BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING FOR APPROVAL OF A FIFTH AMENDMENT TO AN INTERCONNECTION AGREEMENT BETWEEN QWEST CORPORATION AND NEW EDGE NETWORK, INC. D/B/A NEW EDGE NETWORKS	)	ORDER APPROVING FIFTH AMENDMENT TO AGREEMENT TC01-025

On March 16, 2001, Qwest Corporation (Qwest) filed for approval by the South Dakota Public Utilities Commission (Commission) a fifth amendment to an interconnection agreement between New Edge Network, inc. d/b/a New Edge Networks (New Edge) and Qwest. The first amendment is made in order to replace the Interim Line Sharing Agreement entered into between New Edge and U S WEST Communications, Inc. on April 24, 2000, and to replace Amendment No. 1 to the Underlying Agreement with the terms, conditions and rates set forth in Attachment 1 to this Amendment and replace both with the terms, conditions and rates as set forth in Attachment 1 to the Amendment.

On March 22, 2001, the Commission electronically transmitted notice of the filing of the fifth amendment to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until April 5, 2001, to do so. No comments were filed.

At its duly noticed April 17, 2001, meeting, the Commission considered whether to approve the negotiated fifth amendment to the agreement between Qwest and New Edge. Commission Staff recommended its approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. In accordance with 47 U.S.C. § 252(e)(2), the Commission found that the fifth amendment does not discriminate against a telecommunications carrier that is not a party to the fifth amendment and the fifth amendment is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the fifth amendment to the agreement. It is therefore

ORDERED, that the Commission approves the negotiated fifth amendment to the agreement as described herein.

Dated at Pierre, South Dakota, this 24th day of April, 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: Delaine Kolbo

Date: 4/24/01

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg

JAMES A. BURG, Chairman

Pam Nelson

PAM NELSON, Commissioner