

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

IN THE MATTER OF THE PETITION FOR) ARBITRATION AND APPROVAL OF) INTERCONNECTION AGREEMENTS) BETWEEN QWEST CORPORATION AND) DAKOTA ELECTRONICS, NEXTEL WEST) CORP. AND VANTEK COMMUNICATIONS,) INC.)) ORDER GRANTING) MOTIONS TO DISMISS) PETITION FOR APPROVAL) OF INTERCONNECTION) AGREEMENTS TO) IMPLEMENT FCC RULING IN) T-MOBILE ORDER AS TO) RESPONDENTS DAKOTA) ELECTRONICS, NEXTEL) WEST CORP. AND VANTEK) COMMUNICATIONS, INC.) AND MOTION TO DISMISS) THE PETITION AND CLOSE) DOCKET) TC06-022
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On March 17, 2006, Qwest Corporation (Qwest) filed a petition for an order pursuant to 47 U.S.C. Section 252(b) approving an interconnection agreement between Qwest and each of the Respondents to implement the ruling of the Federal Communications Commission (FCC) *In the Matter of Developing a Unified Intercarrier Compensation Regime, T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket 01-92, FCC 05-42, (Released February 24, 2005). Qwest seeks approval of the Type 1 Wireless interconnection agreement with Nextel West Corp. and with Vantek Communications, Inc., consistent with the requirements of 47 U.S.C. Section 252(b). Qwest also seeks arbitration and approval of the Type 1 and Type 2 Paging interconnection agreement with Dakota Electronics, Golden West Technologies, Inc., and Priority Paging, Inc. "The FCC has required Qwest to request and enter interconnection agreements for the termination of wireless traffic, and Qwest has diligently pursued such interconnection agreements with Respondents, without any response....Qwest asks that Respondents be barred from raising any disputed issues in response to this Petition...[I]f the Commission will not approve the agreements, Qwest will be forced to discontinue service to Respondents until an appropriate interconnection agreement can be negotiated, approved, and filed." In accordance with ARSD 20:10:32:30, a non-petitioning party may respond to the petition for arbitration and provide additional information within 25 days after the commission receives the petition.

On March 23, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of April 11, 2006, to interested individuals and entities. No petitions to intervene or comments were filed.

On April 3, 2006, the Commission received a Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondents Golden West Technologies, Inc. and Priority Paging Inc. from Qwest. On April 11, 2006, the Commission received an Answer of Nextel West Corp. and Motion to Dismiss. At its duly noticed April 11, 2006, meeting, the Commission unanimously voted to grant the Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondents Golden West Technologies, Inc. and Priority Paging Inc.

On April 25, 2006, the Commission received a Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondent Dakota Electronics from Qwest. On May 8, 2006, the Commission received a Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondent Nextel West Corp. from Qwest. On May 17, 2006, the Commission received a Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondent Vantek Communications, Inc. and Motion to Dismiss the Petition and Close Docket from Qwest.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-31-81 and pursuant to 47 U.S.C. § 252.

At its duly noticed May 23, 2006, meeting, the Commission considered this matter. The Commission unanimously voted to grant the Motions to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondents Dakota Electronics, Nextel West Corp. and Vantek Communications, Inc. and the Motion to Dismiss the Petition and Close Docket. It is therefore

ORDERED, that the Motions to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order as to Respondents Dakota Electronics, Nextel West Corp. and Vantek Communications, Inc. and the Motion to Dismiss the Petition and Close Docket are granted.

Dated at Pierre, South Dakota, this 5th day of June, 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:

Helaine Kalbo

Date:

6/8/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner