

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

IN THE MATTER OF THE PETITION OF ORBITCOM, INC. FOR AMENDMENT AND APPROVAL OF ITS INTRASTATE TARIFF	TC11- PETITION
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Comes Now OrbitCom, Inc. ("OrbitCom") f/k/a VP Telecom, Inc., and pursuant to SDCL § 49-31-12.4 and A.R.S.D. 20:10:27:02.01, respectfully submits this Petition for amendment of its existing switched access tariff:

1. VP Telecom, Inc. changed its name to OrbitCom in 2003. OrbitCom is a competitive local exchange carrier ("CLEC") engaged in the provisioning of telephone exchange service in the State of South Dakota pursuant to a certificate of convenience and necessity granted by the South Dakota Public Utilities Commission (the "Commission"). OrbitCom provides local originating and terminating and switched access services and competes with Qwest Corporation in its certificated service territories in South Dakota.

2. On August 15, 2002, OrbitCom filed with this Commission a petition for approval of its intrastate switched access tariff. OrbitCom also sought a waiver of the requirements of A.R.S.D. §§ 20:10:27:11 and 20:10:27:12, effectively requesting relief from the requirements of establishing its switched access rates based on company specific costs. That tariff is identified as Tariff No. 1 of VP Telecom, Inc. This Commission granted the request on October 28, 2002, thereby granting OrbitCom the authority to mirror the rates of Qwest Corporation. Since that time, OrbitCom has taken the appropriate steps to maintain its tariff and the corresponding exemption.

3. In Docket RM05-002, this Commission promulgated revised switched access rules for CLECs. Those rules were certified to the South Dakota Secretary of State on May 10, 2011, and became effective on May 30, 2011.

4. The revised switched access rules require, among other things, that a CLEC shall not charge switched access rates that exceed the intrastate switched access rate of the Regional Bell Operating Company operating in the state. See A.R.S.D. 20:10:27:02.01.

5. OrbitCom has amended its tariff so as to reflect the requirement contained within A.R.S.D. 20:10:27:02.01.

6. OrbitCom has also made additions at or changes to the following sections of its tariff so as to clarify existing policies regarding jurisdictional reporting, billing and collection of charges, and to further clarify and define rate categories: Section 3.4 (obligations of the customer - jurisdictional reporting), Section 3.4.1.4 (jurisdictional reporting – PIU development), Section 3.4.2 (jurisdictional reporting – terminating access), Section 3.4.3 (jurisdictional reporting – use of PIU factor), Section 4.2.6 (billing and collection of charges), Section 4.8 (disputed bills), Section 14.2.3 (addition of rate category of host-remote connect), 14.2.3.4 (definition and explanation of host-remote connect), 15.1.1.3 (explanation of host-remote rate and charge), and 15.1.3.4.3 (addition of host-remote language to explanation of rates and charges).

7. Finally, rather than submitting amended pages to replace certain pages of its existing tariff, OrbitCom has submitted a new tariff document, specifically numbered as OrbitCom, Inc. Tariff No. 2 and attached hereto as Exhibit A. Upon approval, Exhibit A will fully replace existing Tariff No. 1 so as to eliminate any confusion that exists with regard to the corporate name under which the entity currently operates.

Based upon the foregoing, OrbitCom respectfully requests that this Commission grant its request to amend and replace its existing tariff with the attached Exhibit A.

Dated this 21 day of June, 2011.

CUTLER & DONAHOE, LLP
Attorneys at Law

A handwritten signature in cursive script that reads "Meredith A. Moore". The signature is written in black ink and is positioned above a horizontal line.

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