

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

**IN THE MATTER OF THE FILING BY LEVEL 3)
COMMUNICATIONS, LLC FOR APPROVAL OF)
REVISIONS TO ITS ACCESS SERVICES)
TARIFF NO. 3)**

**ORDER APPROVING
TARIFF REVISIONS**

TC12-124

On August 9, 2012, the Public Utilities Commission (Commission) received a filing from Level 3 Communications, LLC (Level 3) for approval of revisions to its intrastate switched access services tariff, SOUTH DAKOTA PUC TARIFF NO. 3. The purpose of this filing is to implement the Federal Communications Commission's (FCC) intercarrier compensation reforms as set forth in its Connect America Fund Order (Order), released November 18, 2011.¹ As part of its Order, the FCC adopted "bill-and-keep as the default methodology" and "end state" for all intercarrier compensation traffic, including intrastate traffic. The FCC further adopted a defined "transition path" for moving to this end state, requiring Competitive Local Exchange Carrier access reciprocal compensation rates for switched exchange access subject to the order to be no higher than the access reciprocal compensation rates charged by the competing Incumbent Local Exchange Carrier beginning July 1, 2013.

On August 16, 2012, Level 3 filed the revised tariff pages. On August 23, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of August 31, 2013, to interested individuals and entities. No parties sought intervention. On August 30, 2012, Level 3 filed its Responses to Staff's Data Request 3. On October 17, 2012, Level 3 filed its Responses to Staff's Data Request 4. On June 5 and July 24, Level 3 filed the revised tariff pages. The revised tariff sheets are as follows:

SOUTH DAKOTA PUC TARIFF NO. 3

Tariff Pages Effective July 1, 2012

Second Revised Page No. 1	Replaces First Revised Page No. 1
First Revised Page No. 7	Replaces Original Page No. 7
Original Page No. 19.2	
Original Page No. 19.3	
First Revised Page No. 52	Replaces Original Page No. 52
Frist Revised Page No. 53	Replaces Original Page No. 53
Second Revised Page No. 57	Replaces First Revised Page No. 57
First Revised Page No. 58	Replaces Original Page No. 58

Tariff Pages Effective July 13, 2012

Original Page No. 19.1

¹ *In the Matter of Connect America Fund et al.*, WC Docket Nos. 10-90, et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. November 18, 2011).

Tariff Pages Effective July 1, 2013

Fourth Revised Page No. 1
Third Revised Page No. 57
Second Revised Page No. 58

Replaces Third Revised Page No. 1
Replaces Second Revised Page No. 57
Replaces First Revised Page No. 58

At its regularly scheduled meeting of August 13, 2013, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31. The Commission voted unanimously to approve the requested revisions to Level 3's switched access services tariff, SOUTH DAKOTA PUC TARIFF NO. 3. It is therefore

ORDERED, that the Commission approves the above-referenced revisions to Level 3's switched access services tariff, SOUTH DAKOTA PUC TARIFF NO. 3.

Dated at Pierre, South Dakota, this 16th day of August, 2013.

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>Joy Laskley</u>
Date:	<u>8-16-13</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner