



TC02-175

Lance J.M. Steinhart, P.C.  
Attorney At Law  
1720 Windward Concourse  
Suite 250  
Alpharetta, Georgia 30005

RECEIVED

OCT 30 2002

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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

Also Admitted in New York  
and Maryland

October 28, 2002

**VIA OVERNIGHT DELIVERY**

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

Re: Intelecall Communications, Inc.

Dear Mr. Bullard:

Enclosed please find one original and ten (10) copies of Intelecall Communications, Inc.'s Application for Registration of a Telecommunications Company.

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 Intelecall Communications, Inc.

Enclosures

cc: Linda Katz

OCT 30 2002

APPLICATION FOR REGISTRATION  
OF INTELECALL COMMUNICATIONS, INC. SOUTH DAKOTA PUBLIC  
FILED WITH THE UTILITIES COMMISSION  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE )  
APPLICATION OF )  
INTELECALL COMMUNICATIONS, INC. )  
)  
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 Intelecall Communications, Inc. ("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:**

Intelecall Communications, Inc.  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181  
Telephone: (305) 899-9373  
Toll-Free Customer Service: (800) 868-7170

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

Intelecall Communications, Inc.

**3. Applicant's corporate information:**

Applicant was organized in the State of Florida on June 24, 1998. A copy of the Applicant's Articles of Incorporation 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:

TCS Corporate Services, Inc.  
C/O Marilyn Person  
819 West Third  
Pierre, South Dakota 57501

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
Shevin Goodman	395	79%
Cary Krugly	105	21%

All of the above can be reached through the company as set forth in Section 1 above.

4. **Partnership Information:**

Not Applicable.

5. **Description of Services Applicant intends to offer:**

Applicant is a reseller which intends to offer interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services *and* travel card service, ~~and prepaid calling 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 Qwest and Global Crossing, its underlying carriers. 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 as of December 31, 2000 and the Statement of Income and Retained Earnings for the year ended December 31, 2000, which demonstrates that Applicant has the financial ability to provide the services that it proposes to offer. Applicant hereby respectfully requests a waiver of ARSD 20:10:24:02(8) to the extent it requires applicant to file a current balance sheet, income statement, and cash flow statements.

*(Applicant will not require prepayments, advance payment or deposits)*

**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:

Linda Katz, President  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181  
Telephone: (305) 899-9373  
Facsimile: (305) 899-9202  
E-Mail: prepaid1@bellsouth.net

All inquiries regarding complaints should be addressed to:

Linda Katz, President  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181  
Telephone: (305) 899-9373; (800) 868-7170 (toll-free)  
Facsimile: (305) 899-9202  
E-Mail: prepaid1@bellsouth.net

The Applicant's customers will be direct billed utilizing "real-time" completed call detail information from Applicant's

underlying carriers. Applicant's toll-free number will be on all invoices and ~~prepaid calling cards~~ 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 Arizona, Arkansas, Colorado, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington and Wisconsin.

The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified. The Applicant has never been denied registration or certification nor withdrawn its request for registration or certification in any state.



**11. Description of Marketing**

Applicant intends to market its services to primarily to residential customers and to small to mid-sized businesses. 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 at this time. Applicant's marketing materials are currently being developed and are not available at this time.

**12. Cost Support:**

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

**13. Federal Tax Identification Number:**

65-0845246

**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

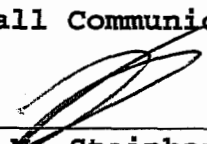
**15. Tariff**

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 29 day of Oct, 2002.

**Intelecall Communications, Inc.**

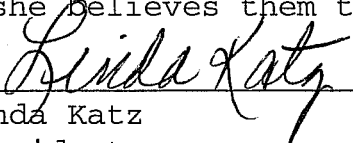
By:   
Lance J.M. Steinhart, Its Counsel

1720 Windward Concourse  
Suite 250  
Alpharetta, Georgia 30005  
(770) 232-9200

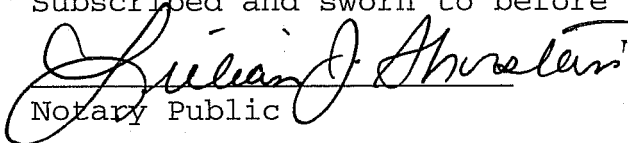
State of Florida

County of Miami Dade

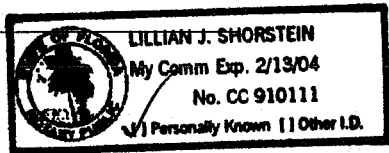
Linda Katz, being first duly sworn, deposes and says that he/she is the President of Intelecall Communications, Inc., the Applicant in the proceeding entitled above, that he/she has read the foregoing application and knows the contents thereof; that the same are true of his/her knowledge, except as to matters which are therein stated on information or belief, and to those matters he/she believes them to be true.

  
\_\_\_\_\_  
Linda Katz  
President

Subscribed and sworn to before this 5 day of July, 2002.

  
\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_



**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**

# State of Florida



## Department of State

I certify from the records of this office that INTELECALL COMMUNICATIONS, INC., is a corporation organized under the laws of the State of Florida, filed on June 24, 1998.

The document number of this corporation is P98000056301.

I further certify that said corporation has paid all fees due this office through December 31, 2002, that its most recent annual report/uniform business report was filed on May 9, 2002, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Eighth day of August, 2002



CR2EO22 (7-02)

*Jim Smith*

Jim Smith  
Secretary of State

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of INTELECALL COMMUNICATIONS, INC., a corporation organized under the laws of the State of Florida, filed on June 24, 1998, as shown by the records of this office.

The document number of this corporation is P98000056301.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Eighth day of August, 2002



CR2EO22 (7-02)

*Jim Smith*  
Jim Smith  
Secretary of State

**ARTICLES OF INCORPORATION**

*of*

**INTELECALL COMMUNICATIONS, INC.**

The undersigned, being the incorporator hereinafter named, hereby executes these Articles of Incorporation for the purpose of forming a corporation for profit pursuant to the laws of the State of Florida.

**ARTICLE I**

**Name**

The name of the corporation shall be:

**INTELECALL COMMUNICATIONS, INC.**

The principal place of business of this corporation shall be:

476 S.E. 14th Street  
Dania, Florida 33004

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

98 JUN 24 AM 9:49

FILED

**ARTICLE II**

**Duration**

This corporation shall exist in perpetuity.

**ARTICLE III**

**Purpose**

The purpose of the corporation shall include the transaction of any and all lawful business for which corporations may be incorporated under Chapter 607 of the Florida Statutes.

**ARTICLE IV**



### Stock

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is One Thousand (1,000) shares of common stock, having a par value of One (\$1.00) Dollar per share which shall be designated as common shares.

### ARTICLE V

#### Right of Shares of Capital Stock

The entire voting power for the election of directors and for all other purposes shall be vested exclusively in the holders of the outstanding common shares, each share having one (1) vote.

Nothing in these Articles shall be construed to allow for cumulative voting of said shares.

### ARTICLE VI

#### Initial Registered Office and Agent

The street address of the initial registered office of the corporation shall be 9100 South Dadeland Boulevard, Suite 910, Miami, Florida 33156, and the name of the initial Registered Agent of the corporation at that address is Peter G. Gruber, P.A.

### ARTICLE VII

#### Indemnification

The corporation shall indemnify all directors, officers, employees or agents who are parties to any proceeding (other than an action by, or in the right of, the corporation) by reason of the fact that they are or were a director, officer, employee or agent of the corporation to the full extent permitted by Florida Statute §607.0850.

### ARTICLE VIII

#### Initial Board of Directors

This corporation shall have one (1) director, initially. The number of directors may either be increased or decreased, from time to time, by the By-laws, adopted by the corporation. The name

and street address of the initial member of the Board of Directors is:

Janice Tipp  
476 S.E. 14th Street  
Dania, Florida 33004

ARTICLE IX

Amendments

This corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation, or any amendments hereto, and any right conferred upon the shareholders is subject to this reservation.

