

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

**IN THE MATTER OF THE APPLICATION )  
OF SOUTH DAKOTA NETWORK, LLC )  
FOR WAIVER OF SWITCHED ACCESS )  
COST STUDY )  
)**

**ORDER GRANTING  
WAIVER OF SWITCHED  
ACCESS COST STUDY**

**TC20-029**

On June 29, 2020, the South Dakota Public Utilities Commission (Commission) received an Application from South Dakota Network, LLC (SDN) for approval of a waiver of the requirement to perform a switched access cost study pursuant to ARSD 20:10:27:02. ARSD 20:10:27:07 requires that a carrier's carrier submit cost data in support of its switched access service tariff no less than once every three years. ARSD 20:10:27:02 provides that the Commission, for good cause shown, may either on its own motion or by application from a carrier's carrier, temporarily waive or suspend any rule in chapter 20:10:27. SDN requests a waiver of the cost study requirement because (1) SDN has a pending case before the United States Court of Appeals; (2) producing such a study is costly and consumes a great deal of resources; and (3) SDN does not intend to increase access rates at this time.

On July 2, 2020, the Commission electronically transmitted notice of the filing and the intervention deadline of July 17, 2020, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On July 24, 2020, SDN responded to Commission staff's data request.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:27:02 and 20:10:27:07.

At its regularly scheduled meeting of August 18, 2020, the Commission considered this matter. Commission staff recommended granting SDN's requested waiver. The Commission found good cause to grant the requested waiver. The Commission voted unanimously to grant the request for a waiver of the switched access rule until such time as the Commission orders otherwise. It is therefore

ORDERED, that SDN's request for a waiver, pursuant to ARSD 20:10:27:02, of the requirement to perform a switched access cost study is hereby granted until such time as the Commission orders otherwise.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of August 2020.

<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 or by mail.
By: <u>Adam de Hueck</u>
Date: <u>8/18/20</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairperson

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner