



POLICY AND LAW

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Special instructions/comments:

Qwest Corporations Motion to Reopen Record and Allow Late Filed Comments
and Comments and Motion to Dismiss or, in the Alternative, Request for Disapproval

Thank you.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

Case No. TC05-050

In the Matter of the Filing for Approval
of an Adoption Agreement between
Qwest Corporation and KMC Data, LLC

**MOTION TO REOPEN RECORD
AND ALLOW LATE FILED
COMMENTS**

Qwest Corporation ("Qwest") respectfully asks the Public Utilities Commission to reopen the record for Case No. TC05-050 under ARSD 20:10:01:27:01 and allow Qwest to submit late filed written comments.

On March 10, 2005, KMC Data, LLC ("KMC") filed a Notice of Election of Interconnection Agreement (the "Notice"). In that filing, KMC purports to enter into an interconnection agreement with Qwest - - without Qwest's consent or agreement.

The Commission posted the Notice in its *Weekly Filings Report* for the period of March 10, 2005 through March 15, 2005. It set a deadline of March 30, 2005 for the filing of written comments. Undersigned counsel for Qwest was not aware of any controversy regarding the Notice at that time, and became aware of the unilateral nature of KMC's filing only last week.

According to Commission regulation, ARSD 20:10:01:27:01, "[a]ny time after any matter is taken under advisement and before a decision of the commission is entered, the commission may, on its own motion or for good cause shown by a party to the proceeding, order that the record be reopened and the matter set for further hearing."

Neither Qwest nor KMC will be prejudiced if the Commission reopens this matter and allows Qwest to file written comments, and then permits KMC to respond to Qwest's comments

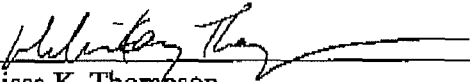
within 20 days after service. Qwest demonstrates good cause for reopening this matter for late filed written comments.

In the alternative to granting Qwest's request, Qwest respectfully asks the Commission to reopen this case on its own motion to allow late filed written comments. It is both fair and reasonable for the Commission to do so.

WHEREFORE, Qwest respectfully asks the Commission to grant this Motion or, in the alternative, to rule on its own motion, and to reopen this case to allow for late filed written comments. In the interests of minimizing any concerns regarding delay, Qwest has attached its Comments hereto. If the Commission grants this Motion, or on its own motion reopens this case for late filed written comments, Qwest respectfully asks the Commission to accept its Comments for filing.

DATED this 11th day of April, 2005.

QWEST CORPORATION

By: 
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CERTIFICATE OF SERVICE

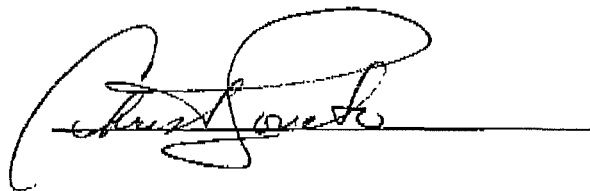
I hereby certify that on this 11th day of April, 2005, an original and 10 copies of the foregoing **QWEST CORPORATION'S MOTION TO REOPEN RECORD AND ALLOW LATE FILED COMMENTS** was served upon the following party:

Ms. Pam Bonrud
Executive Secretary
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

a copy was also sent to the following:

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A handwritten signature in black ink, appearing to read "Andrea Pruitt Edmonds", is written over a horizontal line.