

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

IN THE MATTER OF THE FILING BY) NORTHERN VALLEY COMMUNICATIONS, LLC) FOR APPROVAL OF ITS INTRASTATE) SWITCHED ACCESS TARIFF AND FOR AN) EXEMPTION FROM DEVELOPING COMPANY) SPECIFIC COST-BASED SWITCHED ACCESS) RATES)	ORDER GRANTING PETITION FOR WAIVER TC99-092
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On September 13, 1999, the Public Utilities Commission (Commission) received a petition from Northern Valley Communications, LLC (Northern Valley) for approval of its intrastate switched access tariff no. 1 which is concurrent with the rates, terms, and conditions of the current LECA tariff no. 1, with the exception of the switched access rates, which are based upon a statewide average. Additionally, Northern Valley requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs.

On October 7, 1999, the Commission considered Northern Valley's request for approval of its intrastate switched access tariff no. 1 and a waiver from establishing switched access rates based on company specific costs. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19, and ARSD 20:10:27:11. The Commission voted to grant the petition for exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 and approve Northern Valley's intrastate switched access tariff no. 1 pursuant to ARSD 20:10:27:12. The Commission further ordered that Northern Valley, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based rates. Commissioners Burg and Nelson voted to grant the petition for exemption as conditioned herein and approve the tariff; Commissioner Schoenfelder abstained. It is therefore

ORDERED, that Northern Valley's petition to be exempt from establishing company specific cost-based switched access rates is granted and its intrastate switched access tariff no. 1 is approved; and it is further

ORDERED, that Northern Valley shall, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 20th day of October, 1999.

CERTIFICATE OF SERVICE
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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>DeLaine Kalbo</i></u>
Date: <u>10/20/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner
Abstaining