

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

IN THE MATTER OF THE PETITIONS FOR) SUSPENSION OR MODIFICATION OF 47) U.S.C. SECTION 251(b)(2) OF THE) COMMUNICATIONS ACT OF 1934 AS) AMENDED)	ORDER CANCELLING HEARING TC08-006 through TC08-027
--	--

On February 8, 2008, Petitioners filed petitions with the Public Utilities Commission (Commission) for a suspension and modification of the number portability requirement in Section 251(b)(2) of the Communications Act of 1934, as amended. Petitioners requested modification of intermodal LNP and LNP to VoIP providers concerns the transport of ported calls. Petitioners claimed that, at present, not all of the necessary transport arrangements are in place with wireless carriers and VoIP providers to properly route calls to ported local numbers. Petitioners also requested immediate temporary suspension of the Section 251(b)(2) requirement pending this Commission's consideration of this request. Petitioners respectively requested that the Commission: (A) Issue an interim order by no later than May 8, 2008, which would suspend intermodal LNP implementation pending the issuance of a final order on the separate requests for suspension and modification of the LNP requirements that are presented herein; (B) Issue a final order granting a temporary suspension of the present LNP implementation deadline of May 8, 2008, as requested herein; (C) Issue a final order granting a modification of intermodal LNP such that Petitioners will not be required to pay the costs associated with transporting traffic beyond its established local calling areas to numbers that have been ported to other carriers; and (D) Grant Petitioners such other and further relief as the Commission may deem proper.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. sections 251 and 252. The Commission may rely upon any or all of these or other laws of this state in making its determination.

By order dated July 16, 2008, the hearing in this matter was scheduled for September 4 and 5, 2008. Commission Staff has been informed that the parties have reached a settlement in the above referenced dockets so the hearing should be cancelled. It is therefore

ORDERED, that the hearing in these dockets is cancelled.

Dated at Pierre, South Dakota, this 2nd day of September, 2008.

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, electronically.
By: <u><i>Delaine Kolbo</i></u>
Date: <u>9/2/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner