BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF A SUBJECT TO RULE OF EVIDENCE 408, CONFIDENTIAL BILLING SETTLEMENT AGREEMENT BETWEEN U S WEST COMMUNICATIONS, INC. AND MCLEODUSA, INC.	)))))	ORDER FINDING AGREEMENT PREVIOUSLY APPROVED TC03-006

The above agreement was filed with the Commission on June 13, 2002, as a confidential exhibit to the Affidavit of Todd Lundy in Docket TC01-165. On November 22, 2002, in the Order Regarding the Public Interest, the Commission ruled that the issue of whether this agreement was a mandatory filing should be considered separate from the TC01-165 docket. Pursuant to that Order, this docket was opened for the purpose of receiving a Commission ruling on whether this agreement should have been filed pursuant to the mandatory filing requirements of section 252(e)(1) of the 1996 Telecommunications Act. Qwest requested confidential treatment of the contents of this agreement pursuant to ARSD chapter 20:10:01.

On January 16, 2003, the Commission electronically transmitted notice of the filing of the agreement to interested individuals and entities. The notice stated that any person wishing to comment on the agreement had until February 5, 2003, to do so. On February 6, 2003, the Commission received comments from AT&T Communications of the Midwest, Inc.. On February 25, 2003, the Commission received a response from Qwest Corporation.

At its duly noticed June 17, 2003, meeting, the Commission considered this matter. The Commission voted unanimously that this agreement had been previously approved in Docket TC01-165, and therefore does not require Commission approval. It is therefore

ORDERED, that this filing does not require Commission approval.

Dated at Pierre, South Dakota, this 26th day of June, 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: 6/26/03

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner