



TC99-019

RECEIVED

MAR 03 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

**Lance J.M. Steinhart**  
Attorney At Law  
6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097

Also Admitted in New York  
and Maryland

February 28, 1999

**VIA AIRBORNE EXPRESS**

Mr. William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
(605) 773-3201

Re: GTC Telecom

Dear Mr. Bullard:

Enclosed please find one original and ten (10) copies of GTC Telecom's Application for Registration of a Telecommunications Company.

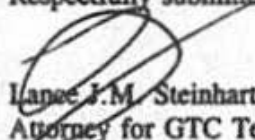
Please note that Exhibit A, the Certificate of Authority from the Secretary of State, is not attached. We have applied for the certificate and will forward a copy to the commission upon receipt.

In order to expedite the processing of this application, I would like to suggest that all requests for information by the analyst be made by either telephone or facsimile. I will make every effort to respond on the day of the request.

I have also enclosed a check in the amount of \$250.00 payable to the "South Dakota Public Utilities Commission" for the filing fee, and an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for GTC Telecom

Enclosures  
cc: Jerry DeCiccio

APPLICATION FOR REGISTRATION  
 OF GTC TELECOM  
 FILED WITH THE  
 SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE )  
 APPLICATION OF )  
 GTC TELECOM )  
 FOR AN ORDER ) Docket No. \_\_\_\_\_  
 AUTHORIZING THE REGISTRATION )  
 OF APPLICANT AS A )  
 TELECOMMUNICATIONS COMPANY )

APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission for an Order authorizing GTC Telecom ("Applicant") to register as a telecommunications company within the State of South Dakota. The following information is furnished in support thereof:

1. Name, Address and Telephone Number of Applicant:

GTC Telecom  
 3151 Airway Avenue, Suite P-3  
 Costa Mesa, California 92626  
 Telephone: 714/549-7700

2. The name under which the Applicant will provide these services if different than in 1. above:



3. Applicant's corporate information:

Applicant was incorporated in the State of Nevada on May 17, 1994 as Boberncoco, Inc. and changed its name to GTC Telecom on September 3, 1998. A copy of the Applicant's Articles of Incorporation, as amended, is attached hereto as Exhibit A. A copy of Applicant's Certificate of Authority to transact business as a foreign corporation in the State of South Dakota is attached hereto as Exhibit B.

The Applicant has no principal office in South Dakota. The name and address of the Applicant's registered agent is:

National Registered Agents, Inc.  
300 South Phillips Avenue, Ste. 300  
Sioux Falls, SD 57102

The names and address of each corporation, association, partnership, cooperative, or individual holding a 20% or greater ownership or management interest in the Applicant corporation and the amount and character of the ownership or management interest are as follows:

Name and Address	Shares Owned	Percentage of all Shares Issued and Outstanding and Voting Control
Paul Sandhu 3151 Airway Avenue, Suite P-3 Costa Mesa, CA 92626	4,869,088	35.347%

4. Partnership Information:

Not Applicable.

5. Description of Services Applicant intends to offer:

Applicant is a reseller which intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, and travel card service.

6. Means by which the Applicant intends to provide services:

Applicant does not own or maintain any transmission facilities or switching equipment in the State of South Dakota. The Applicant will provide services through MCI WorldCom, its underlying carrier. As a reseller, Applicant has no points of presence in the State of South Dakota, thus Applicant neither owns, leases, nor operates any switching, transmission, or other physical facilities in the State of South Dakota, and no such facilities will be used by Applicant in providing service in the State of South Dakota. Rather, Applicant will be engaged in reselling services provided by facilities-based carriers within the State of South Dakota.

7. Geographic Areas in which services will be offered:

Applicant intends to provide services on a statewide basis.

8. Financial Qualifications:

Applicant is financially qualified to provide intrastate interexchange telecommunications services within South Dakota. In particular, Applicant has adequate access to the capital necessary to fulfill any obligations it may undertake with respect to the provision of intrastate telecommunications services in the State of South Dakota. See Exhibit C, which is

attached hereto, Applicant's Balance Sheet and Income Statement for the seven months ended January 31, 1999, which demonstrate that Applicant has the financial ability to provide the services that it proposes to offer.

9. Applicant's complaints and regulatory matters contact and how Applicant handles customer billings and customer service matters.

All inquiries regarding regulatory matters should be addressed to:

Jerry DeCiccio, Regulatory Manager  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626  
Telephone: 714/549-7700  
Facsimile: 714/549-7707  
E-Mail:

All inquiries regarding complaints should be addressed to:

Jerry DeCiccio, Regulatory Manager  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626  
Telephone: 714/549-7700  
Facsimile: 714/549-7707  
E-Mail:

The Applicant's customers will be direct billed utilizing "real-time" completed call detail information from Applicant's underlying carriers and its own switching equipment. Applicant's toll-free number will be on all invoices and customer service will be provided in-house by the Applicant.

10. Regulatory Status:

Applicant is currently in the process of obtaining all required authorizations from the state regulatory agencies. Applicant is currently authorized to provide service in Arkansas, Idaho, Indiana, Iowa, Michigan, Montana, New Jersey, Pennsylvania, Texas, Utah, and Virginia.

The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified.

11. Description of Marketing

Applicant intends to market its services to primarily to small to mid-sized businesses and residential customers. All sales personnel will have telecommunications service experience. Applicant will market through direct sales by employees and agents. Applicant does not intend to engage in multilevel marketing. No marketing materials are available at this time.

12. Cost Support:

Applicant intends to provide services at a price above its cost.

13. Federal Tax Identification Number:

88-0318246

14. The Number and Nature of Complaints filed against the Applicant with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered:

None

15. Tariff

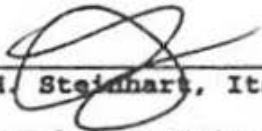
A copy of Applicant's proposed tariff is attached hereto as Exhibit E.



WHEREFORE, the undersigned Applicant requests that the South Dakota Public Utilities Commission enter an order granting this application.

DATED this 18 day of March, 1999.

GTC Telecom

By:   
Lance J.M. Steinhart, Its Counsel

6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097  
(770) 232-9200

STATE OF CALIFORNIA

COUNTY OF ORANGE

Jerry DeCiccio, being first duly sworn, deposes and says that he is the ~~President~~<sup>SVP</sup> of GTC Telecom, the Applicant in the proceeding entitled above, that he has read the foregoing application and knows the contents thereof; that the same are true of his knowledge, except as to matters which are therein stated on information or belief, and to those matters he believes them to be true.

*Jerry DeCiccio*  
Jerry DeCiccio

Subscribed and sworn to before this 11<sup>th</sup> day of Feb. 1999.

*[Signature]*  
Notary Public

My Commission expires: 02/14/02



**LIST OF EXHIBITS**

- A - ARTICLES OF INCORPORATION**
- B - CERTIFICATE OF AUTHORITY**
- C - MARKETING MATERIAL**
- D - FINANCIAL INFORMATION**
- E - PROPOSED TARIFF**

EXHIBIT A - ARTICLES OF INCORPORATION



# SECRETARY OF STATE



## CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, DEAN HELLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, limited-liability companies, limited partnerships, and limited-liability partnerships pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, GTC TELECOM as a corporation duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since May 17, 1994, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office, in Carson City, Nevada, on December 7, 1998.



*Dean Heller*  
Secretary of State

By *S. L. Laiter*  
Certification Clerk

SEP 03  
2:10  
425

SEP 03 1998 CERTIFICATE OF AMENDMENT TO ARTICLES OF INCORPORATION  
of  
BOBERNCO, INC.

C 4609-1998

*John Kelly*  
Notary Public for the State of Nevada certifies that:

1. The original articles were filed with the Office of the Secretary of State on December 31, 1997
2. As of the date of this certificate, 6,000,000 shares of stock of the corporation have been issued.
3. Pursuant to a shareholders meeting at which in excess of 51% voted in favor of the following amendment, the company hereby adopts the following amendments to the amendment of the Articles of Incorporation of this Corporation.

First Name of Corporation

The name of the corporation is GTC Telecom  
(the "Corporation")

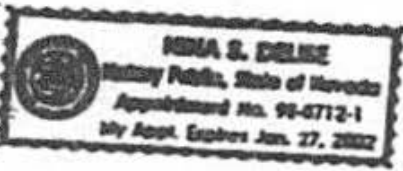
4. Pursuant to a meeting of the Board of Directors, it has been voted and approved a reverse split of 2:1, authorized to remain the same, issued and outstanding to change from 6,000,000 outstanding shares to 3,000,000 outstanding shares.

*Andy Berny*  
Andy Berny, President/Director

*Caron Kelly*  
Caron Kelly/Director

State of Nevada  
County of Clark

On Sept 2 1998, personally appeared before me, a Notary public, Andy Berny, and Caron Kelly who acknowledged that they executed the above instrument.



*Nina S. Delise*  
A Notary Public in and for  
County and State.

RECEIVED

SEP 03 1998

**FILED**  
IN THE OFFICE OF THE  
SECRETARY OF STATE OF THE STATE OF NEVADA  
**CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION**

Boberco, Inc.  
(the Corporation)

147 30 1998  
2-7569-94

We the undersigned, Andrew W. Berney (President/Director) and Caron A. Kelly (Secretary/Director) of the Corporation do hereby certify:

That the board of Directors of the Corporation at a meeting duly convened and held on Wednesday, April 30, 1997, adopted a resolution to amend the original articles as follows:

Article 4 is hereby amended and restated as follows:

4. The Capital Stock shall consist of 50,000,000 shares of common stock, \$0.001 par value.

*Additionally:*

*The currently issued and outstanding common stock of the corporation being 3,000,000 shares, is hereby FORWARD split on a 2 for 1 basis making the currently issued and outstanding stock of the corporation 6,000,000 shares.*

The number of shares of the Corporation outstanding and entitled to vote on an amendment to the Articles of Incorporation are 3,000,000, that the said change(s) and amendment has been consented to and approved by a majority vote of the stockholders holding at least a majority of each class of stock outstanding and entitled to vote thereon.

Dated Wednesday, April 30, 1997

Boberco, Inc.

Attest:

  
Caron A. Kelly  
Secretary

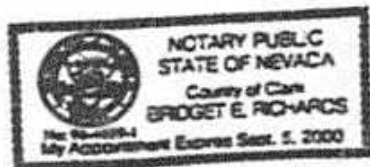
  
Andrew W. Berney  
President

State Of Nevada

11

County Of Clark

The undersigned Notary Public certified, deposes and states that Andrew W. Berney and Caron A. Kelly, personally appeared before me and executed the foregoing on behalf of the Corporation as its President and Secretary respectively, 25<sup>th</sup> day of March, 1998.



  
Notary Public in and for  
said County and State

MAY 17 1994

CHELL A. LAM CLERK OF STATE

*AM*  
*2/2/94*

ARTICLES OF INCORPORATION

of

Bobernco, Inc.

Know all men by these present;

That the undersigned, have this day voluntarily associated ourselves together for the purpose of forming a corporation under and pursuant to the provisions of Nevada Revised Statutes 78.010. to Nevada Revised Statutes 78.090 inclusive, as amended, and certify that;

1. The name of this corporation is:

Bobernco, Inc.

2. Offices for the transaction of any business of the Corporation, and where meetings of the Board of Directors and of Stockholders may be held, may be established and maintained in any part of the State of Nevada, or in any other state, territory, or possession of the United States.

3. The nature of the business is to engage in any lawful activity.

4. The Capital Stock shall consist of 3,000,000 shares of common stock, \$0.001 par value.

5. The members of the governing board of the corporation shall be styled directors, of which there shall be no more than five. The Directors of this corporation need not be stockholders. The first Board of Directors is: Andrew W. Berney, whose address is 1700 E. Desert Inn Rd. Suite 100 Las Vegas, NV 89109.

6. This corporation shall have perpetual existence.



7. This Corporation shall have a president, a secretary, a treasurer, and a resident agent, to be chosen by the Board of Directors, any person may hold two or more offices.
8. The resident agent of this Corporation shall be Raymond M. Girard 1700 E. Desert Inn Rd. Suite 100 Las Vegas, NV 89109.
9. The Capital Stock of the corporation, after the fixed consideration thereof has been paid or performed, shall not be subject to assessment, and the individual liable for the debts and liabilities of the Corporation, and the Articles of Incorporation shall never be amended as the aforesaid provisions.
10. No director or officer of the corporation shall be personally liable to the corporation of any of its stockholders for damages for breach of fiduciary duty as a director or officer involving any act or omission of any such director or officer provided, however, that the foregoing provision shall not eliminate or limit the liability of a director or officer for acts or omissions which involve intentional misconduct, fraud or a knowing violation of law, or the payment of dividends in violation of Section 78.300 of the Nevada Revised Statutes. Any repeal or modification of this Article of the Stockholders of the Corporation shall be prospective only, and shall not adversely affect any limitation on the personal liability of a director or officer of the Corporation for acts or omissions prior to such repeal or modification.
11. Except to the extent limited or denied by Nevada Revised Statutes 78.265 Shareholders have a preemptive right to acquire unissued shares, treasury shares or securities convertible into such shares, of this corporation.

I, the undersigned, being the incorporator herein above named for the purpose of forming a corporation pursuant to the general corporation law of the State of Nevada, do make and file these Articles of Incorporation, hereby declaring and certifying that the facts within stated are true, and accordingly have hereunto set my hand this 17 day of May, 1994.

*Andrew W. Berney*  
Andrew W. Berney  
1700 E. Desert Inn Rd. Ste. 100  
Las Vegas, NV 89109

State of NEVADA )  
 )ss  
County of CLARK )

On 17 May, 1994, personally appeared before me, a notary public, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he/she executed the instrument.



*Metta Grand*  
Signature



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MAY 17 1994

Secretary of State

**EXHIBIT B - CERTIFICATE OF AUTHORITY**

**EXHIBIT C - MARKETING MATERIAL**



EXHIBIT D - FINANCIAL INFORMATION

## GTC Telecom

### Balance Sheet

Assets	Dec-98	Jan-99
<i>Current Assets</i>		
Cash	(\$2,051)	\$105,607
Investments	\$0	\$0
Accounts Receivable	\$4,800	\$6,315
Notes Receivable	\$0	\$0
Inventory	\$0	\$0
Other Current Assets	\$0	\$0
<b>Total Current Assets</b>	<b>\$2,749</b>	<b>\$111,922</b>
<i>Plant &amp; Equipment</i>		
Land	\$0	\$0
Buildings	\$0	\$0
Building/Leasehold Improvem	\$0	\$0
Machinery & Equipment	\$0	\$0
Office Equipment	\$23,602	\$129,164
Automobiles	\$0	\$0
Accumulated Depreciation	(\$4,901)	(\$5,557)
<b>Total Net Plant &amp; Equipment</b>	<b>\$18,700</b>	<b>\$123,607</b>
Other Assets	\$30,000	\$30,000
<b>Total Assets</b>	<b>\$81,449</b>	<b>\$265,529</b>
<b>Liabilities &amp; Owners' Equity</b>		
<i>Current Liabilities</i>		
Short Term Debt	\$0	\$0
Accounts Payable	\$90,902	\$25,207
Other Payables	\$0	\$0
Accrued Liabilities	\$55,433	\$59,816
<b>Total Current Liabilities</b>	<b>\$146,335</b>	<b>\$85,023</b>
Long Term Debt	\$0	\$0
<b>Total Liabilities</b>	<b>\$146,335</b>	<b>\$85,023</b>
<i>Owner/Stockholder Equity</i>		
Common Stock	\$570,605	\$1,007,091
Retained Earnings	(\$665,490)	(\$826,585)
Dividends Payable	\$0	\$0
<b>Total Owners' Equity</b>	<b>(\$84,885)</b>	<b>\$180,506</b>
<b>Total Liabilities &amp; Equity</b>	<b>\$81,449</b>	<b>\$265,529</b>

**GTC Telecom****Income Statement**

7 Months Ending January 31, 1999

Sales	Jan-99
<b>Total Sales</b>	<b>\$26,762</b>
<b>Cost of Goods Sold</b>	
<b>Total Variable COGS</b>	<b>\$13,088</b>
<i>% of Total Sales</i>	48.9%
<b>Total Fixed Cost of Goods Sold</b>	<b>\$0</b>
<b>Total Cost of Goods Sold</b>	<b>\$13,088</b>
<b>Gross Profit</b>	<b>\$13,673</b>
<i>% of Total Sales</i>	51.1%
<b>Operating Expenses</b>	
Sales & Marketing	\$35,215
Research & Development	\$0
G & A	\$550,287
<b>Total Operating Expenses</b>	<b>\$585,158</b>
<i>% of Total Sales</i>	2190.3%
<b>Income From Operations</b>	<b>(\$572,485)</b>
<i>% of Total Sales</i>	-2139.2%
Interest Income	\$459
Interest Expense	\$0
<b>Income before Taxes</b>	<b>(\$572,026)</b>
Taxes on Income	\$0
<b>Net Income After Taxes</b>	<b>(\$572,026)</b>
<i>% of Total Sales</i>	-2137.5%

**EXHIBIT E - PROPOSED TARIFF**



GTC TELECOM

ORIGINAL SHEET 1  
SOUTH DAKOTA PUC TARIFF NO. 1  
TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

SOUTH DAKOTA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by GTC Telecom ("GTC"), with principal offices at 3151 Airway Avenue, Suite P-3, Costa Mesa, California 92626. This tariff applies for services furnished within the State of South Dakota. This tariff is on file with the South Dakota Public Utilities Commission, and copies may be inspected, during normal business hours, at the company's principal place of business.

ISSUED: March 1, 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

EFFECTIVE: , 1999

GTC TELECOM

ORIGINAL SHEET 2

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

RESERVED FOR FUTURE USE

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFFCHECK SHEET

The Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original
26	Original
27	Original
28	Original
29	Original
30	Original
31	Original
32	Original

\* New or Revised Sheet

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
 3151 Airway Avenue, Suite P-3  
 Costa Mesa, California 92626

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ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626



TARIFF FORMAT

A. Sheet Numbering: Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets 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 tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current Revision Number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

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ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- (C) to signify change in regulation
- (D) to signify a deletion
- (I) to signify a rate increase
- (L) to signify material relocated in the tariff
- (N) to signify a new rate or regulation
- (R) to signify a rate reduction
- (T) to signify a change in text, but no change in rate or regulation

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFFSECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to GTC's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable GTC to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the South Dakota Public Utilities Commission.

Customer - The person, firm, corporation or other legal entity which orders the services of GTC and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or GTC - Used throughout this tariff to mean GTC Telecom, a Nevada corporation.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the Customer's location to the Company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF

Resp. Org - Responsible Organization or entity identified by an 800 service Customer that manages and administers records in the 800 database and management system.

Switched Access - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

---

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626



TELECOMMUNICATIONS SERVICES TARIFFSECTION 2 - RULES AND REGULATIONS2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by GTC for telecommunications between points within the State of South Dakota. Resale services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company reserves the right to examine the credit record and check the references of all applicants and Customers. The Company may examine the credit profile/record of any applicant prior to accepting the service order. The service application shall not in itself obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record is, in the opinion of the Company, contrary to the best interest of the Company. The Company 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 a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

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**ISSUED: March 1, 1999****EFFECTIVE: , 1999****ISSUED BY:****Jerry DeCiccio, CFO  
3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626**

TELECOMMUNICATIONS SERVICES TARIFF

- 2.1.1 The services provided by GTC are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the resale services furnished by GTC and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of GTC.
- 2.1.3 The Company reserves the right to limit the length of communications, to discontinue furnishing services, or limit the use of service necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

**2.2 Use of Services**

- 2.2.1 GTC's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services, subject to any limitations set forth in this Section 2.2.
- 2.2.2 The use of GTC's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

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TELECOMMUNICATIONS SERVICES TARIFF

- 2.2.3 The use of GTC's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 GTC's services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 GTC does not transmit messages, but the services may be used for that purpose.
- 2.2.6 GTC's services may be denied for nonpayment of charges or for other violations of this tariff.
- 2.2.7 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.2.8 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

**2.3 Liability of the Company**

- 2.3.1 The Company shall not be liable for any claim, loss, expense or damage for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by the Underlying Carrier, an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control.
- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.

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3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626**

TELECOMMUNICATIONS SERVICES TARIFF

- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.3.4 Reserved for Future Use
- 2.3.5 Reserved for Future Use
- 2.3.6 Reserved for Future Use

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ISSUED: March 1, 1999

EFFECTIVE: , 1999

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Costa Mesa, California 92626



TELECOMMUNICATIONS SERVICES TARIFF

- 2.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

2.4 Responsibilities of the Customer

- 2.4.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by GTC on the Customer's behalf.
- 2.4.3 If required for the provision of GTC's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to GTC.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to GTC and the Customer when required for GTC personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of GTC's services.
- 2.4.5 The Customer shall cause the temperature and relative humidity in the equipment space provided by Customer for the installation of GTC's equipment to be maintained within the range normally provided for the operation of microcomputers.

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Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with GTC's facilities or services, that the signals emitted into GTC's network are of the proper mode, bandwidth, power and signal level for the intended use of the subscriber and in compliance with criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, GTC will permit such equipment to be connected with its channels without the use of protective interface devices. If the Customer fails to maintain the equipment and/or the system properly, with resulting imminent harm to GTC equipment, personnel or the quality of service to other Customers, GTC may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, GTC may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay GTC for replacement or repair of damage to the equipment or facilities of GTC caused by negligence or willful act of the Customer or others, by improper use of the services, or by use of equipment provided by Customer or others.
- 2.4.8 The Customer must pay for the loss through theft of any GTC equipment installed at Customer's premises.
- 2.4.9 If GTC installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

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EFFECTIVE: , 1999

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3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.10 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.

2.5 Cancellation or Interruption of Services

- 2.5.1 Without incurring liability, upon five (5) working days' (defined as any day on which the company's business office is open and the U.S. Mail is delivered) written notice to the Customer, GTC may immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:
- 2.5.1.A For nonpayment of any sum due GTC for more than thirty (30) days after issuance of the bill for the amount due,
  - 2.5.1.B For violation of any of the provisions of this tariff,
  - 2.5.1.C For violation of any law, rule, regulation, policy of any governing authority having jurisdiction over GTC's services, or
  - 2.5.1.D By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting GTC from furnishing its services.

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EFFECTIVE: , 1999

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Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF

- 2.5.2 Without incurring liability, GTC may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and GTC's equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.
- 2.5.3 Service may be discontinued by GTC without notice to the Customer, by blocking traffic to certain countries, cities or NXX exchanges, or by blocking calls using certain Customer authorization codes, when GTC deems it necessary to take such action to prevent unlawful use of its service. GTC will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.
- 2.5.4 The Customer may terminate service upon thirty (30) days written notice for the Company's standard month to month contract. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

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Costa Mesa, California 92626



TELECOMMUNICATIONS SERVICES TARIFF

2.6 Credit Allowance

- 2.6.1 Credit may be given for disputed calls, on a per call basis.
- 2.6.2 Credit shall not be issued for unavailability of long distance services.

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TELECOMMUNICATIONS SERVICES TARIFF

2.7 Restoration of Service

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

2.8 Deposit

The Company does not require deposits to commence service.

2.9 Advance Payments

GTC does not require advance payments.

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TELECOMMUNICATIONS SERVICES TARIFF2.10 Payment and Billing

- 2.10.1 Service is provided and billed on a billing cycle basis, beginning on the date that service becomes effective. Billing is payable upon receipt. A late fee will be assessed on unpaid amounts 30 days after rendition of bills.
- 2.10.2 The customer is responsible for payment of all charges for services furnished to the Customer, as well as to all persons using the Customer's codes, exchange lines, facilities, or equipment, with or without the knowledge or consent of the Customer. The security of the Customer's Authorization Codes, subscribed exchange lines, and direct connect facilities is the responsibility of the Customer. All calls placed using direct connect facilities, subscribed exchange lines, or Authorization Codes will be billed to and must be paid by the Customer. Recurring charges and non-recurring charges are billed in advance. Charges based on actual usage during a month and any accrued interest will be billed monthly in arrears.
- 2.10.3 All bills are presumed accurate, and shall be binding on the customer unless objection is received by the Company in writing within 180 days after such bills are rendered. No credits, refunds, or adjustments shall be granted if demand therefor is not received by the Company in writing within such 180 day period.

