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

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| **IN THE MATTER OF THE FILING FOR APPROVAL OF A BUSINESS ESCALATION AGREEMENT BETWEEN QWEST CORPORATION AND VERIZON BUSINESS NETWORK SERVICES, INC.** | ) ) ) ) ) | **ORDER APPROVING WITHDRAWAL OF AGREEMENT**<br><br>**TC07-036** |

On May 24, 2007, the Commission received for approval a filing of a Business Escalation Agreement between Qwest Corporation (Qwest) and Verizon Business Network Services, Inc. (Verizon).

On May 31, 2007, 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 June 13, 2007, to do so. No comments were filed. On July 6, 2007, Qwest requested that the agreement be withdrawn.

At its duly noticed August 7, 2007, meeting, the Commission considered whether to approve the withdrawal of the agreement between Qwest and Verizon. Commission Staff recommended approval of the withdrawal.

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 request for withdrawal, the Commission voted to approve it. It is therefore

ORDERED, that the Commission approves the withdrawal of the agreement which is the subject of this docket.

Dated at Pierre, South Dakota, this 14th day of August, 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: 8/16/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner