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

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| **IN THE MATTER OF THE FILING BY 1-800-RECONEX, INC. FOR APPROVAL OF ITS INTRASTATE SWITCHED ACCESS TARIFF AND FOR AN EXEMPTION FROM DEVELOPING COMPANY SPECIFIC COST-BASED SWITCHED ACCESS RATES** | ) | **ORDER GRANTING PETITION FOR WAIVER**<br><br>**TC02-082** |

On May 31, 2002, the Public Utilities Commission (Commission) received a petition from 1-800-Reconex, Inc. (Reconex) for approval of its intrastate switched access tariff. Additionally, on December 27, 2002, Reconex requested an exemption from the requirement to develop intrastate 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 Incumbent Local Exchange Carrier (ILEC) tariffed access rates.

On April 1, 2003, the Commission considered Reconex's request for approval of its intrastate switched access tariff, an exemption from 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 ILEC 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 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 ILEC tariffed access rates, and approve Reconex's intrastate switched access tariff. The Commission further ordered that Reconex, 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 Reconex's petition 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 ILEC tariffed access rates is granted, and its intrastate switched access tariff is approved; and it is further

ORDERED, that Reconex 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 8th day of April, 2003.

**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: 4/9/03

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Gary Hanson

GARY HANSON, Commissioner