

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

IN THE MATTER OF THE FILING FOR)	ORDER APPROVING
APPROVAL OF A RESALE AGREEMENT)	WITHDRAWAL OF
BETWEEN U S WEST COMMUNICATIONS,)	AGREEMENT AND CLOSING
INC. AND NOW COMMUNICATIONS, INC.)	DOCKET
)	TC00-078

On May 3, 2000, the South Dakota Public Utilities Commission (Commission) received a filing from U S WEST Communications, Inc. (U S WEST) for approval of a resale agreement between U S WEST and NOW Communications, Inc. (NOW) pursuant to 47 U.S.C. §§ 252(a)(1) and 252(e).

On May 4, 2000, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to intervene had until May 19, 2000, to do so. No petitions to intervene were filed. On January 29, 2001, NOW requested that the filing be withdrawn.

At its duly noticed February 6, 2001, meeting, the Commission considered whether to approve the withdrawal of the resale agreement between U S WEST and NOW. Commission Staff recommended approval of the withdrawal.

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 request for withdrawal, the Commission voted to approve it. It is therefore

ORDERED, that the Commission approves the withdrawal of the resale agreement which is the subject of this docket; and it is further

ORDERED, that this docket is closed.

Dated at Pierre, South Dakota, this 13th day of February, 2001.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Alvin Kelso</i></u>
Date: <u>2/14/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner