BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY U S WEST COMMUNICATIONS, INC. FOR APPROVAL OF AN AGREEMENT FOR SERVICE RESALE BETWEEN FIRSTEL, INC. AND U S WEST COMMUNICATIONS, INC.	**)** **)** **)**	**ORDER APPROVING NEGOTIATED AGREEMENT** **TC97-032**

On March 31, 1997, the Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST). In this filing, U S WEST requested Commission approval of a negotiated Agreement for Service Resale with FirsTel, Inc. (FirsTel) pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On April 3, 1997, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person that wanted to comment on the request for approval of the negotiated Agreement for Service Resale could do so by filing written comments with the Commission and the parties to the agreement no later than April 21, 1997. Written comments were filed by staff.

At its June 3, 1997, meeting, the Commission considered whether to approve the negotiated Agreement for Service Resale between FirsTel and U S WEST. In light of staff's analysis, the matter was deferred. At its June 24, 1997, meeting, the Commission considered a revised agreement and staff's analysis of it. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the federal Telecommunications Act of 1996. Upon review of the revised agreement, the Commission found that, as required by 47 U.S.C. § 252(e)(2)(A), the revised agreement does not discriminate against a telecommunications carrier not a party to the revised agreement nor is the implementation of this revised agreement inconsistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the negotiated redrawn Agreement for Service Resale dated June 5, 1997.

It is therefore

ORDERED, that pursuant to 47 U.S.C. § 252(e) the Commission approves the negotiated Agreement for Service Resale between FirsTel and U S WEST, said Agreement being dated June 5, 1997.

Dated at Pierre, South Dakota, this 25th day of June, 1997.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket,

BY ORDER OF THE COMMISSION:

_____

as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By:_____

Date:_____

(OFFICIAL SEAL)

JAMES A. BURG, Chairman

_____

PAM NELSON, Commissioner

_____

LASKA SCHOENFELDER, Commissioner

[CC99orders/includepgs/bottomlinks_insidepg.htm]