

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

**IN THE MATTER OF THE FILING BY QWEST )  
CORPORATION, DIECA COMMUNICATIONS, )  
INC. D/B/A COVAD COMMUNICATIONS )  
COMPANY AND MCLEODUSA )  
TELECOMMUNICATIONS SERVICES. INC. OF )  
THEIR NOTICE OF STIPULATION REGARDING )  
CERTAIN PERFORMANCE INDICATOR )  
DEFINITIONS AND QWEST PERFORMANCE )  
ASSURANCE PLAN PROVISIONS AND JOINT )  
MOTION TO APPROVE SAME ON BEHALF OF )  
THE STIPULATING PARTIES )**

**ORDER APPROVING  
STIPULATION**

**TC07-082**

On June 22, 2007, Qwest Corporation (Qwest) filed a Notice of Stipulation Regarding Certain Performance Indicator Definitions (PIDs) and Performance Assurance Plan (PAP) Provisions (2007 Stipulation) and Joint Motion to Approve Same on Behalf of the Stipulating Parties. Qwest on behalf of itself, DIECA Communications, Inc. d/b/a Covad Communications Company and McLeodUSA Telecommunications Services, Inc. (the Stipulating Parties) submitted the Notice of Stipulation and the Joint Motion to Approve. The Stipulating Parties respectively recommend that the Commission approve the 2007 Stipulation, apply the agreed upon changes to the PAP, to any interconnection agreements containing the PAP and allow the PIDs modifications to go into effect no later than 60 days after this submission in accordance with 47 U.S.C. Section 252(f)(3).

On June 28, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of July 13, 2007, to interested individuals and entities. No petitions to intervene or comments were filed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and the Federal Telecommunications Act of 1996.

At its March 25, 2008, meeting, the Commission considered whether to approve the Stipulation. The Commission voted unanimously to approve the Stipulation. It is therefore

ORDERED, that the Stipulation is hereby approved.

Dated at Pierre, South Dakota, this 8th day of April, 2008.

<b>CERTIFICATE OF SERVICE</b>
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>Delaine Kolbo</u>
Date: <u>4/9/08</u>
(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

Gary Hanson  
GARY HANSON, Chairman

Steve Kolbeck  
STEVE KOLBECK, Commissioner

Dustin M. Johnson  
DUSTIN M. JOHNSON, Commissioner