ISSUED: March 1, 1999

EFFECTIVE: , 1999

ISSUED BY:

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Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFF**2.11 Collection Costs**

In the event Company is required to initiate legal proceedings to collect any amounts due to Company for regulated or non-regulated services, equipment or facilities, or to enforce any judgment obtained against a Customer, or for the enforcement of any other provision of this tariff or applicable law, Customer shall, in addition to all amounts due, be liable to Company for all reasonable costs incurred by Company in such proceedings and enforcement actions, including reasonable attorneys' fees, collection agency fees or payments, and court costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined a court of competent jurisdiction or by the Commission.

**2.12 Taxes**

All federal, state and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein.

**2.13 Late Charge**

A late fee of 1.5% per month or the amount otherwise authorized by law, whichever is lower, will be charged on any past due balances.

**2.14 Returned Check Charge**

A fee of \$20.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written.

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EFFECTIVE: , 1999

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3151 Airway Avenue, Suite P-3  
Costa Mesa, California 92626

TELECOMMUNICATIONS SERVICES TARIFFSECTION 3 - DESCRIPTION OF SERVICE3.1 Computation of Charges

- 3.1.1 The total charge for each completed call may be a variable measured charge dependent on the duration, distance and time of day of the call. The total charge for each completed call may also be dependent only on the duration of the call, i.e. a statewide flat rate per minute charge. The variable measured charge is specified as a rate per minute which is applied to each minute. All calls are measured in increments as set forth in the Rates Section of this tariff. All calls are rounded up to the next whole increment.
- 3.1.2 Where mileage bands appear in a rate table, rates for all calls are based upon the airline distance between the originating and terminating points of the call, as determined by the vertical and horizontal coordinates associated with the exchange (the area code and three digit central office code) associated with the originating and terminating telephone numbers. If the Customer obtains access to the Company's network by a dedicated access circuit, that circuit will be assigned an exchange for rating purposes based upon the Customer's main telephone number at the location where the dedicated access circuit terminates. The vertical and horizontal (V & H) coordinates for each exchange and the airline distance between them will be determined according to industry standards.

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TELECOMMUNICATIONS SERVICES TARIFF

- 3.1.3 Timing begins when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Recognition of answer supervision is the responsibility of the Underlying Carrier. Timing for each call ends when either party hangs up. GTC will not bill for uncompleted calls.

**3.2 Customer Complaints and/or Billing Disputes**

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

3151 Airway Ave., Suite P-3  
Costa Mesa, CA 92626  
(800) 486-4030

Any objection to billed charges should be reported promptly to GTC. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

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TELECOMMUNICATIONS SERVICES TARIFF

The Company will respond within seventy two (72) hours of receipt of an inquiry. If the Customer is dissatisfied with the Company's response to a complaint or inquiry, the Customer may file the Commission for resolution of the conflict. The South Dakota Public Utilities Commission can be reached at:

500 East Capitol  
Pierre, SD 57501-5070  
(605) 773-3201  
(800) 332-1782  
TTY through Relay Service South Dakota-  
(800) 877-1113

If a Customer accumulates more than One Dollar of undisputed delinquent GTC 800 Service charges, the GTC Resp. Org. reserves the right not to honor that Customer's request for a Resp. Org. change until such undisputed charges are paid in full.

**3.3 Level of Service**

A Customer can expect end to end network availability of not less than 99% at all times for all services.

**3.4 Billing Entity Conditions**

When billing functions on behalf of GTC or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. GTC's name and toll-free telephone number will appear on the Customer's bill.

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Jerry DeCiccio, CFO  
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TELECOMMUNICATIONS SERVICE TARIFF

3.5 Service Offerings

3.5.1 1+ Dialing

This service permits Customers to originate call via switched or dedicated access lines, and to terminate intrastate calls. The customer dials "1+" followed by "ten digits" or dials "101XXXX" followed by "1+ ten digits".

3.5.2 Travel Cards

The Customer utilizes an 11 digit "toll-free" access number established by the Company to access a terminal. Upon receiving a voice prompt, the Customer uses push button dialing to enter an identification code assigned by the Company, and the ten digit number of the called party.

3.5.3 800 Service (Toll-Free)

This service is inbound calling only where an 800, 888 or other toll-free prefix number rings into a Customer's premise routed to a specific telephone number or terminated over a dedicated facility.

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Costa Mesa, California 92626

GTC TELECOM

ORIGINAL SHEET 25

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

3.5.4 Reserved for Future Use

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EFFECTIVE: , 1999

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Costa Mesa, California 92626

GTC TELECOM

ORIGINAL SHEET 26  
SOUTH DAKOTA PUC TARIFF NO. 1  
TELECOMMUNICATIONS SERVICES TARIFF

Reserved for Future Use

ISSUED: March 1, 1999  
ISSUED BY:

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Costa Mesa, California 92626

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.5 Directory Assistance.

Access to long distance directory assistance is obtained by dialing 1 + 555-1212 for listings within the originating area code and 1 + (area code) + 555-1212 for other listings. When more than one number is requested in a single call, a charge will apply for each number requested. A charge will be applicable for each number requested, whether or not the number is listed or published.

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TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.6 Specialized Pricing Arrangements.

Customized service packages and competitive pricing packages at negotiated rates may be furnished on a case-by-case basis in response to requests by Customers to the Company for proposals or for competitive bids. Service offered under this tariff provision will be filed with the Commission. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis. The Company will notify the Commission of such arrangements as required by Commission rules and regulations.

## 3.5.7 Emergency Call Handling Procedures

Emergency "911" calls are not routed to company, but are completed through the local network at no charge.

## 3.5.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations. The Company will notify the Commission of such offerings as required by Commission rules and regulations.

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES

4.1 1+ Dialing

\$0.249 per minute

A \$4.95 per month service charge applies.  
Billed in one minute increments.

4.2 Travel Cards

\$.149 per minute

A \$.25 per call service charge applies.  
Billed in one minute increments.

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TELECOMMUNICATIONS SERVICES TARIFF

4.3 Toll Free

\$0.099 per minute

A \$10 per month per number service charge applies.  
Billed in one minute increments.

4.4 Reserved for Future Use

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EFFECTIVE: , 1999

GTC TELECOM

ORIGINAL SHEET 31  
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

4.5 Directory Assistance

\$ .95

4.6 Returned Check Charge

\$20.00

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EFFECTIVE: , 1999

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Costa Mesa, California 92626



TELECOMMUNICATIONS SERVICES TARIFF4.7 Rate Periods

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		
5 p.m. to 11 p.m.*	Evening Rate Period		Evening Rate Period
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

\* To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

4.8 Payphone Dial Around Surcharge

A dial around surcharge of \$.35 per call will be added to any completed INTRASTATE toll access code and subscriber 800/888 type calls placed from a public or semi-public payphone.

4.9 Universal Service Fund Assessment & Presubscribed Interexchange Carrier Charge

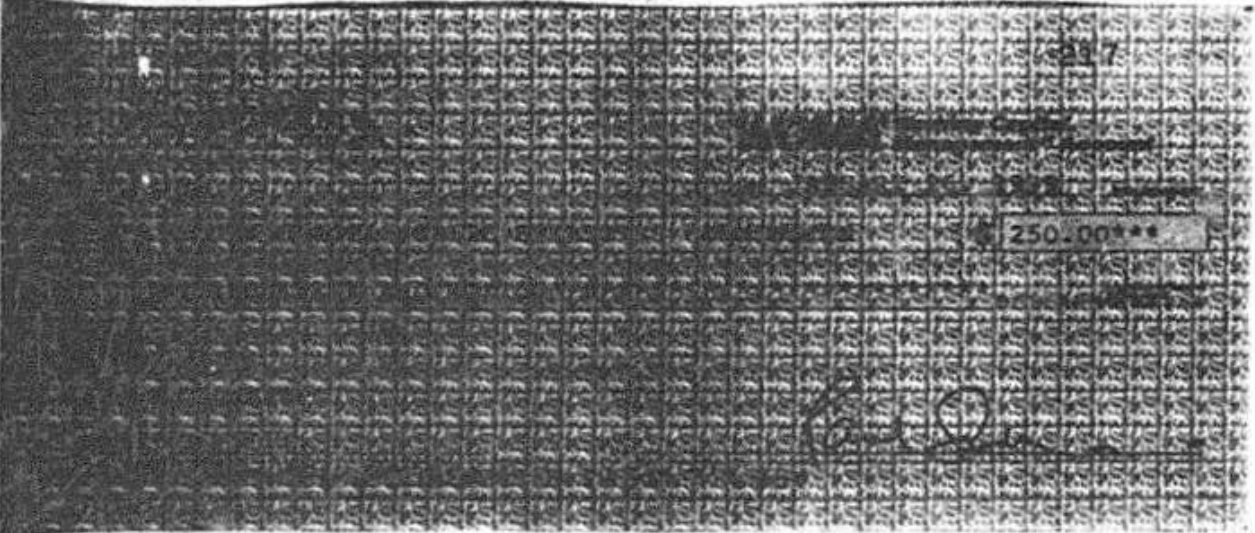
The Customer will be assessed a monthly federal Universal Service Fund Contribution charge on all telecommunications services, which in no event shall be less than the prevailing contribution percentage rate charged the Company on intrastate traffic by the Universal Service Administrative Company (or any successor). A Presubscribed Interexchange Carrier Charge ("PICC") applies on a monthly basis to all Customer monthly bills at the prevailing rate.

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South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of February 25, 1999 through March 3, 1999

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

Phone: 605-773-3705 Fax: 605-773-3809

**CONSUMER COMPLAINTS**

CE99-001 In the Matter of the Complaint filed by Olan Garcia on behalf of A Little Bit of Italy, Spearfish, South Dakota, against Black Hills Power and Light Company Regarding Collection Practices

The Complainant claims that payment arrangements were made which included cancellation of an automatic bank payment option. The Complainant further claims that Black Hills Power and Light did not cancel the automatic bank payment function which caused the Complainant's bank account to become overdrawn. Service was disconnected and Black Hills Power and Light Company has assessed a deposit for restoration of service. The Complainant seeks the following relief: "We should be allowed to go on regular payments without a deposit."

Staff Attorney: Karen Cremer  
Consumer Affairs: Leni Healy  
Date Filed: 02/23/99

CT99-001 In the Matter of the Complaint filed by Vince Wienk on behalf of All Star Travelers Inn, Spearfish, South Dakota, against AT&T Communications of the Midwest, Inc. Regarding Access to Blocked Lines.

The Complainant claims that a motel guest was able to charge calls to the motel even though the motel had blocks to prohibit such charges. The Complainant seeks the following relief: "This type of phone fraud should not be allowed. If this type of phone misuse cannot be stopped then motel owners need to be notified."

Staff Attorney: Camron Hoseck  
Consumer Affairs: Leni Healy  
Date Filed: 02/22/99

## TELECOMMUNICATIONS

**TC99-019** In the matter of the Application of GTC Telecom for a Certificate of Authority to Provide Telecommunications Services in South Dakota

GTC Telecom filed a request for a Certificate of Authority to provide intrastate interexchange telecommunications services within South Dakota. Applicant seeks authority to provide a full range of interexchange services including 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing and travel card service.

Staff Attorney: Karen Cremer  
Staff Analyst: Michele Farris  
Date Filed: 03/03/99  
Intervention deadline: 03/24/99

You may receive this listing and other PUC publications via our website or via internet e-mail.  
You may subscribe to the PUC mailing list at <http://www.state.sd.us/puc/>

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Also Admitted in New York  
and Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

March 5, 1999

**VIA AIRBORNE EXPRESS**

Mr. William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
(605) 773-3201

Re: GTC Telecom  
Docket No. TC99-019

RECEIVED  
MAR 08 1999  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

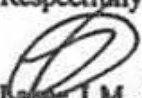
Dear Mr. Bullard:

Enclosed please find eleven (11) copies of GTC Telecom's Certificate of Authority issued by the Secretary of State.

I have also enclosed an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for GTC Telecom

Enclosures  
cc: Jerry DeCiccio



# State of South Dakota

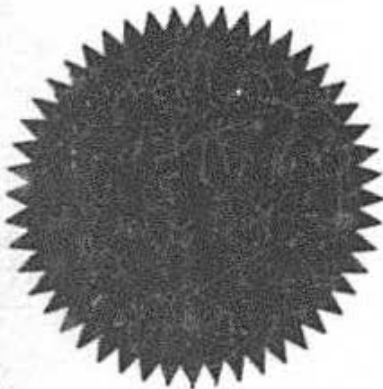


## OFFICE OF THE SECRETARY OF STATE

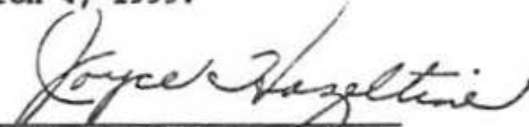
### CERTIFICATE OF AUTHORITY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of GTC TELECOM, INC. (NV) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, 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 to transact business in this state.



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 March 4, 1999.

  
JOYCE HAZELTINE  
Secretary of State

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

IN THE MATTER OF THE APPLICATION OF )  
GTC TELECOM FOR A CERTIFICATE OF )  
AUTHORITY TO PROVIDE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )

ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY  
  
TC99-019

On March 3, 1999, 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 GTC Telecom (GTC).

GTC is a reseller and proposes to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, and travel card service. A proposed tariff was filed by GTC. The Commission has classified long distance service as fully competitive.

On March 4, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of March 24, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its April 8, 1999, meeting, the Commission considered GTC's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that GTC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

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 GTC has met the legal requirements established for the granting of a certificate of authority. GTC 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 GTC's application for a certificate of authority, subject to the condition that GTC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that GTC's application for a certificate of authority is hereby granted, effective May 3, 1999, subject to the condition that GTC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 14<sup>th</sup> day of April, 1999.

**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: Delaine Keels

Date: 4/15/99

(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

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## CERTIFICATE OF AUTHORITY

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

Authority was Granted April 8, 1999, effective May 3, 1999  
Docket No. TC99-019

*This is to certify that*

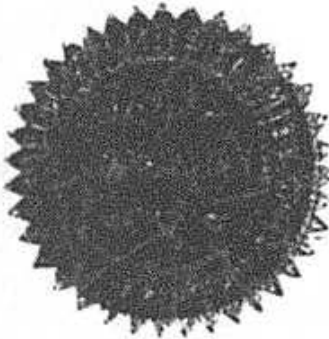
**GTC TELECOM**

*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 14<sup>th</sup> day of April, 1999.

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION:



*James A. Burg*  
\_\_\_\_\_  
JAMES A. BURG, Chairman

*Pam Nelson*  
\_\_\_\_\_  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
\_\_\_\_\_  
LASKA SCHOENFELDER, Commissioner