

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

IN THE MATTER OF THE FILING BY XO )	ORDER GRANTING
COMMUNICATIONS SERVICES, INC. FOR AN )	EXTENSION FROM
EXTENSION OF AN EXEMPTION FROM )	DEVELOPING COMPANY
DEVELOPING COMPANY SPECIFIC COST- )	SPECIFIC COST-BASED
BASED SWITCHED ACCESS RATES )	SWITCHED ACCESS RATES
)	AND ORDER GRANTING
)	WAIVERS
)	TC07-108

On October 8, 2007, the Public Utilities Commission (Commission) received a request from XO Communications Services, Inc. (XO Communications) for approval of an extension of its exemption from the requirement to develop intrastate switched access rates based on company specific costs. XO Communications also requested waivers of ARSD 20:10:27:12 and 20:10:27:13.

On December 18, 2007, the Commission considered XO Communications' request for approval of an extension of its exemption from establishing switched access rates based on company specific costs and the request for waivers of ARSD 10:10:27:12 and 20:10:27:13. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19, and ARSD 20:10:27:11. The Commission voted to grant an extension of its exemption and approve the waivers of ARSD 20:10:27:12 and 20:10:27:13. It is therefore

ORDERED, that XO Communications is approved for an extension of its exemption from establishing company specific cost-based switched access rates and allowed XO Communications to modify its switched access tariff so long as XO Communications' intrastate switched access rate is equal to or less than that of the ILEC Qwest intrastate switched access rate or until the Commission shall otherwise order. It is further

ORDERED, that the waivers of ARSD 20:10:27:12 and 20:10:27:13 are hereby granted.

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of December, 2007.

<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 Kalbo          </u>
Date: <u>          12/28/07          </u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

          Gary Hanson            
GARY HANSON, Chairman

          Dustin M. Johnson            
DUSTIN M. JOHNSON, Commissioner

          Steve Kolbeck            
STEVE KOLBECK, Commissioner