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	AGREEMENT BETWEEN U S WEST	
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	- DAKOTA TELECOM, INC.	
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U.S. WEST, Inc. 1801 California Street, Suite 5100 Denver, Colorado 80202 Phone 303 672-5871 Facsimile 303 295-7069

iskwest

Alex M. Duarte Senior Attorney

# **VIA OVERNIGHT DELIVERY**

RECEIVED

JUN 0 1 2003

May 26, 2000

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Mr. William Bullard, Jr. Executive Director South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501

Re:

Filing of First Amendment to the Interconnection Agreement between Dakota Telecom, Inc. and U S WEST Communications. Inc.

Dear Mr. Bullard:

Pursuant to 20:10:32:21 of the Admin. Rules of South Dakota, enclosed for filing is an original and ten (10) copies of the First Amendment to the Interconnection Agreement between U S WEST Communications, Inc. ("U S WEST") and Dakota Telecom, Inc. ("DTI") for approval by the Commission. DTI and U S WEST entered into an Interconnection Agreement which was approved by the South Dakota Commission effective August 27, 1998. DTI and U S WEST now desire to amend the Interconnection Agreement to allow DTI to originate EAS/local traffic from South Dakota and terminate this traffic in Nebraska. This EAS/Local traffic must be within the same local calling area as defined by U S WEST's current tariffs. This Amendment will also add established rates with regards to this traffic.

The Agreement does not discriminate against other telecommunications carriers, and the Agreement is consistent with the Federal Communications Commission's ("FCC") guidelines for negotiation and performance. Additionally, other telecommunications carriers have the option to adopt any negotiated or arbitrated agreement approved by the Commission.

The Agreement is consistent with the public interest as identified in the state statutes of South Dakota, the Commission's rules, the Federal Telecommunications Act of 1996, and rules of the FCC. Expeditious approval of this Agreement will enable DTI to enter the local exchange market and provide customers with increased choices among local exchange services.

DTI has authorized U S WEST to submit this Agreement on DTI's behalf.

Very truly yours,

Alex Duarte

### Enclosures

cc:

William Heaston Dakota Telecom, Inc. 29705 453rd Avenue Irene, South Dakota 57037-6001

Colleen Sevold Manager - Public Policy U S WEST Communications, Inc. 125 S. Dakota Avenue, 8<sup>th</sup> Floor Sioux Falls, SD 57194

U S WEST, Inc. Law Department Counsel, Interconnection 1801 California Street, 49<sup>th</sup> Floor Denver, Colorado 80202

# RECEIVED

FIRST AMENDMENT TO AMENDED AGREEMENT FOR LOCAL WIRELINE NETWORK INTERCONNECTON AND SERVICE RESALE BETWEEN

JUN 0 1 2000 SOUTH DAKOTA PUBI UTILITIES COMMISSIO

# DAKOTA TELECOM, INC. AND US WEST COMMUNICATIONS, INC.

This First Amendment ("Amendment") is made and entered into by and between Dakota Telecom, Inc. ("DTI") and U S WEST Communications, Inc. ("U S WEST). This Amendment shall be deemed effective upon approval by the South Dakota Public Utilities Commission ("SDPUC") and shall run concurrently with the Interconnection Agreement (the "Agreement") between U S WEST and DTI (the "Parties").

## **RECITALS**

WHEREAS, DTI and U S WEST entered into that the Agreement for service in the state of South Dakota, first approved by the SDPUC on August 27, 1997. Subsequently, on September 17, 1998, the Parties filed an Amended Negotiated Interconnection Agreement, which was approved by the SDPUC on October 21, 1998; and

WHEREAS, the Parties wish to amend the Amended Agreement under the terms, conditions, and rates contained herein as follows:

NOW THERFORE, the Parties agree to the following change to the Amended Agreement:

# DESCRIPTION OF AMENDMENT AND MODIFICATIONS

This Amendment is made in order to allow DTI to originate EAS/local traffic from South Dakota and terminate this traffic in Nebraska. However, this EAS/Local traffic must be within the same local calling area as defined by U S WEST's current tariffs.

The following established rates are effective when the above condition exists:

	Recurring Fixed	Recurring Per Mile	Nonrecutting
Direct Trunked Transport		and the state of t	\$275.05
DS0 per Trunk			
DS0 Over 0 to 8 Miles	\$20.80	50.10	da taanaan ka caanaa sahada da ka qaa sahada k
DS0 Over 8 to 25 Miles	\$20.82	\$0.06	
DS0 Over 25 to 50 Miles	\$20.84	<b>\$</b> 0.06	
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DS1 Over 0 to 8 Miles	\$30.12	\$1.41	entergrammanian damak menggan dan Til
DS1 Over 8 to 25 Miles	\$30.23	\$0.76	
DS1 Over 25 to 50 Miles	\$30.49	\$0.69	en a company and service servi
DS1 Over 50 Miles	\$30.60	\$0.47	· · · · · · · · · · · · · · · · · · ·
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DS3 Over 8 to 25 Miles	\$158.99	\$13.09	elegizzatek je or ili de zinist har elektrok ki az kizil kake testik
DS3 Over 25 to 50 Miles	\$154.64	\$8.51	Geografiyayada eedaala ay 4000 o
DS3 Over 50 Miles	\$157.81	\$7.27	nongenery mineral symphological blockers.
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	and the state of t	Recurring	Monrecurring
Multiplexing			
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DS3 to DS1		\$256.37	\$320.1
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Tandem Switched Transport			i Paritas en magnetico de la comunicación de la com
Tandem Switching, per Minute of Use	alegenige by the parties of parties of the parties	\$0,002594	agramo nomo mentro especial.
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Tandem Transmission	armanacis signiminasa armanacis in properties and the second control of the second contr	#n nanna	alementamistis alemas
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#### NOTES:

- Unless otherwise indicated, rates shown are those proposed by U.S. WEST witness Al Bergman in Exhibit ALB-2 filed 11/98 in the NE Cost Docket C-1415. Rates are subject to true-up upon completion of the NE Cost Docket C-1415.
- [1] Rates proposed in Nebraska Cost Docket C-1415. The prices for Local Switching, Tandem Switching and Call Termination include an amortization of U.S. WEST's Reserval Deficiency at \$0,0009 per manufer of use. This Reserve Deficiency allocation is applicable for five (5) years.
- [2] ICB, Individual Case Basis pricing.

Except as modified herein, the provisions of the Agreement shall remain in full force and effect. Neither the Agreement nor this Amendment may be further amended or altered except by written instrument executed by an authorized representative of both Parties.

The Parties, intending to be legally bound, have executed this Amendment as of the dates set forth below.

Dakota Telecom, Inc.	U S WEST Communications, Inc.
Authorized Signature	Authorized Signature
Randall Rings Name Typed or Printed	Elizabeth Stamp
Name Typed or Printed   ✓	Name Typed or Printed
VP4 Secretary Title	Director - Interconnect Negotiations
nue /	Title
May 2, 2000	05/11/10
Duit .	Date

# South Dakota Public Utilities Commission **WEEKLY FILINGS** For the Period of June 1, 2000 through June 7, 2000

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing. Phone: 605-773-3705 Fax: 605-773-3809

#### FLECTRIC

EL.00-020 In the Matter of the Filing by Montana-Dakota Utilities Company for Approval of its Revised Rate Sheets for its Coneneration Rates.

Application by Montana-Dakota Utilities Company to comply with the Commission's Order in Docket F-3365 by remitting annually updated cogeneration rates for approval. No customers will be affected by the proposed changes as there are no customers currently served by these rates.

Staff Analyst: Dave Jacobson Staff Attorney: Camron Hoseck

Date Docketed: 06/01/00 Intervention Deadline: NA

In the Matter of the Joint Request for Electric Service Territory EL00-021 Exception between McCook Electric Cooperative, Inc. and Sioux Valley-Southwestern Electric Cooperative, Inc.

On June 5, 2000, the Commission received a joint request for electric service territory exception between McCook Electric Cooperative and Sioux Valley Southwestern Electric Cooperative. The agreement between the two parties seeks an exception to the existing electric service territorial agreement to permit Sigux Valley Southwestern to provide electric service to Smith Farms, Inc. for a seed handling service in the Northeast quarter of Section 25, Township 103, Range 53 West.

Staff Analyst: Michele Farris Staff Attorney: Karen Cremer Date Docketed: 06/05/00

Intervention Deadline: 06/16/00

## **TELECOMMUNICATIONS**

In the Matter of the Filing for Approval of a First Amendment to the TC99-086 Interconnection Agreement between DSLnet Communications, LLC and U S West Communications, inc.

A first amendment to an interconnection agreement between DSLnet Communications. LLC and U S WEST Communications, Inc. was filed with the Commssion. This amendment adds provisions which include UDIT, ADSL and line conditioning and associated rate elements.

Any party wishing to comment on the amendment may do so by filing written comments with the Commssion and the parties to the amendment no later than June 26, 2000 Parties to the amendment may file written responses to the comments no later than twenty days after the service of the comments.

Staff Attorney: Camron Hoseck

Date Docketed: 06/05/00 Comments Due: 06/26/00

In the Matter of the Establishment of Switched Access Revenue TC00-087 Requirement for Midstate Communications, Inc.

Midstate Telephone Company and Heartland Communications, Inc., Kimball, South Dakota, filed a switched access cost study developing a revenue requirement that is included in the revenue requirement used to determine the switched access rates for the Local exchange Carrier Association. Midstate and Heartland were consolidated into Midstate Communications, Inc. on 01/01/00.

Staff Analyst: Heather K. Forney Staff Attorney: Karen E. Cremer

Date Docketed: 06/01/00

Intervention Deadline: 06/23/00

TC00-088 In the Matter of the Filing for Approval of a First Amendment to an Amended Interconnection Agreement between U S WEST Communications, Inc. and Dakota Telecom, Inc.

A first amendment to an amended agreement for local wireline network interconnection and service resale between Dakota Telecom, Inc. and U S WEST Communications. Inc. was filed with the Commission. This amendment is made in order to allow Dakota Telecom, Inc. to originate EAS/local traffic from South Dakota and terminate this traffic in Nebraska. This EAS/local traffic must be within the same local calling areas as defined by U S WEST's current tariff.

Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than June 21, 2000. Parties to the amendment may file written responses to the comments no later than twenty days after the service of the comments.

Staff Attorney: Camron Hoseck

Date Docketed: 06/01/00 Comments Due: 06/21/00

In the Matter of OLS, Inc. and Certain John Does. TC00-089

Commission Staff filed a Motion To Assess Fines and Statutory Penalties against OLS Inc. The basis for this Motion is the number of complaints which have recently been filed against OLS, Inc. which are alleged to represent a continuing pattern of reckless

disregard for South Dakota law and a disregard for the rights of South Dakota consumers. Staff moves the Commission to assess fines and penalties in accordance with SDCL 49-31-93, 49-31-94, impose other remedies and assess costs associated with processing the complaints.

Staff Analyst: Leni Healy

Staff Attorney. Karen E. Cremer

Date Docketed: 06/06/00 Intervention Deadline: NA

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You may subscribe or unsubscribe to the PUC mailing lists at http://www.state.sd.us/puc/

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

IN THE MATTER OF THE FILING FOR APPROVAL OF A FIRST AMENDMENT TO AN AMENDED INTERCONNECTION AGREEMENT AGREEMENT AGREEMENT AGREEMENT AGREEMENT AGREEMENT AGREEMENT AGREEMENT AGREEMENT TO AMENDED AGREEMENT AGREEMENT TO AMENDED AGREEMENT AGREEMENT AGREEMENT TO AMENDED AGREEMENT AGREEMENT AGREEMENT TO AMENDED AGREEMENT AGREEMENT AGREEMENT AGREEMENT TO AMENDED AGREEMENT AGREEMENT

On June 1, 2000, US WEST Communications, Inc. (US WEST) filed for approval by the South Dakota Public Utilities Commission (Commission) of a first amendment to an amended interconnection agreement between Dakota Telecom, Inc. (DTI) and US WEST. The first amendment allows DTI to originate EAS/local traffic from South Dakota and terminate this traffic in Nebraska. This EAS/local traffic must be within the same local calling area as defined by US WEST's current tariff.

On June 8, 2000, the Commission electronically transmitted notice of the filing of the first amendment to interested individuals and entities. The notice stated that any person wishing to the parties' request for approval had until June 21, 2000, to do so. No comments were

At its duly noticed August 9, 2000, meeting, the Commission considered whether to approve the integrated first amendment to the amended agreement between U S WEST and DTI.

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

ORDERED, that the Commission approves the negotiated first amendment to the amended agreement as described herein.

Dated at Pierre, South Dakota, this 16 th day of August, 2000.

HOUSE IN	GERTIFICATE OF SERVICE
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BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner