

TC97-158

KT

TC97-158

DOCKET NO.

In the Matter of      IN THE MATTER OF THE  
APPLICATION OF UNITED SERVICES  
TELEPHONE, LLC FOR A  
CERTIFICATE OF AUTHORITY TO  
PROVIDE TELECOMMUNICATIONS  
SERVICES IN SOUTH DAKOTA

## Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
9/14/97	Filed and Rejected;
9/18/97	TC Not Served;
8/5/98	Order Granting COA;
11/17/98	Received Certificate of Authority from Sec of State;
11/25/98	Sent COA;
11/25/98	Docket Closed

TC97-158



210 N. Park Ave.  
P.O. Drawer 200  
Winter Park, FL  
32790-0200

Tel: 407-740-8575  
Fax: 407-740-0613

Mr. William Bullard, Jr.  
Executive Director  
South Dakota Public  
Utilities Commission  
500 East Capitol  
Pierre, South Dakota 57501

Re: Registration of United Services Telephone, LLC

Dear Mr. Bullard:

Enclosed please find the original and ten copies of the registration request and supplemental information for United Services Telephone, LLC.

Please acknowledge receipt of this filing by returning a date-stamped copy of this letter in the envelope provided. Should you or your staff have any additional questions, please contact me at (407) 740-8575. Thank you.

Sincerely,

Connie Wightman  
Consultant to United Services Telephone, LLC

CW/ig

Enclosures

cc: Rudick J. Murphy, II, Esquire - United Services Telephone, LLC  
Steve T. Bleser, President - United Services Telephone, LLC  
File: UST - SD  
TMS: SD9700

September 12, 1997  
*Overnight*

RECEIVED

SEP 16 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

BEFORE THE  
SOUTH DAKOTA  
PUBLIC UTILITIES COMMISSION

RECEIVED

SEP 16 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Registration of  
United Services Telephone, LLC, for  
Authority to Provide  
Intrastate Telecommunications  
Services within South Dakota

Docket No. \_\_\_\_\_

Pursuant to Rule 20:10:24:02 of the Commission's Telecommunications Services Rules, United Services Telephone, LLC ("UST" or "Applicant") submits the following registration information:

**1. The name, address and telephone number of the applicant.**

United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, TN 37211  
Telephone: (615) 833-4797

**2. The name under which the Applicant will provide these services if different than in subdivision (1) of this section;**

Not Applicable.

**3. If the applicant is a corporation:**

- (a) **The state in which it is incorporated, the date of incorporation and a copy of its certificate of incorporation or, if it is an out-of-state corporation, a copy of its certificate of authority.**

The Company was formed as a Limited Liability Corporation under the laws of the State of Tennessee on July 18, 1996 as U.S. Teleconnect, L.L.C. to deliver telecommunications access and services to business and residential users. On March 7, 1997, because of a conflict in corporate name, a Certificate of Name Change (attached) was filed with the Secretary of the State of Tennessee to change the name to United Services Telephone, LLC. Articles of Organization and Certificate of Qualification from the South Dakota Secretary of State are included as Attachment I.

- (b) **The location of its principal office, if any, in this state and the name and address of its current registered agent.**

Principal office in South Dakota: None

Registered Agent: National Registered Agents, Inc.  
300 South Phillips Avenue, Suite 300  
Sioux Falls, SD 57102

- (c) **A copy of its articles of incorporation which includes a list of the names and addresses of the corporate officers and member of the board of directors at the time of incorporation.**

See Attachment II for Articles of Incorporation.

- (d) **A list of the names and addresses of the current corporate officers and members of the board of directors.**

Steve T. Bleser, President  
John D. Henry, Chief Financial Officer

475 Metroplex Drive, Suite 106  
Nashville, TN 37211

- (e) **The names and addresses of the ten common stockholders who own the greatest number of shares of common stock and the number of shares owned by each.**

JOSAN, L.L.C.	44.5%
Steve T. Bleser	44.5%
John D. Henry	11.0%

- (f) **The names and address of any corporation, association, partnership, cooperative or individual holding a five percent or greater ownership or management interest in the applicant corporation. The amount and character of the ownership interest shall be indicated. A copy of any management agreement shall be attached.**

See (e) above.



- (g) **The names and addresses of subsidiaries owned or controlled by the applicant.**

Not Applicable.

4. **If the applicant is a partnership, the name, title and business address of each partner, both general and limited.**

Not Applicable.

5. **A specific description of the telecommunications services the applicant intends to offer.**

UST proposes to offer, outbound message telecommunications service and inbound toll-free ("800/888") service to its customers through switched and dedicated access facilities provided by its underlying carriers. UST direct dial service allows customers to place calls by dialing "1+" and the destination telephone number to various terminating locations. Applicant proposes to offer South Dakota intrastate long distance services in conjunction with interstate services. UST will offer its services twenty-four (24) hours per day, seven (7) days a week.

Billing inquiries for LEC-billed Customers will be handled on behalf of the Company by its billing agent, Zero Plus Dialing, Inc. whose toll free number is 1-800-456-7587. The Company's direct Customer Service number is 1-800-247-6687. The Customer Service Department is staffed from 8:00 a.m. to 8:00 p.m., Monday through Friday and from 9:00 a.m. to 2:00 p.m. on Saturdays.

6. **A detailed statement of the means by which the applicant will provide its services, including the type and quantity of equipment to be used in the operation, the capacity, and the expected used of the equipment.**

United Services Telephone, LLC does not maintain offices or equipment in the State of South Dakota. UST does not plan to install any equipment, plant, or facilities within the state of South Dakota.

Applicant operates as a reseller and customers will be presubscribed to the underlying carrier. Calls originate over local exchange company feature group facilities to the underlying carrier and are switched over that company's long distance network.

7. **The geographic areas in which the services are, or will be, offered, including a map describing the service boundaries.**

United Services Telephone, LLC intends to offer service throughout the entire state of South Dakota.

8. **A current balance sheet and income statement; a copy of the applicant's latest annual report; a copy of the applicant's report to stockholders; the terms and conditions of service; the access charges and a copy of the applicant's tariff book.**

UST has the financial resources to successfully provide intrastate resale telecommunications services in South Dakota. In support of UST's financial ability to provide the services it proposes, financial statements are offered as Attachment III. The terms and conditions of service, as well as all rates and charges are provided in UST's proposed tariff in Attachment IV.

9. **The names and addresses of the applicant's representatives to whom all inquiries should be made regarding complaints and regulatory matters.**

For correspondence concerning this application:

Connie Wightman  
Consultant to United Services Telephone, LLC  
Technologies Management, Inc.  
P.O. Box 200  
Winter Park, Florida 32790-0200  
Telephone: (407) 740-8575  
Facsimile: (407) 740-0613

For correspondence concerning ongoing operations:

Rudick J. Murphy, II, Esq.  
Director - Regulatory  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, TN 37211  
Telephone: (615) 833-4797

10. **Determination of Competitive Classification.**

United Services Telephone, LLC requests an Emerging Competitive classification for its services. UST will offer competitive resold intrastate service within the State of South Dakota. These services are similar to and substitutes for telecommunications services provided by numerous other carriers in the state.

11. **Supporting cost data for Initial Filing.**

Cost support information is provided in Attachment V.

**12. Additional information:**

Additional Customer Service Information:

Local service and equipment troubles are directed to the appropriate service providers. Long distance troubles will be reported by the customer to UST via its 800 Customer service number, (800) 247-6687. Billing inquiries may be directed to this same number, (800) 247-6687. The Customer Service Department is staffed from 8:00 a.m. to 8:00 p.m., Monday through Friday and from 9:00 a.m. to 2:00 p.m. on Saturdays. After hours calls are routed to an answering machine or voice mail system which is routinely monitored.

Marketing Plans:

UST does not market differently from state to state. Marketing is accomplished via an in house sales staff, as well as via direct mail. In addition, UST may utilize telemarketing as a marketing avenue.

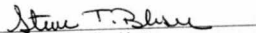
Certification Status:

UST is currently authorized to provide service in Idaho, Illinois, Kansas, Kentucky, Montana, New Jersey, Texas and Wyoming. The Company is in the process of filing in all jurisdictions where required.

As evidenced by the foregoing application, United Services Telephone, LLC is fully qualified to offer and provide long distance service within the state of South Dakota. Therefore, United Services Telephone, LLC respectfully requests that the Commission grant this application at its earliest convenience.

Dated this 30 day of September 1997.

Respectfully Submitted,

  
Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, TN 37211  
Telephone: (615) 833-4797

**ATTACHMENT I**

**United Services Telephone, LLC**


**AUTHORITY TO OPERATE IN SOUTH DAKOTA**

Secretary of State  
State of South Dakota  
500 E. Capitol  
Pierre, SD 57501-5070  
605-773-4845

APPLICATION  
FOR CERTIFICATE OF AUTHORITY  
FOREIGN LIMITED LIABILITY COMPANY

1. The name of the foreign limited liability company United Services Telephone, LLC
2. The state of formation Tennessee
3. The date of formation 7-18-96
4. The name and business address of the South Dakota registered agent National Registered Agents, Inc.  
300 South Phillips Avenue, Suite 300, Sioux Falls, SD 57102
5. The address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction, or, if not so required, of the principal place of business:  
155 Franklin Road, Suite 155  
Brentwood, TN 37027
6. The capital amount of the limited liability company is \$ \_\_\_\_\_

The application must be signed by a manager, member or other authorizing agent in the presence of a notary public.

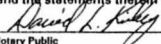
  
(Signature by member or manager) John D. Henry

Member  
(Title)

STATE OF Tennessee  
COUNTY OF Rutherford ss

I, DAVID L. KIRBY, a notary public, do hereby certify that on this 7<sup>th</sup> day of May 19 97, personally appeared before me John D. Henry who, being by me first duly sworn, declared that he/she is the Member of United Services Telephone, LLC that he/she signed the foregoing document as \_\_\_\_\_ of the limited liability company and the statements therein contained are true.

MY COMMISSION EXPIRES  
My Commission Expires ON 2/22/2000

  
Notary Public

(Notarial Seal)

**ATTACHMENT II**

**United Services Telephone, LLC**

**ARTICLES OF ORGANIZATION**



**FILED**

RECEIVED MAR 10 1997

BOOK 10374-336

**AMENDMENT TO ARTICLES OF ORGANIZATION**STANDARD CHARTERS  
CORPORATE CONTROL NO. 0315125

IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE TENNESSEE LIMITED LIABILITY COMPANY ACT, THE UNDERSIGNED LLC ADOPTS THE FOLLOWING AMENDMENT TO ITS ARTICLES OF ORGANIZATION:

U.S. TELECONNECT, LLC HEREBY CHANGES ITS NAME TO UNITED SERVICES TELEPHONE, LLC

THE AMENDMENT IS EFFECTIVE UPON FILING WITH SECRETARY OF STATE.

THE AMENDMENT WAS DULY ADOPTED ON MARCH 7, 1997 BY THE UNANIMOUS CONSENT OF THE MEMBERS.

\_\_\_\_\_  
SECRETARY

Signer's Capacity

  
\_\_\_\_\_  
Signature

RIDDICK J. MURPHY II

\_\_\_\_\_  
Name of Signer

**NEXT**

**DOCUMENT (S)**

**BEST IMAGE**

**POSSIBLE**

21 MAR 1997

10:13 AM

FILED

ARTICLES OF ORGANIZATION

DATE 10/12/96

OF

U.S. TELECONNECT, LLC

The undersigned natural person, having capacity to contract and acting as the organizer of a Limited Liability Company under the provisions of the Tennessee Limited Liability Company Act, Section 48-1-101, et seq., adopts the following Articles of Organization:

1. The name of the Professional Limited Liability Company is: **U.S. TELECONNECT, LLC**

2. The name and address of the Professional Limited Liability Company's initial registered office in Tennessee is:

Rudick J. Murphy, II  
The Ramparts of Brentwood  
155 Franklin Road, Suite 155  
Brentwood, TN 37027

3. The name and address of the organizer is:

Rudick J. Murphy, II  
The Ramparts of Brentwood, Suite 155  
155 Franklin Road  
Brentwood, TN 37027

4. At the date and time of formation there are two (2) or more members. Number of members: Two (2)

5. The Limited Liability Company will be member managed. (2)

6. Number of members at the date of filing: Four (4)

7. This document is to be effective upon the date of filing.

8. The complete address of the Professional Limited Liability Company's principal office is:

475 Metroplex Drive  
Suite 106  
Nashville, Tennessee 37211  
Davidson County

9. The Limited Liability Company has the power to expel a member. (2)

10. Period of Duration: The term of the LLC shall continue until December 31, 2024, unless earlier terminated in accordance with the provisions of the LLC's Operating Agreement.

11. Other Provisions: None

12. Do the members, parties (other than LLC) to a contribution agreement or a contribution advance agreement, have preemptive rights? No

DATE 7/12/96

Rudick J. Murphy, II  
RUDICK J. MURPHY, II  
Organizer/Manager authorized to sign by and  
on behalf of the Limited Liability Company

**Secretary of State**  
**Corporations Section**

James K. Polk Building, Suite 1800  
Nashville, Tennessee 37243-0306

DATE: 07/18/96  
 RECORD NUMBER: 3194-2672  
 PHONE CONTACT: 614-741-0537  
 DATE: 07/18/96 142  
 C/V: 07/18/96 142  
 CONTROL NUMBER: 031125

TO  
BLACKARD AND MURPHY  
155 FRANKLIN RD.  
BRENTWOOD, TN 37027

Page 10125rc382

PICK-UP

96 JUN 18 PM12:14  
DAVIDSON COUNTY, TN

11795012

RE: TELECONNECT, L.L.C.  
ARTICLES OF ORGANIZATION -  
LIMITED LIABILITY COMPANY

CONGRATULATIONS UPON THE FORMATION OF THE LIMITED LIABILITY IN THE STATE OF  
TENNESSEE WHICH IS EFFECTIVE AS INDICATED ABOVE.

A LIMITED LIABILITY COMPANY ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE ON OR BEFORE THE FIRST OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE FISCAL YEAR. IF A LIMITED LIABILITY COMPANY'S FISCAL YEAR ONCE THE FISCAL YEAR HAS BEEN ESTABLISHED, IT MUST PROVIDE THIS OFFICE WITH WRITTEN NOTIFICATION. THIS OFFICE WILL MAIL THE REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE LIMITED LIABILITY COMPANY AT THE ADDRESS OF ITS PRINCIPAL OFFICE OR TO THE ADDRESS ADDRESSED TO THE REGISTERED AGENT. IF THE COMPANY FAILS TO FILE ANNUAL REPORT OR TO ADDRESS PROPOSED TO REGISTERED AGENT, THE OFFICE WILL SUSPEND THE LIMITED LIABILITY COMPANY TO ADMINISTRATIVE DISSOLUTION.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR FILING PLEASE  
REFER TO THE LIMITED LIABILITY COMPANY CONTROL NUMBER GIVEN ABOVE. PLEASE BE  
ADVISED THAT THIS DOCUMENT MUST ALSO BE FILED IN THE OFFICE OF THE REGISTER OF  
COMMERCE IN THE COUNTY WHEREIN A LIMITED LIABILITY COMPANY HAS ITS PRINCIPAL  
OFFICE IF SUCH PRINCIPAL OFFICE IS IN TENNESSEE.

RECEIVED 1010 51/6 FEB 5-00

FOR: ARTICLES OF ORGANIZATION -  
LIMITED LIABILITY COMPANY

ON DATE: 07/18/96

FROM:  
BLACKARD & MURPHY  
155 FRANKLIN RD. 142  
RAPHAELS OF BRENTWOOD  
BRENTWOOD, TN 37027-0000

RECEIVED,	8300.00	80.00
TOTAL PAYMENT RECEIVED,	8300.00	

RECEIPT NUMBER: 00001987141  
ACCOUNT NUMBER: 00233721

Ruby C Darnell

RILEY C. DARNELL  
SECRETARY OF STATE



**ATTACHMENT III**

**United Services Telephone, LLC**

**FINANCIAL INFORMATION**

United Services Telephone, L.L.C.  
Unaudited Balance Sheet  
July 31, 1997

ASSETS

Current Assets		
Petty Cash	\$ 200.00	
Cash-Operating-1st Union	140,522.87	
Cash - NationsBank	(500.82)	
Cash - NationsBank Payroll	(3,274.13)	
	-----	
Total Cash		\$136,947.92
Receivable -- TRI	1,180,017.81	
Receivable -- IGT	4,528,567.35	
Notes Receivable--Other	18,000.00	
Receivable from RESCOM	18,488.69	
Telco Holdback Receivable	506,349.90	
Less: Reserve for Uncoll	(1,383,999.97)	
	-----	
Total Net Receivable		4,867,423.78
Employee Advances		(2,480.96)
Prepaid Taxes		11,701.03
		-----
Total Current Assets		\$5,013,591.77
Property, Plant And Equipment		
Switch Equipment	\$196,321.00	
Computer Equipment	90,404.16	
Computer Software	57,144.18	
Furniture & Equipment	98,406.14	
	-----	
Accum Deprec - Switch Equip	(16,112.10)	
Accum Deprec - Computer Equip.	(532.35)	
Accum Deprec - Software	(1,418.62)	
	-----	
Less: Accu. Deprn.		(18,063.07)
		-----
Net Plant And Equipment		424,212.41
Total Property, Plant And Equipment		424,212.41
Other Assets		
Contract Rights	173,012.00	
Accumulated Amortization	(20,184.71)	
	-----	
Net Other Assets		152,827.29
Total Other Assets		152,827.29
		-----
Total Assets		\$5,590,631.47
		=====

CONFIDENTIAL

See Compilation Report

United Services Telephone, L.L.C.  
Unaudited Balance Sheet  
July 31, 1997

LIABILITIES AND  
MEMBER'S CAPITAL

Current Liabilities		
Advance Pay - IGT	\$2,408,335.71	
Accounts Payable	670,941.28	
Payable to Members	210,602.65	
Fees Due IGT	87,983.01	
	-----	
Wage Garnishments Payable		115.40
		-----
Total Payroll Taxes Payable		115.40
		-----
Total Current Liabilities		\$3,377,978.05
Long Term Liabilities		
Total Long Term Liabilities		0.00
		-----
Total Liabilities		\$3,377,978.05
Partners' Capital		
Beginning Capital - L	2,000.00	
Beginning Capital - B	2,000.00	
Beginning Capital - H	2,000.00	
Year End Closing Account	328,844.70	
	-----	
Beginning Capital		334,844.70
Net Income (Loss)		1,884,277.10
		-----
Suspense/Transition Account		(6,468.38)
Ending Capital		2,212,653.42
Total Liabilities And		
Member's Capital		\$5,590,631.47
		=====

CONFIDENTIAL

See Compilation Report

United Services Telephone, L.L.C.  
Unaudited Statement of Income  
Seven Months Ended July 31, 1997  
and the One Month Then Ended

	One Month	%	Seven Months	%
<b>Revenue</b>				
New Sales	\$2,020,115.50	120.5	\$12,140,277.19	117.0
Cash Collections	859.15	.1	933.39	.0
Cash Refunds (Terminations)	(1,333.07)	(.1)	(1,387.27)	(.0)
Unbillables	0.00	.0	(17,471.30)	(.2)
Uncollectible-Reserve	(50,212.57)	(3.0)	(1,383,999.97)	(13.3)
Dilution Costs	(293,207.07)	(17.5)	(362,174.44)	(3.5)
Net Revenue	1,676,221.94	100.0	10,376,177.60	100.0
<b>Cost of Sales</b>				
Network Costs	\$488,552.81	29.2	\$2,485,372.01	24.0
Verification Costs	9,646.67	.6	57,646.67	.6
Sales Commission	566,715.05	33.8	3,089,482.08	29.8
Inquiry Costs--IGT	(33,736.54)	(2.0)	16,547.36	.2
Billing Costs -- TRI	0.00	.0	342,701.95	3.3
Billing Costs -- IGT Fees	42,253.08	2.5	197,162.30	1.9
Printing and Graphics	54,544.96	3.3	187,602.98	1.8
Mailing List Costs	65,764.43	3.9	245,426.57	2.4
Telco Fees	18,281.48	1.1	62,787.04	.6
Total Cost of Sales	1,212,021.94	72.3	6,684,728.96	64.4
<b>Expenses</b>				
Advertising	4,098.08	.2	8,012.06	.1
Auto Expense	1,215.51	.1	8,770.22	.1
Bank Charges	186.48	.0	1,500.61	.0
Dues And Subscriptions	350.75	.0	449.75	.0
Equipment Rental	1,973.12	.1	7,828.60	.1
Insurance	1,439.34	.1	12,144.91	.1
Insurance-Group	(1,887.28)	(.1)	4,241.56	.0
Interest	22,769.41	1.4	43,745.73	.4
Office Supplies	2,499.08	.2	12,449.07	.1
Outside Services	0.00	.0	410.02	.0
Payroll Taxes	10,073.17	.6	81,779.18	.8
Pension Plan	0.00	.0	340.75	.0
Postage And Freight	1,322.75	.1	6,564.44	.1
Professional Fees	32,509.29	1.9	106,463.47	1.0
Regulatory Costs	1,202.25	.1	37,867.25	.4
Rent	15,831.35	.9	78,252.57	.8
Repairs And Maintenance	1,747.76	.1	3,722.11	.0
Recruiting & Relocation	5,875.29	.4	39,070.29	.4
Salaries And Wages	148,271.09	8.9	817,223.98	7.9
Consulting--Executive	30,619.04	1.8	195,982.22	1.9
Contract Services	7,394.80	.4	37,620.24	.4
Taxes And Licenses	0.00	.0	7,656.45	.1
Telephone	8,027.51	.5	114,621.39	1.1
Travel And Entertainment	42,348.14	2.5	140,700.85	1.4
Utilities	375.39	.0	1,506.04	.0

**CONFIDENTIAL**  
See Compilation Report



United Services Telephone, L.L.C.  
 Unaudited Statement of Income  
 Seven Months Ended July 31, 1997  
 and the One Month Then Ended

	One Month	%	Seven Months	%
Total Expenses	338,242.32	20.2	1,768,923.76	17.1
Net Income Before Amortization And Depreciation	125,957.68	7.5	1,922,524.88	18.5
Amortization	2,883.53	.2	20,184.71	.2
Depreciation	2,964.06	.2	18,063.07	.2
Net Income	\$120,110.09	7.2	\$1,884,277.10	18.2

CONFIDENTIAL

See Compilation Report

**ATTACHMENT IV**  
**United Services Telephone, LLC**  
**PROPOSED TARIFF**

UNITED SERVICES TELEPHONE, LLC

RESALE INTEREXCHANGE TELECOMMUNICATIONS  
SERVICE TARIFF

This tariff contains the regulations, rates and charges applicable to the provision of interexchange telecommunications services by United Services Telephone, LLC for the use of Customers transmitting messages within the State of South Dakota.

This tariff is available for public inspection during normal business hours at the main office of United Services Telephone, LLC, located at 475 Metroplex Drive, Suite 106, Nashville, Tennessee 37211.

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

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**CHECK SHEET**

The pages of this tariff as listed below are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
1	Original	26	Original
2	Original	27	Original
3	Original	28	Original
4	Original	29	Original
5	Original	30	Original
6	Original	31	Original
7	Original	32	Original
8	Original	33	Original
9	Original	34	Original
10	Original	35	Original
11	Original	36	Original
12	Original	37	Original
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19	Original		
20	Original		
21	Original		
22	Original		
23	Original		
24	Original		
25	Original		

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ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

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ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

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**TARIFF FORMAT**

- A. **Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added.
- B. **Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th revised Page 14 cancels the 3rd revised Page 14. Because of the various suspension periods and deferrals the Commission follows in its tariff approval process, the most current page number on file with the Commission is not always the tariff page in effect. Consult the check sheet for the page currently in effect.
- C. **Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2
  - 2.1
  - 2.1.1
  - 2.1.1.A
  - 2.1.1.A.1
  - 2.1.1.A.1.(a)
  - 2.1.1.A.1.(a).I
  - 2.1.1.A.1.(a).I.(i)
  - 2.1.1.A.1.(a).I.(i).(1)
- D. **Check Sheets** - When a tariff filing is made with the Commission an updated check sheet accompanies the filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There shall be no other symbols used on this page if these are the only changes made to it. The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the Commission.

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EXPLANATION OF SYMBOLS

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- (D) - To signify a discontinued rate or regulation.
- (I) - To signify an increase in rate or charge.
- (M) - To signify material relocated from one page to another without change.
- (N) - To signify a new rate or regulation.
- (R) - To signify a reduced rate or charge.
- (T) - To signify a change or regulation but no change in rate or charge.

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**SECTION 1 - DEFINITION OF TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the Customer's location to a United Services Telephone switching center or point of presence.

**Authorized User** - A person, firm, corporation, or any other entity authorized by the Customer to communicate utilizing the Carrier's service.

**Called Party** - The person, individual, corporation, or other entity whose telephone number is called by the End User.

**Commission** - The South Dakota Public Service Commission.

**Company or Carrier** - United Services Telephone, LLC ("UST") unless otherwise clearly indicated by the context.

**Customer** - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

**End User** - Any person, firm, corporation, partnership or other entity which uses the services of the Carrier under the provisions and regulations of this tariff. The End User is responsible for payment unless the charges for the services utilized are accepted and paid by another Customer.

**Incomplete Call** - A call in which no called station was reached by the caller (i.e. busy signal or no answer).

**LATA** - Local access and transport area. A geographic area established by the US District Court for the District of Columbia in Civil Action No. 17-49, within which a local exchange company provides communications services.

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**SECTION 1 - DEFINITION OF TERMS AND ABBREVIATIONS (Continued)**

**Commission** - The South Dakota Public Utilities Commission.

**LEC** - Local Exchange Company

**Premises** - A building or buildings on contiguous property.

**UST** - United Services Telephone, LLC

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**SECTION 2 - REGULATIONS**

**2.1 Undertaking of United Services Telephone, LLC**

- 2.1.1 The Company offers intrastate telecommunications service in conjunction with interstate service.
- 2.1.2 UST installs, operates, and maintains the communications services provided hereunder in accordance with the terms and conditions set forth under this tariff. UST may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the Customer, to allow connection of a Customer's location to the UST point of presence. The Company's services are provided on a monthly basis, unless ordered on a longer term basis, and are available twenty-four hours per day.
- 2.1.3 No charges apply to incomplete calls.

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**SECTION 2 - REGULATIONS (Continued)****2.2 Limitations on Service**

- 2.2.1 Service is offered subject to the availability of the necessary facilities and subject to the provisions of this tariff.
- 2.2.2 Company reserves the right to discontinue furnishing Service, or to limit the use of Service, when necessitated by conditions beyond its control, when Customer or an Authorized User is using Service in violation of the law or in violation of the provisions of this tariff, or for non-payment by Customer.
- 2.2.3 Service provided under this tariff is directly controlled by Company, and Customer may not transfer or assign the use of Service, except with the prior written consent of Company. Such transfer or assignment shall only apply where there is no interruption in the use or location of Service, and all regulations and conditions contained in this tariff, as well as all conditions for Service, shall apply to all such permitted assignees or transferees.
- 2.2.4 Customer may, where applicable, request Company to assign one or more sub-accounts for billing purposes and to direct sub-account invoices to affiliates of Customer or other designated entities for payment purposes. Such requests shall not affect the liability of Customer, who shall remain solely liable to Company for payment of all invoices for Service requested and obtained by Customer, whether invoiced by Company to Customer, its affiliates, or other designated entities.
- 2.2.5 Service may not be used for any unlawful purpose.
- 2.2.6 Intrastate Services are provided only in conjunction with interstate Services.

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**SECTION 2 - REGULATIONS (Continued)**

**2.3 Limitations on Liabilities**

- 2.3.1** Except as otherwise stated in this section, the liability of the Company for damages arising out of either: (1) the furnishing of its Services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these Services, or (2) the failure to furnish its Service, whether caused by acts or omission, shall be limited to the extension of allowances to the Customer for interruptions in Service as set forth in Section 2.14.
- 2.3.2** Except for the extension of allowances to the Customer for interruptions in Service as set forth in this tariff, the Company shall not be liable to a Customer or third party for any direct, indirect, special, incidental, reliance, consequential, exemplary or punitive damages, including, but not limited to, loss of revenue or profits, for any reason whatsoever, including, but not limited to, any act or omission, failure to perform, delay, interruption, failure to provide any Service or any failure in or breakdown of facilities associated with the Service.
- 2.3.3** The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to a credit equal to the dollar amount erroneously billed or, in the event that payment has been made and Service has been discontinued, to a refund of the amount erroneously billed.

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**SECTION 2 - REGULATIONS (Continued)****2.3 Limitations on Liabilities, (Continued)**

**2.3.4** The Company shall not be liable for any claims for loss or damages involving:

- A. Any act or omission of: (a) the Customer, (b) any other entity furnishing service, equipment or facilities for use in conjunction with Services provided by the Company; or (c) common carriers or warehousemen;
- B. Any delay or failure of performance or equipment due to causes beyond the Company's control, including but not limited to, acts of God, fires, floods, earthquakes, hurricanes, or other catastrophes; national emergencies, insurrections, riots, wars or other civil commotions; strikes, lockouts, work stoppages or other labor difficulties; criminal actions taken against the Company; unavailability, failure or malfunction of equipment or facilities provided by the Customer or third parties; and any law, order, regulation or other action of any governing authority or agency thereof;
- C. Any unlawful or unauthorized use of the Company's Services;
- D. Libel, slander, invasion of privacy or infringement of trademarks, patents, trade secrets, or copyrights arising from or in connection with the transmission of communications by means of Company provided facilities or Services; or by means of the combination of Company provided facilities or Services with Customer provided services;
- E. Breach in the privacy or security of communications transmitted over the Company's Service;

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**SECTION 2 - REGULATIONS (Continued)**

**2.3 Limitations on Liabilities, (Continued)**

**2.3.4 (Continued)**

- F. Changes in any of the facilities, operations or procedures of the Company that render any equipment, facilities or services provided by the Customer obsolete, or require modification or alteration of such equipment, facilities or services, or otherwise affect their use or performance, except where reasonable notice is required by the Company and is not provided to the Customer, in which event the Company's liability is limited as set forth in paragraph 2.3.1 of this Subsection;
- G. Defacement of or damage to Customer premises resulting from the furnishing of Services or equipment on such premises or the installation or removal thereof;
- H. Injury to property or injury or death to persons, including claims for payments made under Workers' Compensation law or under any plan for employee disability or death benefits, arising out of, or caused by, any act or omission of the Customer, or the construction, installation, maintenance, presence, use or removal of the Customer's facilities or equipment connected, or to be connected to the Company's facilities.

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**SECTION 2 - REGULATIONS (Continued)**

**2.3 Limitations on Liabilities, (Continued)**

**2.3.5** The Company shall be indemnified, defended and held harmless by the Customer from and against any and all claims, loss, demands, suits, expense, or other action or any liability whatsoever, including attorney fees, whether suffered, made, instituted, or asserted by the Customer or by any other party, for any personal injury to or death of any person or persons, and for any loss, damage or destruction of any property, including environmental contamination, whether owned by the Customer or by any other party, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, presence, condition, location, use or removal of any Company or Customer equipment or facilities or Service provided by the Company.

**2.3.6** The Company does not guarantee nor make any warranty with respect to installations provided by it for use in an explosive atmosphere. The Company shall be indemnified, defended and held harmless by the Customer from and against any and all claims, loss, demands, suits, or other action, or any liability whatsoever, including attorney fees, whether suffered, made, instituted or asserted by the Customer or by any other party, for any personal injury to or death of any person or persons, and for any loss, damage or destruction of any property, including environmental contamination, whether owned by the Customer or by any other party, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, presence, condition, location, use or removal of any equipment or facilities of the Service.

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**SECTION 2 - REGULATIONS (Continued)****2.4 Cancellation or Discontinuance of Service by the Company**

Service continues to be provided until canceled by the Customer or until canceled by the Company as set forth below. The Company may render bills subsequent to the termination of service for charges incurred before termination. The Customer shall pay such bills in full in accordance with the payment terms of this tariff. Card Services will not be available in South Dakota when the Customer has been canceled for Service in his/her home state.

- 2.4.1 Service may be suspended by the Company, without notice to the Customer, by blocking traffic to certain cities or NXX exchanges, or by blocking calls using certain Customer Travel Cards when the Company deems it necessary to take such action to prevent unlawful use of its service. UST will restore services as soon as it can be provided without undue risk, and will upon request by the Customer, assign new Travel Card codes to replace ones that have been deactivated.
- 2.4.2 For nonpayment: The Company, by written notice to the Customer and in accordance with applicable law, may refuse, suspend or cancel service without incurring any liability when there is an unpaid balance for service that is more than 60 days overdue.
- 2.4.3 For returned checks: The Customer whose check or draft is returned unpaid for any reason, after two attempts at collection, shall be subject to refusal, suspension or cancellation of service in the same manner as provided for nonpayment of overdue charges.
- 2.4.4 For lack of use: The Company, by written notice to the Customer, may refuse, suspend or cancel service in the same manner as provided for nonpayment of overdue charges if after three full billing cycles the service has not been used.
- 2.4.5 For violation of law or this tariff: Except as provided elsewhere in this tariff, the Company may refuse, suspend or cancel service, without notice, for any violation of terms of this tariff, for any violation of any law, rule, regulation, order, decree or policy of any government authority of competent jurisdiction, or by reason of any order or decision of a court or other government authority having jurisdiction which prohibits the Company from furnishing such service or prohibits Customer from subscribing to, using, or paying for such service.

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**SECTION 2 - REGULATIONS (Continued)****2.4 Cancellation or Discontinuance of Service by the Company (Continued)**

- 2.4.6** For the Company to comply with any order or request of any governmental authority having jurisdiction: The Company may refuse, suspend or cancel service, without notice, in order to permit the Company to comply with any order or request of any governmental authority having jurisdiction.
- 2.4.7** For unauthorized or unlawful use of Travel Card numbers and Authorization Codes: Travel Card Numbers and Authorization Codes are issued by the Company only to the Customer and may not be sold or otherwise distributed without the written consent of the Company. Any unauthorized or unlawful use of such numbers or Authorization Codes shall result in the immediate refusal, suspension or cancellation of service without notice.
- 2.4.8** UST may refuse or discontinue service under the following conditions provided that, unless otherwise stated in this tariff, the Customer shall be given 15 days notice to comply with any rule or remedy any deficiency:
- A. For neglect or refusal to provide reasonable access to UST or its agents for the purpose of inspection and maintenance of equipment owned by UST or its agents.
  - B. Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect UST's equipment or service to others.
  - C. Without notice in the event of tampering with the equipment or services owned by UST or its agents.
  - D. Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, UST may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.

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**SECTION 2 - REGULATIONS (Continued)****2.5 Cancellation or Termination of Service by Customer**

- 2.5.1** Service shall be canceled by Company promptly upon receipt of a cancellation request from Customer. Upon cancellation a final bill will be prepared, as per the specifications set forth in this tariff. The Customer shall be liable for all recurring charges prior to proper notice if a change in presubscribed carrier is initiated by the Customer.
- 2.5.2** If Customer, either on behalf of itself or an Authorized User, orders Service from the Company which requires special construction or facilities for Customer's or Authorized User's use, and then cancels its order before Service begins, a charge shall be made to Customer for the non-recoverable portions of the expenditures or liabilities incurred on behalf of Customer or Authorized User by Company.

**2.6 Restoration of Service**

The use and restoration of Service shall in all cases be in accordance with the priority system specified in Part 64, Subpart D, of the Rules and Regulations of the Federal Communications Commission.

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**SECTION 2 - REGULATIONS (Continued)****2.7 Payment and Billing**

- 2.7.1 Service is provided and billed by the Company on a monthly basis. Usage sensitive charges are billed in arrears and fixed monthly recurring charges, if any, are billed one month in advance. The Customer shall pay monthly in advance or on demand all monthly recurring charges for Service and shall pay on demand all charges for usage at any agency duly authorized to receive such payments.
- 2.7.2 Bills are due and payable upon receipt. Interest at the lesser of a rate of one and one-half percent (1.5%) per month, or the maximum rate allowed by law, shall be charged on any amount previously unassessed which remains unpaid at the time the next bill is prepared.
- 2.7.3 Should service be suspended for nonpayment of charges, it will be restored when appropriate payments are made.
- 2.7.4 When service has been disconnected for nonpayment, the service agreement is considered to have been terminated. Reestablishment of service may be made only upon the execution of a new service agreement which is subject to the provisions of this tariff.
- 2.7.5 In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges, prior to payment of all charges due. Such restoration or reestablishment shall not be construed as a waiver of any rights to suspend or disconnect service for nonpayment of any such or other charges due and unpaid or for the violation of the provisions of this tariff; nor shall the failure to suspend or disconnect service for nonpayment of any past due account or accounts operate as a waiver or estoppel to suspend or disconnect service for nonpayment of such account or of any other past due account.

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**SECTION 2 - REGULATIONS (Continued)**

**2.7 Payment and Billing, (Continued)**

- 2.7.6 The Company may demand immediate payment under the following circumstances:
- A. Where Service is terminated or abandoned.
  - B. Where actual usage is two times greater than the Customer's average usage as reflected on the monthly bills for the three months prior to the current bill or, in the case of a new Customer who has been receiving Service for less than four months, where the actual usage is twice the estimated monthly usage charge.
  - C. Where the Company has reason to believe that a Business Customer is about to go out of business or that bankruptcy is imminent for that Customer.
- 2.7.7 A charge of \$20.00 will apply whenever a check, draft, or electronic funds transfer presented for payment for service is not accepted by the institution on which it is written.
- 2.7.8 The security of Authorization Codes used by Customer or its Authorized Users are the responsibility of Customer. All calls placed using such Authorization Codes or using facilities owned or controlled by Customer or its Authorized Users shall be billed to Customer and must be paid by Customer.
- 2.7.9 If notice from Customer of a dispute as to charges is not received in writing by the Company within thirty (30) days after delivery of an invoice to the custody of the U.S. Mail or other standard delivery service, the billing will be considered correct and binding.

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**SECTION 2 - REGULATIONS (Continued)**

**2.7 Payment and Billing, (Continued)**

- 2.7.10** Customers with billing or service inquiries may contact the Company toll-free by dialing 1-800-247-6687 or by writing to the following address:

United Services Telephone, LLC  
Attn: Customer Service  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

- 2.7.11** Customers dissatisfied with the Company's response to a complaint or inquiry may contact the South Dakota Public Utilities Commission for resolution of the conflict at 500 East Capitol, Pierre, South Dakota, 57501-5070 or toll-free at (800) 332-1782.

**2.8 Deposits**

The Company does not collect deposits for services provided to its Customers. However, the Company reserves the right to examine the credit record of the Customer, using any lawful sources for determining credit standing. If the Customer's financial condition is unknown or unacceptable to the Company, the Customer may be denied service by the Company.

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**SECTION 2 - REGULATIONS (Continued)**

**2.9 Advance Payments**

The Company does not collect advance payments for services provided to its Customers.

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**SECTION 2 - REGULATIONS (Continued)**

**2.10 Taxes**

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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**SECTION 2 - REGULATIONS (Continued)****2.11 Terminal Equipment**

Service may be used with or terminated in terminal equipment or communications systems, such as a PBX or key telephone system, provided by Customer or its Authorized User. Such terminal equipment or communications systems shall be furnished by and maintained at the expense of Customer or its Authorized User, except as otherwise provided. Customer or its Authorized User is also responsible for all costs at its premises incurred in the use of Service, including but not limited to equipment, wiring, electrical power, and personnel. When such terminal equipment or communications systems are used, they shall in all respects comply with the generally accepted minimum protective standards of the telecommunications industry as endorsed by the Federal Communications Commission.

**2.12 Interconnection**

Service furnished by the Company to Customer or its Authorized Users may be connected with the services or facilities of other carriers. Customer is responsible for all charges billed by other carriers in connection with the use of Service. Any special equipment or facilities necessary to achieve compatibility between carriers are the sole responsibility of Customer.

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**SECTION 2 - REGULATIONS (Continued)**

**2.13 Inspection, Testing and Adjustment**

- 2.13.1** The Company may, upon reasonable notice, make such tests and inspections as may be necessary to determine whether tariff requirements are being complied with in the installation, operation, and maintenance of Customer's, Authorized User's, or the Company's equipment. The Company may, without notice, interrupt Service at any time, as necessary, because of a departure from any of these requirements and may continue such interruption until its requirements have been satisfied.
- 2.13.2** Upon reasonable notice, the facilities provided by the Company shall be made available to the Company by Customer or its Authorized Users for such tests and adjustments as may be necessary for their maintenance to a condition satisfactory to the Company.
- 2.13.3** The Company shall not be liable to Customer or its Authorized Users for any damages for Service interruption pursuant to this Section. Neither Customer nor its Authorized Users shall be entitled to any credit for interruption of Service pursuant to this Section when the interruption of Service is less than two (2) hours.

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SECTION 2 - REGULATIONS (Continued)**2.14 Interruption of Service**

- 2.14.1** Customer shall be given a credit allowance for any interruption of Service which is not due to (a) Company's inspection, testing or adjustment, if for a period of two (2) hours or less; (b) mistakes or errors of Customer or its Authorized Users; or (c) the failure of facilities or equipment provided by Customer or its Authorized Users.
- 2.14.2** Credit allowances shall be subject to the general liability provisions set forth in Section 2.3 herein. It shall be the obligation of Customer to notify Company immediately of any interruption of Service for which a credit allowance is desired. Before giving such notice, Customer shall ascertain that the trouble is not being caused by action or omission of Customer or its Authorized Users, or is not in facilities or equipment, if any, furnished by Customer or Authorized User and connected to Company's Services.
- 2.14.3** For the purposes of credit computation, every month shall be considered to have seven hundred twenty (720) hours. No credit shall be allowed for any interruption of Service of a continuous duration of less than two (2) hours.
- 2.14.4** Customer shall be credited for an interruption of Service of two (2) hours or more at the rate of 1/720th of the monthly non-usage sensitive charges for the Service affected for each hour or major fraction thereof that the interruption continues. The formula for calculating credit shall be as follows:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" = Outage time in hours

"B" = Total monthly fixed, non-usage sensitive charge for affected facility

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES**

**3.1 General**

The Company provides intrastate, interexchange switched and dedicated telecommunications services between locations in South Dakota.

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.2 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between the Rate Centers associated with the originating and terminating points of the call.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the Rate Centers as defined by BellCore (Bell Communications Research), in the following manner:

- Step 1 -** Obtain the "V" and "H" coordinates for the Rate Center of the originating and the destination points.
- Step 2 -** Obtain the difference between the "V" coordinates of each of the Rate Centers. Obtain the difference between the "H" coordinates.
- Step 3 -** Square the differences obtained in Step 2.
- Step 4 -** Add the squares of the "V" difference and "H" difference obtained in Step 3.
- Step 5 -** Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.
- Step 6 -** Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating points of the call.

**Formula:**

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.3 Call Timing**

- 3.3.1** Long distance usage charges are based on the actual usage of the Company's network. Chargeable time begins when the calling and the called station are connected.
- 3.3.2** Chargeable time ends when the calling service point terminates, thereby releasing the network connection.
- 3.3.3** Unless otherwise specified in this tariff, usage is measured in one (1) minute increments for billing purposes. Partial usage will be rounded up to the next highest whole minute. All calls are rounded to the next highest billing increment. Any partial cents per call will be rounded up to the next highest cent.
- 3.3.4** Unless flat rated, usage charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call originating at the Customer's Location.
- 3.3.5** No charges apply to unanswered calls.

**3.3.6 Volume Based Plan Enrollment**

Placement into various Plans is dependent upon prior actual monthly usage or estimated monthly usage. Movement from the initial plan of enrollment to a higher usage, lower rated plan will be effectuated if requested by a Customer. Customers will be notified via bill insert that various volume-based rate plans are available upon request.

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.4 UST Basic Residential Service**

UST Basic Residential Service is a switched service offered to residential Customers. Rate Plans 1 through 5 are based on the volume of monthly long distance usage. Service is accessed via Feature Group D or a toll free ("800/888") number. Calls are billed in six (6) second increments, after an initial minimum call duration of one (1) minute.

**3.4.1 Usage Rates**

Plan	Monthly Usage	Rate Per Minute
Plan 1	\$0 - \$ 15.00	\$0.1098
Plan 2	\$15.01-\$ 25.00	\$0.1000
Plan 3	\$25.01-\$ 50.00	\$0.0980
Plan 4	\$50.01-\$ 75.00	\$0.0900
Plan 5	\$75.01-\$100.00+	\$0.0850

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SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)

## 3.4 UST Basic Residential Service, (Continued)

## 3.4.2 Block of Time Calling Option

Customers who choose the Block of Time Calling Option receive steeply discounted long distance rates in exchange for a commitment to a fixed minimum monthly network access plan. Network access is provided by using a toll-free access number provided by the Company. Service is billed monthly in arrears on the Customer's local telephone company bill.

**A. Nonrecurring Charge** **\$34.95**

The Nonrecurring Charge is included in the Customer's first month's bill along with the network access commitment level charges.

**B. Usage Charges**

Block of Time Calling Option Customers may select network access in the following blocks of time:

Network Access <u>Commitment</u>	Minimum <u>Monthly Billing</u>	<u>Rate Per Minute</u>
153 minutes	\$15.00	\$0.098
256 minutes	\$25.00	\$0.098
510 minutes	\$50.00	\$0.098

An additional block of time is available upon request of the Customer in a minimum block of 102 minutes for \$10.00.

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.5 UST Basic Commercial Service**

UST Basic Commercial Service is a long distance service offered to business Customers. Rate plans are based on the volume of monthly long distance usage. Service is accessed via Feature Group D or a toll free ("800/888") number. There are no monthly minimums and all calls are billed in increments of six (6) second increments, after an initial minimum call duration of thirty (30) seconds.

Plan	Monthly Usage	Rate Per Minute
Plan 6	\$0 - \$ 199.99	\$0.1700
Plan 7	\$200-\$399.99	\$0.1600
Plan 8	\$400-\$699.99	\$0.1500
Plan 9	\$700-\$999.99	\$0.1400
Plan 10	\$1,000+	\$0.1300

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211



---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.6 UST Toll Free (i.e. 800/888) Residential Service**

UST Toll Free Residential Service is offered to residential Customers for termination of incoming Toll Free (i.e. 800/888) calls. Rate plans are based on the volume of monthly long distance usage. Calls are terminated to Customer-provided standard switched lines. Call charges are billed to the Customer rather than to the calling party. There are no monthly minimums and all calls are billed in six (6) second increments after an initial minimum call duration of one (1) minute. A monthly service charge of \$5.00 applies per 800/888 number.

<b>Plan</b>	<b>Monthly Usage</b>	<b>Rate Per Minute</b>
Plan 1	\$0 - \$ 99.99	\$0.2000
Plan 2	\$100-\$199.99	\$0.1900
Plan 3	\$200-\$299.99	\$0.1800
Plan 4	\$300-\$499.99	\$0.1700
Plan 5	\$500+	\$0.1600

Monthly Service Charge: \$5.00 per Toll Free Number

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.7 UST Toll Free (i.e. "800/888") Commercial Service**

UST Toll Free Commercial Service is offered to business Customers for termination of incoming Toll Free (i.e. 800/888) calls. Rate plans are based on volume of monthly long distance usage. Calls are terminated to Customer-provided standard switched lines. Call charges are billed to the Customer rather than to the calling party. There are no monthly minimums and all calls are billed in six (6) second increments, after an initial minimum call duration of one (1) minute. A monthly charge of \$5.00 applies per 800/888 number.

Plan	Monthly Usage	Rate Per Minute
Plan 6	\$0 - \$ 199.99	\$0.1700
Plan 7	\$200-\$399.99	\$0.1600
Plan 8	\$400-\$699.99	\$0.1500
Plan 9	\$700-\$999.99	\$0.1400
Plan 10	\$1000+	\$0.1300

Monthly Service Charge: \$5.00 per Toll Free Number

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.8 UST Dedicated Outbound WATS Service**

UST Outbound WATS Service is a dedicated flat rate service. Rate plans are based on the volume of monthly long distance usage. All calls are billed in six (6) second increments. The minimum call duration for billing purposes is six (6) seconds. Calls originate over Customer-provided dedicated access lines.

Plan	Monthly Usage	Rate Per Minute
Plan 11	\$2500-\$4999.99	\$0.1200
Plan 12	\$5000-\$7499.99	\$0.1100
Plan 13	\$7500+	\$0.1000

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.9 UST Dedicated Inbound Toll Free ("800/888") Service**

UST Dedicated Inbound 800/888 Service is a dedicated flat rated toll free calling service. Rate plans are based on the volume of monthly long distance usage. All calls are billed in six (6) second increments. The minimum call duration for billing purposes is six (6) seconds. Calls terminate to Customer-provided dedicated access lines. Call charges are billed to the Customer rather than the calling party.

Plan	Monthly Usage	Rate Per Minute
Plan 14	\$2500-\$4999.99	\$0.1200
Plan 15	\$5000-\$7499.99	\$0.1100
Plan 16	\$7500+	\$0.1000

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.10 UST Travel Card Service**

UST Travel Card Service are available to business and residential Customers who access the Company's service. Rate plans are based on the Customer's total long distance usage billing. There are no monthly minimums and all calls are billed in six (6) seconds increments after an initial minimum call duration of one (1) minute.

Plan	Monthly Usage	Rate Per Minute
Plan A	\$0 -\$499.99	\$0.3000
Plan B	\$500-\$999.99	\$0.2500
Plan C	\$1,000+	\$0.2000

Customers will be billed a \$.50 per call surcharge.

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (Continued)****3.11 Directory Assistance**

A Directory Assistance charge applies per intrastate directory assistance calls made from points within the State of South Dakota. The Customer may make two (2) requests for a telephone number per call. The Directory Assistance Charge applies regardless of whether the operator is able to supply the requested number. Discounts are not applicable to Directory Assistance Charges. Directory Assistance Charges are not included in usage commitments or computed in any discount calculations.

Per call to directory assistance:      \$0.50

---

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

---

**SECTION 4 - PROMOTIONS AND OPTIONAL CALLING PLANS**

**4.1 Promotions - General**

From time to time, the Company shall, at its option, promote subscription or stimulate network usage by offering to waive some or all of the nonrecurring or recurring charges for the Customer (if eligible) of target services for a limited duration. Such promotions shall be made available to all similarly situated Customers in the target market area.

ISSUED: September 15, 1997

EFFECTIVE:

ISSUED BY: Steve T. Bleser, President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, Tennessee 37211

**ATTACHMENT V**

**United Services Telephone, LLC**

**COST SUPPORT DATA**



## **COST SUPPORT DATA**

### **United Services Telephone, LLC**

The Company has not prepared detailed cost studies for intrastate South Dakota operations. However, all services are planned to cover costs and generate a reasonable return for the Company.

**NEXT**

**DOCUMENT (S)**

**DISREGARD**

**BACKGROUND**

TECHNOLOGIES MANAGEMENT, INC.  
WINTER PARK, FLORIDA 32789

17456

SD PUC  
SOUTH DAKOTA PUBLIC SERVICE CM

17455

09/12/97

INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	PREVIOUS PAY/CREDIT	DISCOUNT TAKEN	AMOUNT OF PAYMENT
USTI	09/12/97	250.00	0.00	0.00	250.00

TC 97-158

250.00



P.O. Drawer 200  
Winter Park, FL  
32790-0200

210 N. Park Avenue  
Winter Park, FL 32789  
(407) 740-8575



250 PARK AVENUE  
WINTER PARK, FLORIDA 32789

63-319/631

17456

NUMBER

17455

PAY:

TWO HUNDRED FIFTY DOLLARS

DATE

AMOUNT

09/12/97

\*\*\*\*\*\$250.00

TO THE  
ORDER  
OF

SOUTH DAKOTA PUBLIC SERVICE CM  
STATE CAPITAL  
PIERRE, SD 57501-5070

TECHNOLOGIES MANAGEMENT, INC.

*C. M. Wightman*

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈017456⑈ ⑈063103193⑈

2830066505⑈

South Dakota  
Public Utilities Commission  
State Capitol 500 E. Capitol  
Pierre, SD 57501-5070  
Phone: (800) 332-1782  
Fax: (605) 773-3809

## TELECOMMUNICATIONS SERVICE FILINGS

These are the telecommunications service filings that the Commission has received for the period of:

**09/12/97 through 09/18/97**

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
<b>REQUEST FOR CERTIFICATE OF AUTHORITY</b>			
TC97-156	Application by Discount Call Rating, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "The Applicant will offer outbound and inbound telecommunications services, directory assistance service, and calling card service...Applicant does not and will not offer alternative operator services."	09/15/97	10/03/97
TC96-054	Application by McLeodUSA Telecommunications Services, Inc. to amend its Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "McLeodUSA currently offers local, long distance interexchange, MTS, WATS, virtual private network services, and private line telecommunications services via resale in South Dakota in several U S WEST exchanges. By this Application, McLeodUSA seeks authority to provide these same services on a facilities basis in all U S WEST Communications, Inc. exchanges in South Dakota; intrastate interexchange throughout South Dakota; and prepaid calling card services throughout South Dakota."	09/15/97	10/03/97
TC97-158	Application by United Services Telephone, LLC for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "UST proposes to offer outbound message telecommunications service and inbound toll-free (800/888) services to its customers through switched and dedicated access facilities provided by its underlying carriers...Applicant proposes to offer South Dakota intrastate long distance services in conjunction with interstate services."	09/16/97	10/03/97
<b>NONCOMPETITIVE TELECOMMUNICATIONS FILING</b>			
TC97-157	U S WEST Communications filed to introduce Uniform Access Solution Service in its Exchange and Network Services Tariff. "Uniform Access Solution provides customers a digital connection from their PBX or Call Distribution System to the Public Switched Network...Uniform Access Solution offers an alternative to Digital Switched Service utilizing DID per trunk arrangements when only one number is required for switching of local exchange and toll network calls....U S WEST proposes an effective date of October 15, 1997." (Staff: DJ/CH)	09/16/97	10/03/97

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing it to Terry Norum at: [terryn@pucc.state.sd.us](mailto:terryn@pucc.state.sd.us) Faxing the address to the Commission at: 605-773-3809



June 9, 1998

RECEIVED

JUN 11 1998

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

210 N. Park Ave.  
Winter Park, FL  
32789

P.O. Drawer 200  
Winter Park, FL  
32790-0200

Tel: 407-740-8575  
Fax: 407-740-0613  
tmi@tminc.com

**VIA FACSIMILE**

Ms. Tammi Stangohr  
Utility Analyst  
South Dakota Public  
Utilities Commission  
500 East Capitol  
Pierre, South Dakota 57501

Re: SD PUC Docket TC 97-158  
Registration of United Services Telephone, LLC

Dear Ms Stangohr:

I believe you are still missing the secretary of state authority for United Services. We sent you a copy of the filing, but when we requested a final copy, the Secretary of State's office could find no record of the filing. The company is resubmitting its paperwork.

As a result of this glitch, can you postpone the decision on certification for a couple of weeks?

Please acknowledge receipt of this filing by returning a date-stamped copy of this letter in the envelope provided. Should you or your staff have any additional questions, please contact me at (407) 740-8575. Thank you.

Sincerely,

Connie Wightman  
Consultant to United Services Telephone, LLC

CW/ig

cc: Rudick J. Murphy, II, Esquire - United Services Telephone, LLC  
File: UST - SD  
TMS: SDI9700b



# South Dakota Public Utilities Commission

State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070



August 7, 1998

Capitol Office  
Telephone (605)773-3201  
FAX (605)773-3809

Transportation/  
Warehouse Division  
Telephone (605)773-5280  
FAX (605)773-3225

Consumer Hotline  
1-800-332-1782

TTY Through  
Relay South Dakota  
1-800-877-1113

Internet  
bills@gsc.state.sd.us

Jim Berg  
Chairman  
Pam Nelson  
Vice-Chairman  
Laska Schoenfelder  
Commissioner

William Bullard Jr.  
Executive Director

Edward R. Anderson  
Harlan Best  
Martin C. Bettmann  
Charlie Bolle  
Sue Cochran  
Karen E. Cremer  
Marlette Frachbach  
Shirleen Fugitt  
Lewis Hammond  
Katie Hartford  
Lern Healy  
Cameron Honeck  
Dave Jacobson  
Bob Knadlie  
DeLaine Kolbo  
Jeffrey P. Loveman  
Terry Norum  
Gregory A. Raskov  
Tamara Shangohe  
Steven M. Wegman  
Rafayne Alts Wiest

Mr. Steve T. Bleser  
President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, TN 37211

Re: United Services Telephone, LLC  
Docket No. TC97-158

Dear Mr. Bleser:

Enclosed you will find a copy of the Order Granting Certificate of Authority with reference to United Services Telephone, LLC. As soon as we receive evidence from you that you have received your Certificate of Authority from the South Dakota Secretary of State, we will send you your Certificate of Authority from our office.

Very truly yours,

Karen E. Cremer  
Staff Attorney

CH:dk

cc: Ms. Connie Wightman  
Enc.

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

IN THE MATTER OF THE APPLICATION OF )  
UNITED SERVICES TELEPHONE, LLC FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )

ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY

TC97-158

On September 16, 1997, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from United Services Telephone, LLC (UST).

UST proposes to offer outbound message telecommunications service and inbound toll free (800/888) service through switched and dedicated access facilities provided by its underlying carriers. A proposed tariff was filed by UST. The Commission has classified long distance service as fully competitive.

On September 18, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of October 3, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled July 23, 1998, meeting, the Commission considered UST's request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that UST has met the legal requirements established for the granting of a certificate of authority. UST has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves UST's application for a certificate of authority upon it obtaining a certificate of authority from the South Dakota Secretary of State. As the Commission's final decision in this matter, it is therefore

ORDERED, that UST's application for a certificate of authority is hereby granted, upon it filing with the Commission a certificate of authority from the South Dakota Secretary of State. It is

FURTHER ORDERED, that UST shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of August, 1998.

**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, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By Melanie Kato

Date 8/7/98

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner



# South Dakota Public Utilities Commission



State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070

August 7, 1998

Capitol Office  
Telephone (605) 773-3201  
FAX (605) 773-3809

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Warehouse Division  
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Consumer Hotline  
1-800-232-1782

TTY Through  
Relay South Dakota  
1-800-877-1113

Internet  
billb@puc.state.sd.us

♦  
Jim Burg  
Chairman  
Pam Nelson  
Vice-Chairman  
Laska Schoenfelder  
Commissioner

William Bullard Jr.  
Executive Director

Edward R. Anderson  
Harlan Best  
Marion C. Bettmann  
Charlie Bolle  
Sue Cichon  
Karen E. Cremer  
Marlette Frochbach  
Shirleen Fugitt  
Lewis Hammond  
Katie Hartford  
Lena Healy  
Cameron Honeck  
Dave Jacobson  
Bob Knadler  
DeLaine Kolbo  
Jeffrey P. Lorenzen  
Terry Norum  
Gregory A. Ruskov  
Tammi Stangor  
Steven M. Wegman  
Rolaine Aults Wurst

Mr. Steve T. Bleser  
President  
United Services Telephone, LLC  
475 Metroplex Drive, Suite 106  
Nashville, TN 37211

Re: United Services Telephone, LLC  
Docket No. TC97-158

Dear Mr. Bleser:

Enclosed you will find a copy of the Order Granting Certificate of Authority with reference to United Services Telephone, LLC. As soon as we receive evidence from you that you have received your Certificate of Authority from the South Dakota Secretary of State, we will send you your Certificate of Authority from our office.

Very truly yours,

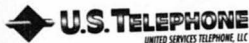
Karen E. Cremer  
Staff Attorney

CH dk

cc: Ms. Connie Wightman  
Enc

9/1/98  
Ms. Wightman:  
Just a reminder  
that we still have  
not received the  
Sec. of State's Certificate  
of Authority from you.  
We cannot send  
out our Certificate  
until we receive that  
KC





November 17, 1998

VIA FACSIMILE MESSAGE: 605-773-3809  
AND U.S. MAIL

Karen Cremer, Esq.  
South Dakota Public Utilities Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

Re: United Services Telephone, LLC  
Docket No. TC97-158

RECEIVED  
NOV 23 1998  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

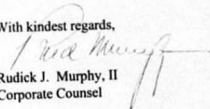
Received NOV 17 1998

Dear Karen:

Thank you for our telephone conversation today. Enclosed is a copy of UST's Certificate of Authority received from the South Dakota Secretary of State and all attachments as well as the accompanying cover letter.

I appreciate your time and attention in this matter. If anything else is required, please feel free to give me a call.

With kindest regards,

  
Rudick J. Murphy, II  
Corporate Counsel

c: Connie Wightman  
Enclosures

# Secretary of State

State Capitol, Ste 204  
500 East Capitol Avenue  
Pierre, South Dakota  
57501-5070  
sdsos@sos.state.sd.us



JOYCE HAZELTINE  
Secretary of State

TOM LECKEY  
Deputy

FROM: Joyce Hazeltine, Secretary of State  
Corporations

RE: LIMITED LIABILITY COMPANY ARTICLES OF ORGANIZATION

The documents on behalf of the enclosed Limited Liability Company have been received and filed. Enclosed is the Certificate attached to the duplicate application along with a receipt for the filing fee.

South Dakota law requires the filing of an annual report each year with our office between the anniversary date of filing and prior to the first day of the second month following. The annual report fee is \$50.

The law also requires that a registered agent be continuously maintained in this state. Any change in the registered agent and/or address must be filed with our office within thirty days.

If this office can be of any assistance in the future, please feel free to contact us.

Thank you.

<http://www.state.sd.us/state/executive/sos/sos.htm>

Administration  
(605) 773-3537  
Fax (605) 773-6580  
TDD (605) 773-5010

Corporations  
(605) 773-4845  
Fax (605) 773-4550

Uniform Commercial Code  
(605) 773-4422  
Fax (605) 773-4550

# State of South Dakota



## OFFICE OF THE SECRETARY OF STATE


### CERTIFICATE OF AUTHORITY

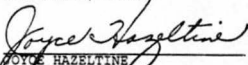
### LIMITED LIABILITY COMPANY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Application for a Certificate of Authority of UNITED SERVICES TELEPHONE, LLC (TN) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Limited Liability Company Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application for certificate of authority.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this November 2, 1998.



  
JOYCE HAZELTINE  
Secretary of State

CERTIFICATE OF AUTHORITY APPLICATION  
OF A  
FOREIGN LIMITED LIABILITY COMPANY

RECEIVED

SEP 23 1998

S.D. SEC. OF STATE

RECEIVED

NOV 02 1998

S.D. SEC. OF STATE

1. The name of the foreign Limited Liability Company is: United Services Telephone, LLC
2. The name of the state or country under whose law it is organized is: Tennessee
3. The street address of its principal office is: 475 Metroplex Drive - Suite 106  
Nashville, TN 37211
4. The address of its initial designated office in South Dakota is: National Registered Agents, Inc.  
300 South Phillips Avenue - Suite 300 - Sioux Falls, SD 57102
5. The name and street address of its initial agent for service of process in South Dakota is: National Registered  
Agents, Inc. - 300 South Phillips Avenue - Suite 300 -  
Sioux Falls, SD 57102
6. The date of organization is: July 18, 1996 and the period of duration is: until 12/31/2024
7. If the company is manager-managed, rather than member-managed, the name and address of each initial manager:

Member-managed.

8. Whether one or more of the members of the company are to be liable for its debts and obligations under a provision similar to Section 303 (c).

NO.

The application must be signed by a member if the company is a member-managed company or by a manager if its a manager-managed company.

Date: 9/17/98

(Signature and Title)

John D. Henry  
Member & Chief Financial  
Officer

FILING INSTRUCTIONS:

- Filed this 2nd day of SEP 19 98*
- The application for authority must be accompanied by the first Annual Report.
  - One original and one exact or conformed copy must be submitted.
  - The application must be accompanied by an original, current state Certificate of Good Standing or Existence from the Secretary of State in the state where it is organized.
  - Filing Fee. See attached Annual Report.

SECRETARY OF STATE

PIERRE, S.D. 57501  
(605)773-4845  
FAX (605)773-4550

FIRST ANNUAL REPORT  
OF A  
LIMITED LIABILITY COMPANY

RECEIVED  
SEP 23 1998  
S.D. SEC. OF STATE  
RECEIVED

1. The name of the Limited Liability Company is: United Services Telephone, LLC

NOV 02 1998

2. The state or country under whose law it is organized is: Tennessee

S.D. SEC. OF STATE

3. The address of its registered office and the name and address of its registered agent for service of process in South Dakota is:

National Registered Agents, Inc.

300 South Phillips Avenue - Suite 300

Sioux Falls, SD 57102

4. The address of its principal office is: 475 Metroplex Drive - Suite 106

Nashville, TN 37211

5. The names and business addresses of any managers:

No managers; this LLC is member-managed

6. The dollar amount of the total agreed contributions to the Limited Liability Company is \$ 50,000.00

Date: 9/17/98

(Signature and Title)

John D. Henry  
Member & Chief Financial  
Officer

\* FILING FEE:

AGREED CONTRIBUTION

Not in excess of \$50,000

\$50,001 to \$100,000

In excess of \$100,000

FEE

\$ 90

\$150

\$150 for first \$100,000 plus \$.50  
for each additional \$1,000

The maximum amount charged may not exceed sixteen thousand dollars (\$16,000.).

**NEXT**

**DOCUMENT (S)**

**DISREGARD**

**BACKGROUND**

Secretary of State

Corporations Section

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

TELEPHONE CONTACT: (615) 741-6488

CHARTER/QUALIFICATION DATE: 07/18/1996

STATUS: ACTIVE

CORPORATE EXPIRATION DATE: 12/31/2024

CONTROL NUMBER: 0315125

JURISDICTION: TENNESSEE

TO:  
RUDICK J. MURPHY, II  
155 FRANKLIN ROAD  
SUITE 155  
BRENTWOOD, TN 37027

REQUESTED BY:  
RUDICK J. MURPHY, II  
155 FRANKLIN ROAD  
SUITE 155  
BRENTWOOD, TN 37027

CERTIFICATE OF EXISTENCE

I, RILEY C. DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT

"UNITED SERVICES TELEPHONE, LLC"

A LIMITED LIABILITY COMPANY DULY FORMED UNDER THE LAW OF THIS STATE WITH DATE OF FORMATION AND DURATION AS GIVEN ABOVE;

THAT ALL FEES, TAXES, AND PENALTIES OWED TO THIS STATE WHICH AFFECT THE

EXISTENCE OF THE LIMITED LIABILITY COMPANY HAVE BEEN PAID;

THAT THE MOST RECENT LIMITED LIABILITY ANNUAL REPORT REQUIRED HAS BEEN FILED;

THAT ARTICLES OF DISSOLUTION HAVE NOT BEEN FILED; AND

THAT ARTICLES OF TERMINATION OF THE EXISTENCE HAVE NOT BEEN FILED.

FOR: REQUEST FOR CERTIFICATE

ON DATE: 09/22/98

FROM:  
BLACKARD AND MURPHY  
155 FRANKLIN RD, 142  
RAMPARTS OF BRENTWOOD  
BRENTWOOD, TN 37027-0000

RECEIVED: FEES \$20.00 \$0.00

TOTAL PAYMENT RECEIVED: \$20.00

RECEIPT NUMBER: 00002366090  
ACCOUNT NUMBER: 00233721



*Riley C. Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE

# **SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

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## ***CERTIFICATE OF AUTHORITY***

To Conduct Business As A Telecommunications Company  
Within The State Of South Dakota

Authority was Granted July 23, 1998  
Docket No. TC97-158

*This is to certify that*

**UNITED SERVICES TELEPHONE, LLC**

*is authorized to provide telecommunications services in South Dakota.*

This certificate is issued in accordance with SDCL 49-31-3 and ARSD 20:10.24.02, and is subject to all of the conditions and limitations contained in the rules and statutes governing its conduct of offering telecommunications services.

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of November, 1998.

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION:**



  
JAMES A. BURG, Chairman

  
PAM NELSON, Commissioner

  
LASKA SCHOENFELDER, Commissioner