

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

IN THE MATTER OF THE REQUEST BY THE) ORDER GRANTING MOTION
LOCAL EXCHANGE CARRIERS ASSOCIATION) TO WITHDRAW
AND ITS MEMBERS FOR A WAIVER OF ARSD) APPLICATION
20:10:27:14) TC05-073

On May 31, 2005, the Public Utilities Commission (Commission) received a request from the Local Exchange Carriers Association (LECA) and its members for a waiver from ARSD 20:10:27:14 which requires companies filing access cost studies to use a historic test year. More specifically, LECA and its members are requesting they be allowed to file using projected minutes of use instead of historic minutes of use.

On June 2, 2005, the Commission electronically transmitted notice of the filing and the intervention deadline of June 17, 2005, to interested individuals and entities. On June 21, 2005, the Commission received a Motion to Accept AT&T's Late-Filed Petition for Intervention of AT&T Communications of the Midwest, Inc. and a Petition for Intervention of AT&T Communications of the Midwest, Inc. (AT&T). On June 27, 2005, the Commission received a late filed Petition for Intervention from Midcontinent Communications (Midcontinent). At its regularly scheduled meeting of June 28, 2005, the Commission granted intervention to AT&T. At its regularly scheduled meeting of July 12, 2005, the Commission granted intervention to Midcontinent. On August 4, 2005, the Commission received a Motion to Withdraw Application and a Stipulation from LECA.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:02.04.

At a regularly scheduled meeting of August 9, 2005, the Commission considered the Motion to Withdraw Application. The Commission voted to grant the Motion to Withdraw Application. It is therefore

ORDERED, that the Motion to Withdraw Application shall be granted.

Dated at Pierre, South Dakota, this 18th day of August, 2005.

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>Delaine Kolbo</u>
Date:	<u>8/18/05</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Robert K. Sahr
ROBERT K. SAHR, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner *dk*