

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

**IN THE MATTER OF THE COMPLAINT FILED)
BY MCI COMMUNICATIONS SERVICES, INC.)
D/B/A VERIZON BUSINESS SERVICES)
AGAINST CAPITAL TELEPHONE COMPANY,)
INC. REGARDING TRAFFIC PUMPING)**

**ORDER DENYING
INTERVENTION**

TC08-065

On May 28, 2008, the Public Utilities Commission (Commission) received a complaint filed by MCI Communications Services; Inc. d/b/a Verizon Business Services (Verizon), against Capital Telephone Company (Capital) regarding traffic pumping.

On May 29, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of June 13, 2008, to interested individuals and entities. On June 12, 2008, the Commission received Qwest Communications Corporation's (Qwest) Petition for Leave to Intervene. On June 17, 2008, the Commission received a Response of Capital Telephone Company to Complaint of MCI Communications Services, Inc. d/b/a Verizon Business Services. On June 18, 2008, the Commission received an Answer to Qwest Communications Corporation's Petition for Leave to Intervene from Verizon.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05.

At a regularly scheduled meeting of June 24, 2008, the Commission considered the Petition for Leave to Intervene. The Commission unanimously voted to deny intervention. It is therefore

ORDERED, that the Petition for Leave to Intervene of Qwest is hereby denied.

Dated at Pierre, South Dakota, this 2nd day of July, 2008.

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, electronically.
By: <u> Retaine Kolbo </u>
Date: <u> 7/2/08 </u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

 Steve Kolbeck

STEVE KOLBECK, Commissioner

 Dustin Johnson

DUSTIN M. JOHNSON, Commissioner