BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF LEVEL 3 COMMUNICATIONS, LLC FOR ARBITRATION OF AN INTERCONNECTION AGREEMENT WITH QWEST CORPORATION	))))))	**ORDER GRANTING MOTION TO WITHDRAW PETITION AND TERMINATE ARBITRATION PROCEEDINGS TC06-007**

On January 26, 2006, Level 3 Communications, LLC (Level 3) filed with the South Dakota Public Utilities Commission (Commission) a Petition for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996 for Rates, Terms, and Conditions of Interconnection with Qwest Corporation (Qwest). In its Petition, Level 3 requested that the Commission arbitrate certain terms and conditions of a proposed Interconnection Agreement between Level 3 and Qwest. Pursuant to ARSD 20:10:32:30, Qwest may respond to the Petition and provide additional information by February 21, 2006. On February 21, 2006, Qwest Corporation (Qwest) submitted its response to the Petition for Arbitration.

On March 14, 2007, the Commission received a Notice of Waiver of the Provisions of Section 252(b)(4)(C) and ARSD 20:10:32:32 and Agreement to Extend Deadline from Level 3. At its regularly scheduled meeting of May 23, 2007, the Commission unanimously voted to assess the parties an initial deposit of $2,500.00 each. On June 6, 2006, the Commission received a Notice of Additional Waiver of the Provisions of Section 252(b)(4)(C) and ARSD 20:10:32:32 and Agreement to Extend Deadline from Level 3. On May 7, 2007, the Commission received a Motion to Withdraw Petition and Terminate Arbitration Proceedings and Notice of Adoption of Qwest's Statement of Generally Available Terms from Level 3.

At its May 22, 2007, the Commission considered the Motion to Withdraw Petition and Terminate Arbitration Proceedings. Commission Staff recommended approval. The Commission unanimously voted to grant the Motion to Withdraw Petition and Terminate Arbitration Proceedings.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. section 252. The Commission may rely upon any or all of these or other laws of this state in making its determination. It is therefore

ORDERED, that the Motion to Withdraw Petition and Terminate Arbitration Proceedings is hereby granted.

Dated at Pierre, South Dakota, this 19th day of June, 2007.

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, electronically.

By: Delaine Kolbo

Date: 6/20/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner