Intervene.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26-17.1, 49-1A-9, 49-31-12.6, 49-31-18, 49-31-19 and ARSD 20:10:01:15.02, 20:10:01:15.05, 20:10:27:07 and 20:10:27:08. At a regularly scheduled meeting of September 27, 2005, the Commission found that the Petitions to Intervene were not timely filed and unanimously voted to deny the Petitions to Intervene.

LECA and Staff held several negotiating sessions in an effort to arrive at a joint and acceptable resolution of all of the outstanding cost study dockets. As a result of said

negotiations, the outstanding issues in the 2004, 2005 and 2006 cost study dockets were resolved and the parties have entered into a Settlement Stipulation. On November 8, 2006, the parties filed the Settlement Stipulation with the Commission requesting approval of the stipulation. On November 21, 2006, the Commission received the following revised tariff pages from LECA:

26th Revised Checklist Page 3, Canceling 25th Revised Checklist Page 3
23rd Revised Page 17-1, Canceling 22nd Revised Page 17-1
23rd Revised Page 17-4, Canceling 22nd Revised Page 17-4

At its regularly scheduled meeting of November 28, 2006, the Commission considered whether to approve the Settlement Stipulation and tariff revisions. The Commission voted unanimously to approve the Settlement Stipulation. Upon review of LECA's revised filing, the Commission also unanimously voted to approve the above revisions to LECA's Tariff No. 1. It is therefore

ORDERED, that the Settlement Stipulation is hereby approved; and it is further

ORDERED, that the Commission approves the above-referenced LECA revisions to its Tariff No. 1, effective for telecommunications services rendered on and after January 1, 2007.

Dated at Pierre, South Dakota, this 28th day of December, 2006.

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>Melaine Kalbo</u>
Date:	<u>12/29/06</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner