

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

IN THE MATTER OF THE ANALYSIS OF )	ORDER GRANTING
QWEST CORPORATION'S COMPLIANCE )	INTERVENTION
WITH SECTION 271(c) OF THE )	
TELECOMMUNICATIONS ACT OF 1996 )	TC01-165

On October 25, 2001, Qwest Corporation filed with the Commission a Petition for Commission Recommendation that the Federal Communications Commission Grant Qwest Corporation Entry into the In-Region InterLATA Market Under Section 271 of the Telecommunications Act Of 1996. Specifically, Qwest Corporation requests that this Commission find, based upon the record presented, that Qwest Corporation has met the competitive checklist and other requirements of 47 U.S.C. Section 271, which prescribe the mechanism by which Qwest Corporation may be found eligible to provide in-region interLATA services and rely upon that finding to provide a favorable recommendation to the Federal Communications Commission. In support of its petition, Qwest Corporation submitted 25 affidavits, a revised Statement of Generally Available Terms, and seven Reports submitted in the Seven-State Process.

On November 1, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of November 16, 2001, to interested individuals and entities. A Petition for Leave to Intervene was received from Black Hills FiberCom, L.L.C. (Black Hills) on November 7, 2001, a Petition to Intervene was received from Midcontinent Communications (Midcontinent) on November 9, 2001, and a Petition for Leave to Intervene was received from AT&T Communications of the Midwest, Inc. (AT&T) on November 15, 2001.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31 and ARSD 20:10:01:15.05.

At a regularly scheduled meeting of November 27, 2001, the Commission found that the Petitions to Intervene demonstrated good cause to grant intervention. It is therefore

ORDERED, that the Petitions to Intervene of Black Hills, Midcontinent and AT&T are hereby granted.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of December, 2001.

<b>CERTIFICATE OF SERVICE</b>
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>Alvin Kalbs</u>
Date: <u>12/6/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner