

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

IN THE MATTER OF THE FILING BY COMTEL)	ORDER APPROVING
TELCOM ASSETS LP D/B/A VARTEC)	TARIFF AND GRANTING
TELECOM AND D/B/A EXCEL)	PETITION FOR WAIVER
TELECOMMUNICATIONS FOR APPROVAL OF)	
ITS INTRASTATE SWITCHED ACCESS TARIFF)	TC06-053
AND FOR AN EXEMPTION FROM)	
DEVELOPING COMPANY SPECIFIC COST-)	
BASED SWITCHED ACCESS RATES)	

On May 30, 2006, the Public Utilities Commission (Commission) received an application from Comtel Telcom Assets LP d/b/a Vartec Telecom and d/b/a Excel Telecommunications (Comtel) for approval of its intrastate switched access tariff. Additionally, Comtel filed a petition for an exemption from the requirement to develop intrastate switched access rates based on company specific costs pursuant to ARSD 20:10:27:11 and a waiver of the use of the formula in ARSD 20:10:27:12 and ARSD 20:10:27:13, so as to mirror the Qwest Corporation tariffed access rates. Comtel also requested a waiver of ARSD 20:10:27:07.

On August 8, 2006, the Commission considered Comtel's request for approval of its intrastate switched access tariff, an exemption from establishing switched access rates based on company specific costs, a waiver of the use of the formula in ARSD 20:10:27:12 and ARSD 20:10:27:13, so as to mirror the Qwest Corporation tariffed access rates and a waiver of ARSD 20:10:27:07. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19 and ARSD 20:10:27. 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, grant a waiver of the use of the formula in ARSD 20:10:27:12 and ARSD 20:10:27:13, so as to mirror the Qwest Corporation tariffed access rates, grant a waiver of ARSD 20:10:27:07, and approve Comtel's intrastate switched access tariff. It is therefore

ORDERED, that Comtel's petition to be exempt from establishing company specific cost-based switched access rates pursuant to ARSD 20:10:27:11 is granted, waivers of ARSD 20:10:27:07, ARSD 20:10:27:12 and ARSD 20:10:27:13 are granted, that Comtel be allowed to mirror Qwest Corporation's switched access rates and file adjustments to its switched access rates so long as those adjustments either mirror Qwest Corporation's rates or are lower or until the Commission shall otherwise order, and that Comtel's intrastate switched access tariff is approved, subject to these conditions.

Dated at Pierre, South Dakota, this 24th day of August, 2006.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>Melanie Koelb</u></p> <p>Date: <u>8/25/06</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

Gary Hanson
GARY HANSON, Commissioner