

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

**IN THE MATTER OF THE FILING BY FIBERCOMM, L.C.
FOR AN EXEMPTION FROM DEVELOPING COMPANY
SPECIFIC COST- BASED SWITCHED ACCESS RATES**

) **ORDER GRANTING PETITION FOR**
) **WAIVER**
)
) **TC99-031**

On April 1, 1999, the Public Utilities Commission (Commission) received a petition to be exempt from company specific cost-based rates from FiberComm, L.C. (FiberComm).

On June 22, 1999, the Commission considered FiberComm's request for a waiver from establishing switched access rates. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19, and ARSD 20:10:27:11. The Commission voted to grant the petition finding, pursuant to ARSD 20:10:27:11, that the costs associated with developing company specific cost-based intrastate switched access rates outweighed any benefit to the consumer or customer. It is therefore

ORDERED, that FiberComm's petition to be exempt from establishing switched access rates is granted.

Dated at Pierre, South Dakota, this 25th day of June, 1999.

CERTIFICATE OF SERVICE	BY ORDER OF THE COMMISSION:
<p>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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>	<p>_____</p> <p style="text-align: center;">JAMES A. BURG, Chairman</p> <p>_____</p> <p style="text-align: center;">PAM NELSON, Commissioner</p> <p>_____</p> <p style="text-align: center;">LASKA SCHOENFELDER, Commissioner</p>