

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

<b>IN THE MATTER OF THE FILING BY )</b>	<b>ORDER GRANTING</b>
<b>MCLEODUSA TELECOMMUNICATIONS )</b>	<b>PETITION FOR WAIVER</b>
<b>SERVICES, INC. FOR APPROVAL OF ITS )</b>	
<b>INTRASTATE SWITCHED ACCESS TARIFF )</b>	<b>TC01-022</b>
<b>AND FOR AN EXEMPTION FROM )</b>	
<b>DEVELOPING COMPANY SPECIFIC COST- )</b>	
<b>BASED SWITCHED ACCESS RATES )</b>	

On March 12, 2001, the Public Utilities Commission (Commission) received a petition from McLeodUSA Telecommunications Services, Inc. (McLeod) for approval of its intrastate switched access tariff no. 1 which is concurrent with the rates, terms, and conditions of the 1996 NECA tariff, with the exception of the switched access rates, which are based upon a statewide average. Additionally, McLeod requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs. On March 26, 2001, the Commission received a Petition for Leave to Intervene from Qwest Corporation (Qwest). On April 16, 2001, the Commission received a letter from Qwest withdrawing its request for intervention.

On March 28, 2001, the Commission received the following corrected tariff pages:

Preface, Original Page 2  
Section 2, Original Pages 10 and 11  
Section 5, Original Pages 5 and 6

On April 11, 2001, the Commission received the following corrected tariff pages:

Section 2, Original Page 11  
Section 3, Original Pages 1 and 20  
Section 5, Original Page 4

On April 16, 2001, the Commission received the following corrected tariff page:

Section 5, Original Page 2

On April 20, 2001, the Commission received the following corrected tariff page:

Section 5, Original Pages 1, 2, and 3

On May 8, 2001, the Commission considered McLeod'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 McLeod's intrastate switched access tariff no. 1 pursuant to ARSD 20:10:27:12. The Commission further ordered that McLeod, 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. The Commission voted to grant the petition for exemption as conditioned herein and approve the tariff. It is therefore

ORDERED, that McLeod's petition to be exempt from establishing company specific cost-based switched access rates is granted and its intrastate switched access tariff no. 1, as corrected, is approved as of the date of this order; and it is further

ORDERED, that McLeod 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 11<sup>th</sup> day of May, 2001.

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 Kalbo    </u>
Date:	<u>    5/14/01    </u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

    James A. Burg      
JAMES A. BURG, Chairman

    Pam Nelson      
PAM NELSON, Commissioner