

# Exhibit 72

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| <b>State of South Dakota</b>      |
| <b>EIGHTY-FIFTH SESSION</b>       |
| <b>LEGISLATIVE ASSEMBLY, 2010</b> |

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| 591R0301 | <b>HOUSE STATE AFFAIRS ENGROSSED NO. HB 1097 -</b><br><b>2/3/2010</b> |
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| Introduced by: Representatives Peters, Cutler, and Steele and Senators Dempster, Haverly, Miles, and Turbak Berry |
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FOR AN ACT ENTITLED, An Act to prohibit local exchange carriers from assessing certain access stimulation charges and to establish certain penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. No local exchange carrier may assess an access stimulation charge. For the purposes of this section, the term, access stimulation charge, means any switched access charge assessed by a local exchange carrier upon a connecting carrier for delivery of telecommunications during which a free or nominally priced service or product is provided by an unaffiliated entity with which the local exchange carrier has a business, financial, or contractual arrangement relating directly or indirectly to any switched access revenue from the offering of such service or product.

Section 2. Any person who violates section 1 of this Act is subject to a civil penalty to be imposed by the Public Utilities Commission, after notice and opportunity for hearing. The commission may impose a civil fine of not more than twenty thousand dollars for each day there is a violation of section 1 of this Act. In determining the amount of the penalty upon finding a

violation, or the amount of the compromise settlement, the commission shall consider the appropriateness of the penalty to the size of the business of the person charged, prior offenses and compliance history, the good faith of the person charged in attempting to achieve compliance, and such other matters as justice may require. All penalties collected pursuant to this section shall be deposited in the state treasury. In addition to assessing a civil penalty for a violation of section 1 of this Act, the commission may revoke or suspend a telecommunications company's certificate of authority for repeated offenses.