

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

<b>IN THE MATTER OF THE FILING BY QWEST )</b>	<b>ORDER GRANTING MOTION</b>
<b>CORPORATION FOR APPROVAL OF )</b>	<b>TO WITHDRAW NOTICE OF</b>
<b>STATEMENT OF GENERALLY AVAILABLE )</b>	<b>UPDATED STATEMENT OF</b>
<b>TERMS AND CONDITIONS FOR )</b>	<b>GENERALLY AVAILABLE</b>
<b>INTERCONNECTION, UNBUNDLED )</b>	<b>TERMS AND CONDITIONS</b>
<b>NETWORK ELEMENTS, ANCILLARY )</b>	<b>AND STATEMENT OF</b>
<b>SERVICES AND RESALE OF )</b>	<b>COMPLIANCE</b>
<b>TELECOMMUNICATIONS )</b>	<b>TC04-037</b>

On February 20, 2004, Qwest Corporation (Qwest) filed an updated Statement Of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services (SGAT) (Fifth Revision, dated February 20, 2004). On August 21, 2003, the Federal Communications Commission released its Triennial Review Order (TRO). The TRO substantially altered Qwest's obligations under Section 251 of the Telecommunications Act of 1996 to offer unbundled network elements. Many of these changes require modifications to Qwest's South Dakota SGAT. As a result, Qwest submitted this revision that, among other changes, includes revisions necessary to comply with the TRO. In addition to the changes required by the TRO, Qwest has made a number of miscellaneous changes to the South Dakota SGAT. Some changes reflect agreements reached with Competitive Local Exchange Carriers (CLECs) in other states in the Qwest region and which Qwest wishes to incorporate into the South Dakota SGAT. Other changes have been reviewed and approved by the Change Management Process for inclusion in SGATs throughout the Qwest region. Finally, Qwest has included changes to correct typographical and grammatical errors, punctuation and spelling, and capitalization of defined terms. Qwest requests that the Commission allow this version of the SGAT to go into effect no longer than 60 days after submission in accordance with 47 U.S.C. Section 252(f)(3).

On February 26, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of March 12, 2004, to interested individuals and entities. No parties sought intervention. On March 18, 2004, the Commission received a Motion to Withdraw Notice of Updated Statement of Generally Available Terms and Conditions and Statement of Compliance from Qwest.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31.

At its regularly scheduled meeting of April 6, 2004, the Commission considered the Motion to Withdraw Notice of Updated Statement of Generally Available Terms and Conditions and Statement of Compliance. The Commission voted to grant the Motion to Withdraw Notice of Updated Statement of Generally Available Terms and Conditions and Statement of Compliance. It is therefore

ORDERED, that the Motion to Withdraw Notice of Updated Statement of Generally Available Terms and Conditions and Statement of Compliance shall be granted.

Dated at Pierre, South Dakota, this 19<sup>th</sup> day of April, 2004.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u><i>Reidino Kalbo</i></u></p> <p>Date: <u><i>4/20/04</i></u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

*Robert K. Sahr*  
ROBERT K. SAHR, Chairman

*Gary Hanson*  
GARY HANSON, Commissioner

*James A. Burg*  
JAMES A. BURG, Commissioner