

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

IN THE MATTER OF THE FILING FOR ) APPROVAL OF AN AMENDMENT TO A ) PAGING CONNECTION AGREEMENT ) BETWEEN QWEST CORPORATION AND ) ARCH WIRELESS OPERATING COMPANY, ) INC. )	ORDER APPROVING AMENDMENT TO AGREEMENT  TC03-197
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On December 8, 2003, Qwest Corporation (Qwest) filed for approval by the South Dakota Public Utilities Commission (Commission) an amendment to a paging connection agreement between Arch Wireless Operating Company, Inc. (Arch Wireless) and Qwest. The agreement is amended to state (in Section 11.2) "The Initial Term of the Agreement shall expire on June 30, 2005."

On December 11, 2003, the Commission electronically transmitted notice of the filing of the amendment to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until December 29, 2003, to do so. No comments were filed.

At its duly noticed January 20, 2004, meeting, the Commission considered whether to approve the negotiated amendment to the agreement between Qwest and Arch Wireless. 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 amendment does not discriminate against a telecommunications carrier that is not a party to the amendment and the amendment is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the amendment to the agreement. It is therefore

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

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of January, 2004.

<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>Melaine Koller</u>
Date: <u>1/28/04</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner