

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

<b>IN THE MATTER OF THE PETITION OF</b>	)	<b>ORDER DISMISSING AND</b>
<b>ALLIANCE COMMUNICATIONS COOPERATIVE,</b>	)	<b>CLOSING THE DOCKET</b>
<b>INC. FOR ARBITRATION PURSUANT TO THE</b>	)	
<b>TELECOMMUNICATIONS ACT OF 1996 TO</b>	)	<b>TC07-111</b>
<b>RESOLVE ISSUES RELATING TO AN</b>	)	
<b>INTERCONNECTION AGREEMENT WITH</b>	)	
<b>ALLTEL COMMUNICATIONS, INC.</b>	)	

On October 19, 2007, Alliance Communications Cooperative, Inc. (Alliance) filed with the Public Utilities Commission (Commission) a petition for arbitration of certain unresolved terms and conditions of a proposed Interconnection Agreement between Alliance and Alltel Communications, Inc. (Alltel), pursuant to section 252 of the Telecommunications Act of 1996, SDCL 49-31-81, and ARSD 20:10:32:29. Alliance filed a list of unresolved issues consisting of:

- (1) Is the reciprocal compensation rate for IntraMTA Traffic proposed by Alliance appropriate pursuant to 47 U.S.C. section 252(d)(2)?
- (2) What is the appropriate Percent InterMTA Use factor to be applied to non-IntraMTA traffic exchanged between the parties?
- (3) What is the appropriate manner by which the minutes of use of IntraMTA Traffic terminated by the parties, one to the other, should be calculated and billed?
- (4) What is the obligation of the parties with respect to dial parity?
- (5) What is the appropriate effective date and term of the Agreement?

In accordance with ARSD 20:10:32:30, a non-petitioning party may respond to the petition for arbitration and provide additional information within 25 days after the Commission receives the petition. On November 13, 2007, the Commission received a Response of Alltel Communications, Inc. to Petition for Arbitration of Alliance Communications Cooperative, Inc. Alltel included two additional issues for resolution:

- (6) What is the appropriate definition of intraMTA and interMTA traffic?
- (7) Which party can initiate a direct interconnection request?

On July 29, 2008, counsel for Alliance filed a matrix reflecting that the parties had settled this matter.

On July 2, 2012, Alliance filed a request to close the docket. Alliance stated that prior to the finalization of interconnection agreements between the parties Alltel was acquired by MCI Communications Services, Inc. dba Verizon. New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T) thereafter acquired certain of Alltel's assets in South Dakota and took over negotiations of the interconnection agreement not yet finalized between Alltel and Alliance. Since that time, Alliance has continued to work with AT&T on the finalization of issues related to the interconnection agreement and has implemented interim working arrangements pending finalization. Alltel has not been a party to these discussions and will not be a party to the interconnection agreement. As such, Alliance believes the docket is moot and may be closed at this time.

At its regularly scheduled meeting of July 3, 2012, the Commission voted unanimously to dismiss and close the docket. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, including 49-31-3 and 49-31-81, and 47 U.S.C. sections 251 and 252. It is therefore

ORDERED, that the docket shall be dismissed and closed.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of July, 2012.

**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: *Joy Sving*

Date: 7-10-12

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Chris Nelson*  
CHRIS NELSON, Chairman

*Kristie Fiegen*  
KRISTIE FIEGEN, Commissioner

*Gary Hanson*  
GARY HANSON, Commissioner