

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

IN THE MATTER OF THE APPLICATION OF)	ORDER APPROVING
QWEST CORPORATION TO MODIFY THE)	TARIFF REVISIONS; ORDER
JURISDICTIONAL REPORT REQUIREMENTS)	GRANTING WITHDRAWALS
IN SECTION 2 BY ESTABLISHING A PERCENT)	OF INTERVENTION
INTERSTATE USAGE (PIU) FLOOR FOR)	
UNIDENTIFIED FEATURE GROUP D (FGD))	TC08-127
TERMINATING TRAFFIC)	

On October 31, 2008, the Public Utilities Commission (Commission) received an Application from Qwest Corporation (Qwest) for approval to modify the Jurisdictional Report Requirements in Section 2, by establishing a Percent Interstate Usage (PIU) floor for unidentified Feature Group D (FGD) terminating traffic. Terminating FGD traffic that does not contain sufficient call detail to identify the jurisdiction (unidentified traffic) will be assigned jurisdiction as follows:

- The first 5% of unidentified terminating traffic will continue to be jurisdictionally assigned based on the carrier's PIU report or, if the carrier has not filed a PIU report, a PIU of 50 (50% interstate – 50% intrastate) will be assigned per the current terms in Section 2.3.10.B.2.c.
- Unidentified traffic in excess of the 5% floor will be designated intrastate traffic and charged at Qwest's current South Dakota rates.

There is no change to currently effective rates. Notification has been sent to customers.

The following tariff pages were filed with regard to the Access Service Tariff:

Section 2	Page 18	Release 5
Section 2	Page 18.1	Release 1
Section 2	Page 19	Release 3
Section 2	Page 20	Release 4

On November 6, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of November 21, 2008, to interested individuals and entities. AT&T Communications of the Midwest, Inc. (AT&T) filed a Petition for Intervention and Request to Suspend on Petition of Qwest for Access Tariff Changes on November 21, 2008. MCI Communications Services, Inc. d/b/a Verizon Business Services (Verizon), Level 3 Communications, LLC (Level 3) and Local Exchange Carriers Association (LECA) filed to intervene on November 21, 2008. South Dakota Telecommunications Association (SDTA) filed to intervene on November 24, 2008.

At a regularly scheduled meeting of November 25, 2008, the Commission considered the Petitions to Intervene and the Request to Suspend. The Commission granted intervention to AT&T, Verizon, LECA and SDTA. No action was taken on Level 3's Petition to Intervene as Level 3 informed the Commission that it is going to withdraw its Petition to Intervene. Pursuant to SDCL 49-31-12.4, the Commission suspended the tariff revisions for 120 days beyond December 1, 2008.

On December 5, 2008, the Commission received a Notice of Withdrawal (of intervention) from Level 3. At its regularly scheduled meeting of December 30, 2008, the Commission voted unanimously to grant withdrawal. On March 17, 2009, the Commission received a Motion to Extend Suspension from Verizon.

At its regularly scheduled meeting of March 24, 2009, the Commission voted unanimously to grant the Motion to Extend Suspension and directed the parties to develop a procedural schedule by April 1, 2009. AT&T, LECA and SDTA did not object to extending the suspension. On April 28, 2009, the Commission received a Motion for Further Extension of Suspension from Qwest.

At its regularly scheduled meeting of May 5, 2009, the Commission voted unanimously to grant the Motion for Further Extension of Suspension. On July 6, 2009, the Commission received replacement tariff pages from Qwest. On July 7, 2009, the Commission received a Notice of Withdrawal from Verizon. On July 8, 2009, the Commission received a replacement tariff page from Qwest. On July 9, 2009, the Commission received a Withdrawal of Petition for Intervention and Request to Suspend by AT&T on Petition of Qwest for Access Tariff Changes.

In addition to the tariff pages described above, on July 6, 2009, Qwest filed the following tariff page with regard to the Access Service Tariff:

Section 2

Page 17

Release 4

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05.

At its regularly scheduled meeting of July 14, 2009, the Commission considered this matter. Commission Staff recommended approval and stated that LECA and SDTA had no objection to the approval. George Thomson, representing Qwest, stated that interconnection agreements would continue to govern wireless carriers and that this tariff is applicable to IXCs. The Commission voted unanimously to approve the above revisions to Qwest's Access Service Tariff and to grant the Withdrawals of Intervention of Verizon and AT&T. It is therefore

ORDERED, that the Commission approves the above referenced revisions to Qwest's Access Service Tariff effective as of July 14, 2009; and it is further

ORDERED, that the Withdrawals of Intervention of Verizon and AT&T are hereby granted.

Dated at Pierre, South Dakota, this 21st day of July, 2009.

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:	<u>Delaine Kolbo</u>
Date:	<u>7/22/09</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman *dk*

Gary Hanson
GARY HANSON Commissioner