

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

**IN THE MATTER OF THE FILING FOR)
APPROVAL OF A RESALE AGREEMENT)
BETWEEN QWEST CORPORATION AND)
DIECA COMMUNICATIONS, INC. DBA COVAD)
COMMUNICATIONS COMPANY)**

**ORDER APPROVING
AGREEMENT**

TC11-011

On March 29, 2011, the South Dakota Public Utilities Commission (Commission) received a filing from Qwest Corporation (Qwest) for approval of the resale agreement between Qwest and DIECA Communications, Inc. dba Covad Communications Company (Covad) pursuant to 47 U.S.C. § 252(a)(1) and 252(e).

On March 31, 2011, 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 April 18, 2011, to do so. No comments were filed.

At its regularly scheduled meeting on April 19, 2011, the Commission considered whether to approve the agreement between Qwest and Covad. Commission Staff recommended approving the agreement as Covad has a certificate of authority to provide local service in South Dakota.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-81, and the Federal Telecommunications Act of 1996. Upon review of the agreement, the Commission found that pursuant to 47 U.S.C. § 252(e)(2)(A), the implementation of this agreement would be consistent with the public interest, convenience, and necessity since a party to the agreement is authorized to provide service in South Dakota.

It is therefore

ORDERED, that the Commission approves the agreement between Qwest and Covad is hereby granted.

Dated at Pierre, South Dakota, this 26th day of April, 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: <u><i>Jeanne Axelblad</i></u>
Date: <u>4-26-11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Steve Kolbeck
STEVE KOLBECK, Chairman

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner