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THE PUBLIC UTILITIES COMMISSION

MAY 08 2001

OF THE STATE OF SOUTH DAKOTA SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF THE FILING  
FOR APPROVAL OF A RESALE  
AGREEMENT BETWEEN QWEST  
CORPORATION AND FLATEL, INC.

TC00-169

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Transcript of Proceedings  
April 17, 2001

**ORIGINAL**

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
Rolayne Ailts Wiest  
Karen Cremer  
Leni Healy  
Mary Healy  
Mary Giddings  
Charlene Lund  
Harlan Best  
Keith Senger  
Dave Jacobson  
Michele Farris  
Heather Forney  
Gregory A. Rislov  
William Bullard Jr.  
Sue Cichos

Reported By Cheri McComsey Wittler, RPR

**PRECISION REPORTING**  
**L I M I T E D**

1 APPEARANCES BY TELEPHONE

- 2 Colleen Sevold, Qwest
- 3 Tom Welk, Qwest
- 4 Darrell Gomarko, TELEC Consulting
- 5 Mary Lohnes, Midcontinent Communications
- 6 Marv Sorenson, MidAmerican
- 7 Susan Stewart, MidAmerican
- 8 Stewart Wevik, Black Hills Power & Light
- 9 Dave Semerad, West River Electric
- 10 David Prazak, Ottertail Corporation
- 11 Bruce Gerhardson, Ottertail Corporation

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13 TRANSCRIPT OF PROCEEDINGS, held in the  
 14 above-entitled matter, at the South Dakota State  
 15 Capitol, Room 412, 500 East Capitol Avenue, Pierre,  
 16 South Dakota, on the 17th day of April 2001, commencing  
 17 at 1:45 p.m.

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1 CHAIRMAN BURG: TC00-169, in the  
2 matter of the filing for approval of a Resale  
3 Agreement between Qwest Corporation and Flatel,  
4 Incorporated. Today shall the Commission approve  
5 the Interconnection Agreement?

6 MS. CREMER: I'm taking that one,  
7 yes. We have not heard from Flatel, that's how  
8 they pronounced it, since January, the end of  
9 January. I am recommending that it be denied.

10 CHAIRMAN BURG: Anybody else have a  
11 comment? I move we deny the Interconnection  
12 Agreement between Qwest and Flatel.

13 COMMISSIONER NELSON: I'll second.

14 CHAIRMAN BURG: The Motion has been  
15 seconded, and we will deny the Interconnection  
16 Agreement between Qwest and Flatel, TC00-169.

17 MR. WELK: Mr. Chairman, this is  
18 Tom Welk. I'm assume -- this did not go through my  
19 office. Was this because they didn't have a COA?

20 MS. CREMER: Right. When we  
21 originally contacted them they were always just  
22 about ready to file with us. I'm not sure what  
23 happened with this company. We have called and  
24 e-mailed, and they don't respond anymore.

25 MR. WELK: Thank you, Mr. Chairman.

CHAIRMAN BURG: Thank you.

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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING FOR  
APPROVAL OF THIRD AND FOURTH  
AMENDMENTS TO AN INTERCONNECTION TC01-015  
AGREEMENT BETWEEN QWEST CORPORATION  
AND IONEX COMMUNICATIONS NORTH, INC.

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Transcript of Proceedings  
April 17, 2001

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
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Reported By Cheri McComsey Wittler, RPR

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 14 above-entitled matter, at the South Dakota State  
 15 Capitol, Room 412, 500 East Capitol Avenue, Pierre,  
 16 South Dakota, on the 17th day of April 2001, commencing  
 17 at 1:45 p.m.

1 CHAIRMAN BURG: TC01-015, in the  
2 matter of the filing for approval of third and  
3 fourth amendments to an Interconnection Agreement  
4 between Qwest Corporation and Ionex Communications  
5 North, Incorporated. Today shall Commission  
6 approve the amendments to the Interconnection  
7 Agreements?

8 Is there anybody representing Ionex? Does  
9 US West have any comments from Qwest?

10 MR. WELK: I'm just making the  
11 filing. I have not heard any questions by staff as  
12 to the filing.

13 MS. CREMER: I'm handling this for  
14 Kelly Frazier. He has reviewed the agreement and  
15 it has all been properly executed and he would  
16 recommend approve of the Interconnection Agreement.

17 CHAIRMAN BURG: Okay. Any other  
18 questions or comments? If not, I'll move we  
19 approve the amendments to the Interconnection  
20 Agreement in TC01-015.

21 COMMISSIONER NELSON: Second.

22 CHAIRMAN BURG: It has been  
23 approved.  
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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING FOR  
APPROVAL OF A 911/WAIVER AMENDMENT  
TO AN INTERCONNECTION AGREEMENT  
BETWEEN QWEST CORPORATION AND  
SPRINT COMMUNICATIONS COMPANY, L.P. TC01-017

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Transcript of Proceedings  
April 17, 2001

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
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1 CHAIRMAN BURG: TC01-017, in the  
2 matter of the filing for approval of a 911/waiver  
3 amendment to an Interconnection Agreement between  
4 Qwest Corporation and Sprint Communications  
5 Company, LP. Today shall the Commission approve  
6 proposed waiver amendment to Interconnection  
7 Agreement? Anybody here --

8 MS. CREMER: I'm handling that again  
9 for Kelly. He has reviewed the agreement and it  
10 was properly executed and he would recommend  
11 approval of the Interconnection Agreement.

