

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

IN THE MATTER OF THE FILING BY )  
NORTHERN VALLEY COMMUNICATIONS, )  
L.L.C. FOR AN EXTENSION OF AN )  
EXEMPTION FROM DEVELOPING COMPANY )  
SPECIFIC COST-BASED SWITCHED ACCESS )  
RATES )

**ORDER DISMISSING AND  
CLOSING THE DOCKET**

**TC09-031**

On May 21, 2009, the Public Utilities Commission (Commission) received a request from Northern Valley Communications, L.L.C. (Northern Valley) for approval of an extension of its current exemption from developing company specific cost-based switched access rates and further requests that the Commission approve the rate set forth in its current Switched Access Tariff No. 1 for the duration of the extension period. On May 28, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of June 8, 2009, to interested individuals and entities. On June 4, 2009, the Commission received a Motion for Temporary Approval of Switched Access Rate from Northern Valley. At its regularly scheduled meeting of June 23, 2009, the Commission granted Intervention to Midcontinent Communications and Qwest Communications Company, LLC and voted unanimously to approve the Motion for Temporary Approval of Switched Access Rate, with the current rate remaining in effect. The Commission further found that the Access Rate Settlement Stipulation that froze Northern Valley's rate at its current level expressly provided that following the expiration of the rate freeze, Northern Valley could request another extension. At its regularly scheduled meeting of August 25, 2009, the Commission granted Intervention to AT&T Communications of the Midwest, Inc. On November 9, 2010, the Commission voted unanimously to proceed to a formal rule making with regards to switched access rules for competitive local exchange carriers. The rules in RM05-002 were effective May 30, 2011. On July 26, 2011, in TC11-076, the Commission approved Northern Valley's revised tariff to reflect a switched access rate based on the rules.

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

At its regularly scheduled meeting of August 9, 2011, Northern Valley had agreed to the dismissal and closing of this docket due to its filing of TC11-076. The Commission voted unanimously to dismiss and close the docket. It is therefore

ORDERED, that the docket shall be dismissed and closed.

Dated at Pierre, South Dakota, this 9th day of August, 2011.

**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: Tina Douglas

Date: 8-9-11

(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

Gary Hanson

GARY HANSON, Chairman

Chris Nelson

CHRIS NELSON, Vice Chairman