

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

**IN THE MATTER OF THE PETITION OF FIBER )  
RING REVENUE-POOLING ASSOCIATION )  
FOR APPROVAL OF AMENDED )  
DOCUMENTS AND ADDITIONAL TRAFFIC )  
CLASS )  
 )  
 )**      **ORDER APPROVING AMENDED  
REVENUE POOLING  
DOCUMENTS AND ADDITION  
OF TRAFFIC CLASS**  
  
**TC21-115**

On October 8, 2021, the South Dakota Public Utilities Commission (Commission) received a Petition from the Fiber Ring Revenue-Pooling Association (FRRPA) for approval of amended documents and the addition of another traffic class. The current pooling contracts among FRRPA, South Dakota Network, LLC (SDN), and member Local Exchange Companies (LECs) will expire at the end of 2021. The revised agreements extend the terms of the contracts, include revisions to recognize recent network upgrades, and generally update the language/provisions of the agreements. These revised contracts include the SONET Ring Provider (SRP) Agreements, Ring User LEC (RUL) Agreements, and the SDN-FRRPA Network Agreement. In addition, amendments have been made to FRRPA's Articles of Incorporation and Bylaws. FRRPA states the amendments and revisions to FRRPA's organizational documents for which FRRPA is seeking approval in this docket are necessary updates and do not change the underlying principles of FRRPA. Finally, FRRPA seeks approval of the addition of another public internet port rate element option to member company ring users. Confidential Exhibit 7 contains the new traffic class and proposed rate. FRRPA proposes an effective date of December 1, 2021, for availability of the new traffic class to member LEC ring users.

On October 14, 2021, the Commission electronically transmitted notice of the filing and the intervention deadline of October 29, 2021, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. On October 29, 2021, FRRPA responded to Commission staff's data request. FRRPA's response included revised Exhibits 1 and 2 of the SRP Agreements.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-59.1.

At its regularly scheduled meeting of November 23, 2021, the Commission considered this matter. Commission staff recommended approval of FRRPA's request. It is therefore

ORDERED, that FRRPA's amended documents, including the Restated Articles of Incorporation, Amended Bylaws, and revised FRRPA contracts, are hereby approved. It is further

ORDERED, that the addition of another traffic class and rate thereof as set forth in Confidential Exhibit 7 is hereby approved, effective December 1, 2021.

Dated at Pierre, South Dakota, this 29<sup>th</sup> day of November 2021.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>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, electronically or by mail.</p> <p>By: <u>Adam Detrick</u></p> <p>Date: <u>11/29/21</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
--

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner