

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

<b>IN THE MATTER OF THE FILING BY )</b>	<b>ORDER GRANTING</b>
<b>BUDGET PREPAY, INC. DBA BUDGET )</b>	<b>WITHDRAWAL; ORDER</b>
<b>PHONE FOR APPROVAL OF REVISIONS )</b>	<b>DISMISSING AND</b>
<b>TO ITS ACCESS SERVICES TARIFF NO. 3 )</b>	<b>CLOSING THE DOCKET</b>
)	
)	<b>TC12-117</b>

On July 17, 2012, the South Dakota Public Utilities Commission (Commission) received a filing from Budget PrePay, Inc. dba Budget Phone (Company) for approval of revisions to its Access Services Tariff No. 3. The purpose of this filing is to implement the Federal Communication Commission's (FCC) intercarrier compensation reforms as set forth in its Connect America Fund Order (Order), released November 18, 2011.<sup>1</sup> As part of its Order, the FCC adopted "bill-and-keep as the default methodology" and "end state" for all intercarrier compensation traffic, including intrastate traffic. The FCC further adopted a defined "transition path" for moving to this end state. The first reduction mandated by the FCC's Order requires a carrier to reduce its intrastate terminating access rate, if above the carrier's interstate access rate, by 50 percent of the differential between the carrier's intrastate rate and the carrier's interstate access rate. The reduced rates are required to be effective by July 3, 2012.<sup>2</sup> The Company states it had no intrastate South Dakota terminating access demand for FY 2011, therefore no reductions were necessary. This filing reduces the terminating access rate(s) to the proposed July 2014 rate(s), should the Company start to provide access services. The Company requests an effective date of July 18, 2012.

On July 19, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of August 3, 2012, to interested individuals and entities. No parties sought intervention. On April 4, 2013, the Company filed to withdraw its tariff revisions. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31.

At its regularly scheduled meeting of April 23, 2013, the Commission considered this matter. Commission Staff recommended granting the request to withdraw the tariff revisions and to dismiss and close the docket. The Commission voted unanimously to grant the request to withdraw the tariff revisions and to dismiss and close the docket. It is therefore

ORDERED, that the request to withdraw the tariff revisions is hereby granted. It is further

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<sup>1</sup> *In the Matter of Connect America Fund et al., WC Docket Nos. 10-90, et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, (released November 18, 2011).*

<sup>2</sup> *See In the Matter of Connect America Fund et al., WC Docket Nos. 10-90, et al., Order, DA 12-870 (rel. June 5, 2012) (allowing effective dates for intrastate filings to be extended from July 1, 2012 to July 3, 2012).*

ORDERED, that this docket shall be dismissed and closed

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of April, 2013.

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>Joy</i></u>
Date:	<u>4-25-13</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

*Chris Nelson*  
CHRIS NELSON, Commissioner

*Kristie Fiegen*  
KRISTIE FIEGEN, Commissioner