

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

IN THE MATTER OF THE FILING FOR ) APPROVAL OF AN INTERCONNECTION ) AGREEMENT BETWEEN QWEST ) CORPORATION AND IONEX ) COMMUNICATIONS NORTH, INC. DBA BIRCH ) COMMUNICATIONS )	ORDER APPROVING AGREEMENT  TC09-080
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On June 18, 2009, the Commission received for approval a filing of an Interconnection Agreement between Qwest Corporation (Qwest) and Ionex Communications North, Inc. dba Birch Communications (Ionex).

On June 25, 2009, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until July 8, 2009, to do so. No comments were filed.

At its regularly scheduled meeting of July 14, 2009, the Commission considered whether to approve the agreement between Qwest and Ionex. 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 agreement does not discriminate against a telecommunications carrier that is not a party to the agreement and the agreement is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the agreement. It is therefore

ORDERED, that the Commission approves the agreement.

Dated at Pierre, South Dakota, this 21<sup>st</sup> day July, 2009.

<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, electronically.
By: <u><i>Delaine Koelb</i></u>
Date: <u>7/22/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Chairman *dk*

*Gary Hanson*  
GARY HANSON, Commissioner