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In the Matter of

IN THE MATTER OF THE FILING FOR
 APPROVAL OF AN AMENDMENT TO A
 WIRELINE ADOPTION AGREEMENT
 BETWEEN QWEST CORPORATION
 AND HOULTON ENTERPRISES, INC.
 D/B/A GUARANTEED PHONE SERVICE

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
4/17/03	Filed and Rocketed;
4/24/03	Kubley Filing;
6/10/03	Order Approving Amendment to Agreement;
6/10/03	Rocket Closed.

BOYCE, GREENFIELD, PASHBY & WELK, L.L.P.
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April 17, 2003

RECEIVED

APR 17 2003

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Pam Bonrud, Executive Director
Public Utilities Commission of the State of South Dakota
500 East Capitol Avenue
Pierre, SD 57501

Re: Qwest Corporation and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service
Our File No. 2104.078

Dear Ms. Bonrud:

Pursuant to ARSD 20:10:32:21 enclosed for filing are an original and ten (10) copies of the Wireline Adoption Agreement between Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service ("Houlton") and Qwest Corporation ("Qwest") for approval by the Commission. Houlton chooses to adopt, in its entirety, the terms and conditions of the Interconnection Agreement and any associated amendments, if applicable, between AT&T Communications of the Midwest, Inc. and Qwest Corporation f/k/a U S WEST Communications, Inc. which was approved by the Commission on March 4, 1999 (no docket number available).

In addition, enclosed are an original and ten (10) copies of the Amendment to the Wireline Adoption Agreement for Voice Traffic - 251(b)(5) Reciprocal Compensation. This Amendment is made in order to reflect the FCC Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP Bound Traffic).

Houlton has authorized Qwest to submit this Agreement and Amendment on Houlton's behalf.

Sincerely yours,

BOYCE, GREENFIELD, PASHBY & WELK, L.L.P.

Thomas Welk

Thomas J. Welk

TJW/vjj
Enclosures

cc: John Quandahl, Houlton (w/o enclosure)
Colleen Sevold
John Love (w/o enclosure)

The amendment is an amendment to the adoption agreement not the interconnection agreement per Ver...

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Voice Traffic-251(b)(5) Reciprocal Compensation Amendment
to the Interconnection Agreement between
Qwest Corporation and
Houlton Enterprises Inc. dba Guaranteed Phone Service
for the State of South Dakota

APR 17 2003

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

This is an Amendment ("Amendment") to the Interconnection Agreement between Qwest Corporation ("Qwest"), formerly known as U S WEST Communications, Inc., a Colorado corporation, and Houlton Enterprises Inc. dba Guaranteed Phone Service ("CLEC"). CLEC and Qwest shall be known jointly as the "Parties".

RECITALS

WHEREAS, CLEC and Qwest entered into an Interconnection Agreement ("Agreement") which was approved by the appropriate state Commission ("Commission"); and

WHEREAS, The FCC issued an Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP-Bound Traffic); and

WHEREAS, the Parties were not exchanging ISP-Bound traffic during the first quarter of 2001 and will therefore exchange all ISP-Bound traffic on a Bill and Keep basis; and

WHEREAS, the Parties wish to amend the Agreement to reflect the aforementioned Order under the terms and conditions contained herein.

AGREEMENT

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to the language as follows in lieu of existing contract language:

1. Exchange Service (EAS/Local) Traffic

Pursuant to the election in Section 3 of this Amendment, the Parties agree to exchange all EAS/Local (§251(b)(5)) traffic at the FCC ordered rate, pursuant to the FCC's Order on Remand and Report and Order in CC Docket 99-68, (Intercarrier Compensation for ISP-Bound Traffic) or the state ordered reciprocal compensation rate. When the FCC ordered rate for ISP-bound traffic is applied to EAS/Local traffic, the FCC Ordered ISP rate is used in lieu of End Office call termination and Tandem Switched Transport rate elements.

2. Effective Date

This Amendment shall be deemed effective upon approval by both Parties unless modified or denied by the Commission. This Amendment shall remain in effect until a new Agreement has been executed by the Parties, but in no event for a minimum of six (6) months.

3. Rate Election

The reciprocal compensation rate elected for (§251(b)(5)) traffic is (elect and sign one):

The Reciprocal Compensation rate as ordered in a state cost docket.

John Quandahl
Signature
John Quandahl
Name Printed/Typed

OR

The capped rate as ordered by the FCC and applied to ISP traffic:

Signature

Name Printed/Typed

4. Further Amendments

Amendments; Waivers. The provisions of this Agreement, including the provisions of this sentence, may not be amended, modified or supplemented, and waivers or consents to departures from the provisions of this Agreement may not be given without the written consent thereto by both Parties' authorized representative. No waiver by any party of any default, misrepresentation, or breach of warranty or covenant hereunder, whether intentional or not, will be deemed to extend to any prior or subsequent default, misrepresentation, or breach of warranty or covenant hereunder or affect in any way any rights arising by virtue of any prior or subsequent such occurrence.

5. Entire Agreement. This Agreement (including the documents referred to herein) constitutes the full and entire understanding and agreement between the parties with regard to the subjects of this Agreement and supersedes any prior understandings, agreements, or representations by or between the parties, written or oral, to the extent they relate in any way to the subjects of this Agreement.

**Houlton Enterprises Inc.
dba Guaranteed Phone Service**

John Quandahl
Signature

John Quandahl
Name Printed/Typed

Chief Operating Officer
Title

3/31/03
Date

Qwest Corporation

L. T. Christensen
Signature

L. T. Christensen
Name Printed/Typed

Director – Business Policy
Title

4/3/03
Date

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of April 17, 2003 through April 23, 2003

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 report. Phone: 605-773-3705

ELECTRIC

EL03-014 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.

On April 17, 2003, MidAmerican Energy Company filed SDPUC Electric Tariff No. 1, Section No. 6, 8th Revised Sheet No. 2 for Commission approval. MidAmerican is proposing changes to the back of its standard bill form. MidAmerican has retooled its printing operations so that it is now feasible to perform in-house printing on both sides of its bill form. Due to this operational change, MidAmerican no longer needs to retain the contact information for each regulatory agency on every bill regardless of the customer's jurisdiction.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 04/17/03
Intervention Deadline: 05/09/03

NATURAL GAS

NG03-003 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.

On April 17, 2003, MidAmerican Energy Company filed SDPUC Gas Sales Tariff, Section No. VI, Eighth Revised Sheet No. 3 for Commission approval. MidAmerican is proposing changes to the back of its standard bill form. MidAmerican has retooled its printing operations so that it is now feasible to perform in-house printing on both sides of its bill form. Due to this operational change, MidAmerican no longer needs to retain the contact information for each regulatory agency on every bill regardless of the customer's jurisdiction.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 04/17/03
Intervention Deadline: 05/09/03

TELECOMMUNICATIONS

TC03-068 In the Matter of the Application of Midcontinent Communications, Inc. for Approval to Expand its Certificate of Authority to Provide Local Exchange Service in the Service Territory of Interstate Telecommunications Cooperative, Inc.

On April 17, 2003, Midcontinent Communications filed an application to amend its certificate of authority to provide local exchange service in the Webster exchange of Interstate Telecommunications Cooperative, Inc. (ITC), a rural telecommunications carrier. In the Webster exchange Midcontinent Communications will use a combination of ITC resold services and the hybrid fiber coax of its cable plant to provide primary transport for residential telephone service. Midcontinent Communications will also

provide intrastate and interstate interexchange services for commercial and residential customers. Midcontinent Communications has requested interconnection pursuant to 47 U.S.C. Section 251(f)(1)(A) with ITC, requests confidential treatment of its financial information, and requests a waiver from providing service to the entire ITC service area to provide local exchange service in the Webster exchange of ITC.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Docketed: 04/17/03
Intervention Deadline: 05/02/03

TC03-069 In the Matter of the Filing for Approval of a Wireline Adoption Agreement between Qwest Corporation and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service.

On April 17, 2003, the Commission received for approval a Wireline Adoption Agreement between Qwest Corporation (Qwest) and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton). According to the parties, Houlton chooses to adopt, in its entirety, the terms and conditions of the Interconnection Agreement and any associated amendments, if applicable, between AT&T Communications of the Midwest, Inc. and Qwest f/k/a U S West which was approved by the Commission on March 4, 1999, in Docket No. TC96-184. 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 May 7, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier
Date Docketed: 04/17/03
Initial Comments Due: 05/07/03

TC03-070 In the Matter of the Filing for Approval of an amendment to a Wireline Adoption Agreement between Qwest Corporation and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service.

On April 17, 2003, the Commission received for approval an amendment to a Wireline Adoption Agreement between Qwest Corporation (Qwest) and Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton). According to the parties, the amendment to the Wireline Adoption Agreement for Voice Traffic - 251(b)(5) Reciprocal Compensation agreement is made in order to reflect the FCC Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP Bound Traffic). 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 May 7, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier
Date Docketed: 04/17/03
Initial Comments Due: 05/07/03

TC03-071 In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc.

On April 21, 2003, the Commission received for approval an amendment to an Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc. According to the parties, this is an amendment to the Agreement approved by the Commission on July 23, 1999, in

Docket TC99-057. The amendment is made in order to add the terms, conditions and rates for UNEs, as set forth in Attachment 1 and Exhibits A, B, and C, attached to the filing. 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 May 12, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier
Date Docketed: 04/21/03
Initial Comments Due: 05/12/03

TC03-072 In the Matter of the Application of Horizon Telecom, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.

Horizon Telecom, Inc. has filed an application for a Certificate of Authority to provide interexchange intrastate telecommunications services in South Dakota. The applicant intends to provide resold interexchange services, including 1+ outbound dialing, 8XX toll-free inbound dialing, directory assistance, and travel card service throughout South Dakota.

Staff Analyst: Bonnie Bjork
Staff Attorney: Karen Cremer
Date Docketed: 04/23/03
Intervention Deadline: 05/09/03

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

IN THE MATTER OF THE FILING FOR)	ORDER APPROVING
APPROVAL OF AN AMENDMENT TO A)	AMENDMENT TO
WIRELINE ADOPTION AGREEMENT)	AGREEMENT
BETWEEN QWEST CORPORATION AND)	
HOULTON ENTERPRISES, INC. D/B/A)	TC03-070
GUARANTEED PHONE SERVICE)	

On April 17, 2003, Qwest Corporation (Qwest) filed for approval by the South Dakota Public Utilities Commission (Commission) an amendment to a wireline adoption agreement between Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton) and Qwest. The amendment to the wireline adoption agreement for Voice Traffic - 251(b)(5) Reciprocal Compensation is made in order to reflect the FCC Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP Bound Traffic).

On April 24, 2003, the Commission electronically transmitted notice of the filing of the amendment to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until May 7, 2003, to do so. No comments were filed.

At its duly noticed June 3, 2003, meeting, the Commission considered whether to approve the negotiated amendment to the agreement between Qwest and Houlton. 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 amendment does not discriminate against a telecommunications carrier that is not a party to the amendment and the amendment is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the amendment to the agreement. It is therefore

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

Dated at Pierre, South Dakota, this 10th day of June, 2003.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Melaine Kolbo</u>
Date: <u>6/10/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner