

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

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| IN THE MATTER OF THE FILING BY QWEST) CORPORATION FOR APPROVAL OF ITS) STATEMENT OF GENERALLY AVAILABLE) TERMS AND CONDITIONS) |) | ORDER ALLOWING SGAT TO GO INTO EFFECT TC00-191 |
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On November 22, 2000, the Public Utilities Commission (Commission) received a filing from Qwest Corporation (Qwest) for approval of its Statement of Generally Available Terms and Conditions (SGAT). In its SGAT filing, Qwest states that it is requesting that the Commission open a docket for review of the SGAT; that it has triggered the 60-day review period under Section 252(f)(3) of the Telecommunications Act of 1996 (Act); and that it provides Qwest's model contract offering that will frame discussions for the Act's 271 process. In its Compliance Filing, Qwest requests that the Commission issue an Order allowing section 8.4 of the SGAT to be amended consistent with the intervals set forth by the FCC.

On November 23, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of December 8, 2000, to interested individuals and entities. AT&T Communications of the Midwest, Inc. (AT&T) filed a Petition for Leave to Intervene on December 7, 2000, McLeodUSA Telecommunications Services, Inc. (McLeod) filed a Petition to Intervene on December 8, 2000, and on December 11, 2000, a late filed Petition to Intervene was received from Midcontinent Communications (Midcontinent). At its December 12, 2000, meeting, the Commission granted the Petitions to Intervene.

At its January 4, 2001, meeting, the Commission considered how to proceed in this matter. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. § 252(f). After listening to the comments of the parties, the Commission took the matter under advisement. At its January 17, 2001, meeting, the Commission again considered how to proceed. The Commission voted to not approve or disapprove Qwest's SGAT at this time but allow it to go into effect pursuant to 47 U.S.C. § 252(f). Pursuant to 47 U.S.C. § 252(f)(4), the Commission will continue to review the SGAT. The Commission further voted to set a procedural schedule at a later time. It is therefore

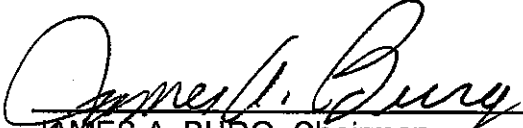
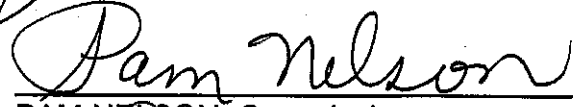

ORDERED, that Qwest's SGAT is not approved or disapproved at this time but will be allowed to go into effect subject to future approval or disapproval by the Commission; it is

FURTHER ORDERED, that a procedural schedule will be set at a later time.

Dated at Pierre, South Dakota, this 24th day of January, 2001.

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| 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>Melaine Kelbo</u> |
| Date: <u>1/25/01</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

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|  _____ JAMES A. BURG, Chairman |
|  _____ PAM NELSON, Commissioner |
|  _____ LASKA SCHOENFELDER, Commissioner |