

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

IN THE MATTER OF THE FILING FOR) APPROVAL OF AN OPT-IN) INTERCONNECTION AGREEMENT BETWEEN) QWEST CORPORATION AND CVC CLEC, LLC)	ORDER APPROVING AGREEMENT TC09-085
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On August 13, 2009, the Commission received for approval a filing of an Opt-In Interconnection Agreement between Qwest Corporation (Qwest) and CVC CLEC, LLC (CVC).

On August 20, 2009, the Commission electronically transmitted notice of this filing to interested individuals and entities. The notice stated that any person wishing to comment on the parties' request for approval had until September 2, 2009, to do so. No comments were filed.

At its regularly scheduled meeting of October 6, 2009, the Commission considered whether to approve the agreement between Qwest and CVC. Commission Staff recommended its approval.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and the Federal Telecommunications Act of 1996. In accordance with 47 U.S.C. § 252(e)(2), the Commission found that the agreement does not discriminate against a telecommunications carrier that is not a party to the agreement and the agreement is consistent with the public interest, convenience, and necessity. The Commission unanimously voted to approve the agreement. It is therefore

ORDERED, that the Commission approves the agreement.

Dated at Pierre, South Dakota, this 15th day October, 2009.

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><i>Delaine Kolbo</i></u>
Date: <u>10/15/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner