

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

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

**ORDER GRANTING
PETITION FOR WAIVER**

TC00-135

On September 7, 2000, the Public Utilities Commission (Commission) received a petition from Midcontinent Communications, Inc. (Midcontinent) for approval of its intrastate switched access tariff no. 1 which is concurrent with the rates, terms, and conditions of the current LECA tariff no. 1, with the exception of the switched access rates, which are based upon a statewide average. Additionally, Midcontinent requested an exemption from the requirement to develop intrastate switched access rates based on company specific costs. On October 6, 2000, the Commission received corrected tariff pages 17-1 and 17-4.

On October 17, 2000, the Commission considered Midcontinent's request for approval of its intrastate switched access tariff no. 1 and a waiver from establishing switched access rates based on company specific costs. 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 for exemption from developing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 and approve Midcontinent's intrastate switched access tariff no. 1 pursuant to ARSD 20:10:27:12. The Commission further ordered that Midcontinent, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based rates. The Commission voted to grant the petition for exemption as conditioned herein and approve the tariff. It is therefore

ORDERED, that Midcontinent's petition to be exempt from establishing company specific cost-based switched access rates is granted and its intrastate switched access tariff no. 1, as corrected, is approved; and it is further

ORDERED, that Midcontinent shall, within three years of the date of this Order, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 20th day of October, 2000.

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>Aldine Kalbo</u>
Date: <u>10/23/00</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