

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

IN THE MATTER OF THE FILING FOR)	ORDER DISAPPROVING
APPROVAL OF A RESALE AGREEMENT)	AGREEMENT
BETWEEN QWEST CORPORATION AND)	
CHOCTAW COMMUNICATIONS, INC. D/B/A)	TC00-144
SMOKE SIGNAL COMMUNICATIONS)	

On October 4, 2000, the South Dakota Public Utilities Commission (Commission) received a filing from Qwest Corporation (Qwest) for approval of a negotiated resale agreement between Qwest and Choctaw Communications, Inc. d/b/a Smoke Signal Communications (Choctaw) pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On October 5, 2000, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until October 24, 2000, to do so. No parties filed comments.

At its duly noticed December 12, 2000, meeting, the Commission considered whether to approve the interconnection agreement between Qwest and Choctaw. Commission Staff recommended not approving the agreement as Choctaw did not have a certificate of authority to provide local service in South Dakota.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-81, and the Federal Telecommunications Act of 1996. Upon review of the agreement, the Commission found that pursuant to 47 U.S.C. § 252(e)(2)(A), the implementation of this agreement would be inconsistent with the public interest, convenience, and necessity. It is therefore

ORDERED, that pursuant to 47 U.S.C. § 252(e) and SDCL 49-31-81, the Commission does not approve the interconnection agreement which is the subject of this docket.

Dated at Pierre, South Dakota, this 20th day of December, 2000.

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>Nelaine Kallas</i></u>
Date: <u>12/21/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner