

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

**IN THE MATTER OF THE FILING BY QWEST)
CORPORATION FOR APPROVAL OF)
SUBMISSION OF ITS ANNUAL PAP PAYMENT)
CAP CALCULATION UNDER QWEST'S)
PERFORMANCE ASSURANCE PLAN (PAP),)
SECTION 12.1)**

**ORDER APPROVING PAP
PAYMENT CAP
CALCULATION**

TC09-017

On April 8, 2009, the South Dakota Public Utilities Commission (Commission) received a filing from Qwest Corporation (Qwest) requesting that the Commission consider Qwest's last submitted cap based on ARMIS "Net Return" as satisfying PAP Section 12.1 for this and future years. Qwest stated that "a recent FCC Order grants Qwest forbearance from certain ARMIS reporting requirements, also thus eliminates the ARMIS 'Net Return' for South Dakota used in PAP Section 12.1."

On April 9, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of April 24, 2009, to interested individuals and entities. No parties sought intervention.

At its regularly scheduled meeting of May 19, 2009, the Commission considered this matter. Commission Staff recommended approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31. The Commission voted unanimously to approve the PAP Payment Cap Calculation. It is therefore

ORDERED, that the PAP Payment Cap Calculation is hereby approved.

Dated at Pierre, South Dakota, this 28th day of May, 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><i>Helaine Kolbe</i></u>
Date: <u>5/28/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner