

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

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| <b>IN THE MATTER OF THE FILING BY VP )</b> | <b>ORDER GRANTING</b>      |
| <b>TELECOM, INC. FOR APPROVAL OF ITS )</b> | <b>PETITION FOR WAIVER</b> |
| <b>INTRASTATE SWITCHED ACCESS TARIFF )</b> |                            |
| <b>AND FOR AN EXEMPTION FROM )</b>         | <b>TC02-107</b>            |
| <b>DEVELOPING COMPANY SPECIFIC COST- )</b> |                            |
| <b>BASED SWITCHED ACCESS RATES )</b>       |                            |

On August 15, 2002, the Public Utilities Commission (Commission) received a petition from VP Telecom, Inc. (VP Telecom) for approval of its intrastate switched access tariff no.1 which is concurrent with the rates, terms, and conditions of the current Qwest tariff no 1. Additionally, VP Telecom requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs and also a request for a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. On August 15, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of September 6, 2002, to interested individuals and entities. No interventions were filed.

On October 17, 2002, the Commission considered VP Telecom's request for approval of its intrastate switched access tariff no. 1, an exemption form establishing switched access rates based on company specific costs, and a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19. ARSD 20:10:27:11 and ARSD 20:10:27:12. The Commission voted to grant the petition, as revised, for exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11, grant a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed Access rates, and approve VP Telecom's intrastate switched access tariff no. 1. The Commission further ordered that VP Telecom, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding for file cost-based rates. The Commission voted to grant the petition, as revised, for exemption as conditioned herein and approve the tariff. It is therefore

**ORDERED**, that VP Telecom's petition, as revised to be exempt from establishing company specific cost-based switched access rates is granted, its request for a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates is granted, and its intrastate switched access tariff no. 1 is approved; and it is further

**ORDERED** that VP Telecom 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 28<sup>th</sup> day of October, 2002.

**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 first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Tina Douglas

Date: October 28, 2002

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Robert K. Sahr  
ROBERT K. SAHR, Commissioner