

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

<b>IN THE MATTER OF THE FILING BY XO )</b>	<b>ORDER APPROVING TARIFF</b>
<b>COMMUNICATIONS SERVICES, INC. FOR )</b>	<b>REVISIONS</b>
<b>APPROVAL OF REVISIONS TO ITS ACCESS )</b>	
<b>SERVICE TARIFF )</b>	<b>TC12-093</b>
<b>)</b>	

On June 11, 2012, the Public Utilities Commission (Commission) received a filing from XO Communications Services, Inc. (XO) for approval of revisions to its South Dakota Access Services Tariff. The purpose of this filing is to implement the Federal Communications Commission's (FCC) intercarrier compensation reforms as set forth in its Connect America Fund Order (Order), released November 18, 2011.<sup>1</sup> As part of its Order, the FCC adopted "bill-and-keep as the default methodology" and "end state" for all intercarrier compensation traffic, including intrastate traffic. The FCC further adopted a defined "transition path" for moving to this end state. The first reduction mandated by the FCC's Order requires a carrier to reduce its intrastate terminating access rate, if above the carrier's interstate access rate, by 50 percent of the differential between the carrier's intrastate rate and the carrier's interstate access rate. The reduced rates are required to be effective by July 3, 2012.<sup>2</sup>

XO requested approval of the following tariff pages:

Access Services Tariff

4th Revised Page 1  
1st Revised Page 12

Cancels 3rd Revised Page 1  
Cancels Original Page 12

On June 14, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of June 29, 2012, to interested individuals and entities. No parties filed to intervene.

At its regularly scheduled meeting of July 3, 2012, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31. Commission staff recommended approval of all requested tariff revisions. The Commission voted unanimously to approve the requested revisions to XO's South Dakota Access Services Tariff. It is therefore

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<sup>1</sup> *In the Matter of Connect America Fund et al.*, WC Docket Nos. 10-90, et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (released November 18, 2011).

<sup>2</sup> *See In the Matter of Connect America Fund et al.*, WC Docket Nos. 10-90, et al., Order, DA 12-870 (rel. June 5, 2012) (allowing effective dates for intrastate filings to be extended from July 1, 2012 to July 3, 2012).

ORDERED, that the Commission approves the above referenced revisions to XO's South Dakota Access Services Tariff effective as of July 3, 2012.

Dated at Pierre, South Dakota, this 14th day of July, 2012.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></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, electronically.</p> <p>By: <u>Joy King</u></p> <p>Date: <u>July 18, 2012</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Feigen  
KRISTIE FEIGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner