

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

TC09-101 – IN THE MATTER OF THE FILING)	ORDER APPROVING
FOR APPROVAL OF A WIRELESS TYPE 2)	AGREEMENT
INTERIM AGREEMENT BETWEEN QWEST)	
CORPORATION AND T-MOBILE USA, INC.)	TC09-101

On December 9, 2009, the Commission received a filing for approval of a Wireless Type 2 Interim Agreement between Qwest Corporation (Qwest) and T-Mobile USA, Inc. formerly known as VoiceStream (T-Mobile).

On December 10, 2009, 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 December 29, 2009, to do so. No comments were filed.

At its regularly scheduled meeting of January 5, 2010, the Commission considered whether to approve the agreement between Qwest and T-Mobile. Commission Staff recommended its approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. In accordance with 47 U.S.C. § 252(e)(2), the Commission found that the agreement does not discriminate against a telecommunications carrier that is not a party to the agreement and the agreement is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the agreement. It is therefore

ORDERED, that the Commission approves the agreement.

Dated at Pierre, South Dakota, this 15th day January, 2010.

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>Demaris Althelm</i></u>
Date: <u>1-15-10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner