

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

**IN THE MATTER OF THE FILING BY)
AVENTURE COMMUNICATION TECHNOLOGY,)
LLC DBA AVENTURE COMMUNICATIONS)
FOR APPROVAL OF ITS SWITCHED ACCESS)
SERVICES TARIFF NO. 3)**

**ORDER GRANTING
INTERVENTION
AND SUSPENDING TARIFF
FOR 120 DAYS**

TC11-010

On March 18, 2011, the Public Utilities Commission (Commission) received from Aventure Communication Technology, LLC dba Aventure Communications (Aventure) a request for approval of its Switched Access Services Tariff No. 3. This tariff cancels and replaces in its entirety South Dakota Tariff No. 2. Aventure states it is filing this replacement tariff to provide for greater consistency in the terms and conditions associated with its provision of interstate and intrastate access service. Aventure states that the terms and conditions set forth in the tariff mirror in nearly all respects (with the exception of references specific to the interstate vs. intrastate jurisdictions) Aventure's Tariff FCC No. 3, which became effective on December 30, 2010.

On March 31, 2011, Qwest Communications Company (Qwest) filed a Motion to Intervene and a Request to Open an Investigation and Suspend Tariff during the Investigation. On April 4, 2011, Aventure filed in opposition to Qwest's Motion to Intervene and Request to Open an Investigation and Suspend the Tariff. On April 7, 2011, Midcontinent Communications (Midcontinent) filed a Petition to Intervene and Sprint Communications Company, L.P. (Sprint) filed a Petition for Intervention and a Request for Investigation. On April 8, 2011, AT&T Communications of the Midwest Inc. (AT&T) filed a Petition to Intervene and Request to Suspend the Tariff and Investigate. On April 8, 2011, MCI Communications Services, Inc. d/b/a Verizon Business Services and Cellco Partnership and its subsidiaries providing wireless services in the state of South Dakota, collectively d/b/a Verizon Wireless (Verizon) filed a Motion to Intervene and a Request to Open an Investigation and Suspend Service During the Investigation.

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 April 19, 2011, meeting, the Commission considered the arguments of Aventure and the petitioners. The Commission found the Petitions to Intervene of Verizon, Midcontinent, Qwest, AT&T, and Sprint demonstrated *good cause to grant intervention and voted unanimously to grant them intervention and to suspend the tariff for 120 days pending an investigation.*

It is therefore


ORDERED, that the Petitions to Intervene of Verizon, Midcontinent, Qwest, AT&T and Sprint are hereby granted. It is further

ORDERED, that the filed tariff be suspended for 120 days.

Dated at Pierre, South Dakota, this 25th day of April, 2011.

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>Tina Douglas</u>
Date: <u>4-25-11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:



STEVE KOLBECK, Chairman



GARY HANSON, Commissioner



CHRIS NELSON, Commissioner