12 CHAIRMAN BURG: Tom, did you have  
13 anything to add on this one for Qwest?

14 MR. WELK: No, Mr. Chairman.

15 CHAIRMAN BURG: Any other questions  
16 or comments? If not, I will move we approve the  
17 proposed waiver to the Interconnection Agreement in  
18 TC01-017.

19 COMMISSIONER NELSON: Second.

20 CHAIRMAN BURG: It has been approved  
21 in TC01-017.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING  
BY MCLEODUSA TELECOMMUNICATIONS  
SERVICES, INC. FOR APPROVAL OF  
ITS INTRASTATE SWITCHED ACCESS  
TARIFF AND FOR AN EXEMPTION FROM  
DEVELOPING COMPANY SPECIFIC COST-BASED  
SWITCHED ACCESS RATES

TC01-022

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Transcript of Proceedings  
April 17, 2001

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
Rolayne Ailts Wiest  
Karen Cremer  
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1 CHAIRMAN BURG: TC01-022, in  
2 the matter of the filing by McLeodUSA  
3 Telecommunications Services, Inc. for approval of  
4 its intrastate switched access tariff and for an  
5 exemption from developing company specific  
6 cost-based switched access rates. Today shall  
7 Commission grant Qwest's petition for intervention?

8 Tom, do you have a comment?

9 MR. WELK: Yes. I did send in  
10 yesterday a letter to the executive director. We  
11 have withdrawn our request for intervention. So I  
12 guess I'd ask at this time we approve the  
13 withdrawal. The Commission has not acted on it,  
14 and we're moving at this time to withdraw.

15 COMMISSIONER NELSON: Some action is  
16 needed to withdraw; right?

17 CHAIRMAN BURG: Okay. So we just  
18 ignore this one. We recognize the withdrawal. In  
19 TC01-022 we recognize the withdrawal of the  
20 intervention request.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING FOR  
APPROVAL OF A FIFTH AMENDMENT TO  
AN INTERCONNECTION AGREEMENT BETWEEN TC01-025  
QWEST CORPORATION AND NEW EDGE  
NETWORK, INC. D/B/A NEW EDGE NETWORKS

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Transcript of Proceedings  
April 17, 2001

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
Rolayne Ailts Wiest  
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 17 South Dakota, on the 17th day of April 2001, commencing  
 18 at 1:45 p.m.

1 CHAIRMAN BURG: TC01-025, in the  
2 matter of the filing for approval of a fifth  
3 amendment to Interconnection Agreement between  
4 Qwest Corporation and New Edge Network, Inc. doing  
5 business as New Edge Networks. Today shall the  
6 Commission approve the proposed amendment to the  
7 Interconnection Agreement?

8 MS. CREMER: And I have that one for  
9 Kelly. He has reviewed the agreement, and he would  
10 recommend approval of it.

11 CHAIRMAN BURG: Anybody else have  
12 any comments on TC01-025?

13 COMMISSIONER NELSON: I'd move that  
14 the Commission grant approval to the proposed fifth  
15 amendment to the Interconnection Agreement  
16 requested in TC01-025.

17 CHAIRMAN BURG: I'll second that,  
18 and it has been approved.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING BY  
QWEST CORPORATION FOR APPROVAL OF TC01-029  
REVISIONS TO ITS ACCESS SERVICE  
TARIFF

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Transcript of Proceedings  
April 17, 2001

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
JIM BURG, CHAIRMAN  
PAM NELSON, VICE CHAIRMAN

COMMISSION STAFF  
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1 CHAIRMAN BURG: TC01-029, in the  
2 matter of the filing by Qwest Corporation for  
3 approval of revisions to its access service tariff.  
4 Today shall the Commission approve the proposed  
5 tariff? Who's got that?

6 MR. SENGER: I think Colleen's on  
7 the phone.

8 CHAIRMAN BURG: Colleen, do you have  
9 any comments on this one?

10 MS. SEVOLD: Qwest is asking the  
11 Commission to approve this filing (Inaudible)  
12 regarding PIC referral charges, and we are adopting  
13 the language that the FCC has recently put out.

14 It does not change the revenue that we would  
15 get from it at all because there's a \$10 charge now  
16 for PIC restoral. The FCC language breaks it up  
17 into two parts (Inaudible) have the \$5 charge. So  
18 the charge would be the same as the different  
19 language.

20 CHAIRMAN BURG: Anything else,  
21 Keith?

22 MR. SENGER: No. I'd recommend  
23 approval.

24 COMMISSIONER NELSON: I'd move we  
25 grant Commission approval in the proposed tariff

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revisions requested in TC01-029.

CHAIRMAN BURG: I'll second that.

So the proposed tariff revisions have been approved  
in TC01-029.

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STATE OF SOUTH DAKOTA )

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CERTIFICATE

COUNTY OF HUGHES )

I, CHERI MCCOMSEY WITTLER, a Registered Professional Reporter and Notary Public in and for the State of South Dakota:

DO HEREBY CERTIFY that as the duly-appointed shorthand reporter, I took in shorthand the proceedings had in the above-entitled matter on the 17th day of April 2001, and that the attached is a true and correct transcription of the proceedings so taken.

Dated at Pierre, South Dakota this 8th day of May 2001.

Cheri M. Wittler  
Cheri McComsey Wittler,  
Notary Public and  
Registered Professional Reporter