ARTICLE X

By-Laws

The power to adopt, alter, amend or repeal the By-Laws shall be vested in the Board of Directors.

ARTICLE XI

Officers

The names and addressees of the initial officers of the corporation who shall hold office for the first year of the corporation or until their successors are elected or appointed are:

President/Secretary:           Janice Tipp  
  476 S.E. 14th Street  
  Dania, Florida 33004

ARTICLE XII

Incorporator

The name and street address of the incorporator to these Articles of Incorporation is:

Janice Tipp  
476 S.E. 14th Street  
Dania, Florida 33004

ARTICLE XIII

Special Provision

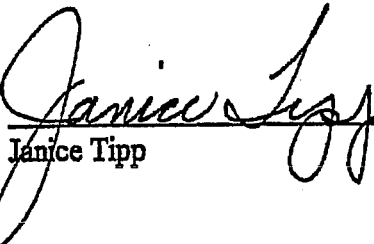
The stock of this corporation is intended to qualify under the requirements of Section 1244 of the Internal Revenue Code and the regulations issued thereunder. Such actions as are necessary will be taken by the appropriate officers to accomplish this compliance.

ARTICLE XIV

Effective Date ...

The existence of the corporation shall begin on the date of filing of these Articles of Incorporation.

In Witness Whereof, the undersigned has hereunto set his hand and seal on this 22 day of June, 1998.

  
\_\_\_\_\_  
Janice Tipp

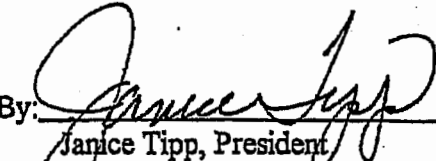
**CERTIFICATE OF DESIGNATION  
REGISTERED AGENT/REGISTERED OFFICE**

Pursuant to the provisions of section 607.0501, Florida Statutes, the undersigned corporation, organized under the laws of the state of Florida, submits the following statement in designating the registered office/registered agent, in the State of Florida.

1. The name of the corporation is INTELECALL COMMUNICATIONS, INC.
2. The name and address of the registered agent and office is:

PETER G. GRUBER, P.A.  
9100 S. Dadeland Boulevard  
One Datan Center, Suite 910  
Miami, Florida 33156

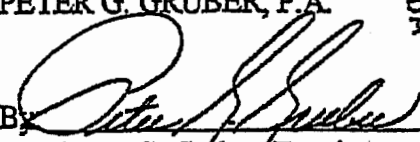
INTELECALL COMMUNICATIONS, INC.

By:   
Janice Tipp, President

Dated: 6/22/98

**ACKNOWLEDGMENT**

Having been named as Registered Agent and to accept service of process for the above stated corporation at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as Registered Agent.

PETER G. GRUBER, P.A.  
By:   
Peter G. Gruber, Esquire

Dated: 6/23/98

FILED  
98 JUN 23 AM 9:49  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**EXHIBIT B - CERTIFICATE OF AUTHORITY**

# State of South Dakota



## OFFICE OF THE SECRETARY OF STATE

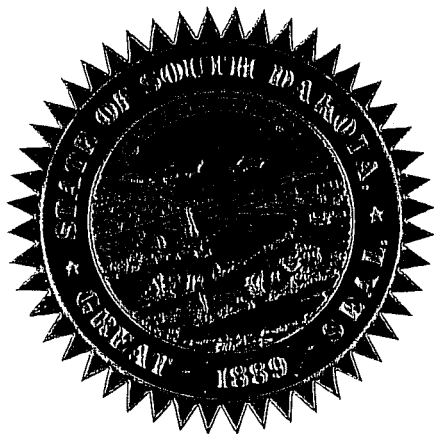
### Certificate of Authority

ORGANIZATIONAL ID #: FB026515

I, **JOYCE HAZELTINE**, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of **INTELECALL COMMUNICATIONS, INC. (FL)** 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 August 12, 2002.



*Joyce Hazeltine*

**Joyce Hazeltine**  
Secretary of State

**EXHIBIT C - MARKETING MATERIAL**  
**Not Available**

**EXHIBIT D - FINANCIAL INFORMATION**



**INTELECALL COMMUNICATIONS, INC.**

**FINANCIAL STATEMENTS**

**DECEMBER 31, 2000**

**INTELECALL COMMUNICATIONS, INC.**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
ACCOUNTANTS' COMPILATION REPORT	1
BALANCE SHEET	2
STATEMENT OF INCOME AND RETAINED EARNINGS	3
NOTES TO THE FINANCIAL STATEMENTS	4-5



WALD GREENBERG COHEN SCHNEIDER  
AND COMPANY, P.A.

*Certified Public Accountants*

INTELECALL COMMUNICATIONS, INC.  
MIAMI, FL

We have compiled the accompanying balance sheet of Intelecall Communications, Inc. as of December 31, 2000 and the related statement of income and retained earnings for the year then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit the statement of cash flows ordinarily included in financial statements. If the omitted statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's assets, liabilities, equity, revenue, and expenses. Accordingly, these financial statements are not designed for those who are not informed about such matters.

The Company, with the consent of its shareholders, has elected under the Internal Revenue Code to be an S corporation. In lieu of corporate income taxes, the shareholders of an S corporation are taxed on their proportionate share of the Company's taxable income. Therefore, no provision for federal income taxes has been included in these financial statements.

*Wald, Greenberg, Cohen, Schneider & Company, P.A.*

WALD GREENBERG COHEN SCHNEIDER & CO., P.A.  
CERTIFIED PUBLIC ACCOUNTANTS

April 27, 2001

**INTELECALL COMMUNICATIONS, INC.**  
**BALANCE SHEET**  
**DECEMBER 31, 2000**

**ASSETS**

**CURRENT ASSETS**

CASH	\$ 14,512
INVENTORY	331,499

<b>TOTAL CURRENT ASSETS</b>	<b>346,011</b>
-----------------------------	----------------

**FURNITURE, FIXTURES AND EQUIPMENT**  
NET OF ACCUMULATED  
DEPRECIATION OF \$2,175.

2,325
-------

<b>TOTAL ASSETS</b>	<b>\$ 348,336</b>
---------------------	-------------------

**LIABILITIES AND SHAREHOLDERS' EQUITY**

**CURRENT LIABILITIES**

\$ -

**SHAREHOLDERS' EQUITY**

COMMON STOCK, \$1.00 PAR VALUE; 1000 SHARES AUTHORIZED, 1000 SHARES ISSUED AND OUTSTANDING	1,000
RETAINED EARNINGS	347,336

<b>TOTAL SHAREHOLDERS' EQUITY</b>	<b>348,336</b>
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<b>TOTAL LIABILITIES SHAREHOLDERS' EQUITY</b>	<b>\$ 348,336</b>
---	-------------------

**INTELECALL COMMUNICATIONS, INC.**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2000**

**NOTE 1 - Organization and Summary of Significant Accounting Policies:**

**Organization-** INTELECALL COMMUNICATIONS, INC. , was incorporated under the laws of the State of Florida on June 6, 1998. The Company is in the business of selling prepaid phone cards.

**Use of Estimates** - The preparation of financial statements, in conformity with generally accepted accounting principles, requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying disclosures. Although these estimates are based on managements best knowledge of current events and actions the company may undertake in the future, actual results may differ from estimates.

**Revenue** - Revenue from the sale of prepaid phone cards is recognized upon receipt of funds. Payment for the prepaid phone cards is received before they are shipped.

**Property and Equipment** - Property and equipment acquisitions are recorded at cost. Depreciation is provided over the estimated useful life of each class of depreciable asset.

**Cash and Cash Equivalentents** - The Company considers cash on hand, cash in banks, certificate of deposits, and U.S. government and other short-term securities with maturities of three months or less when purchased as cash and cash equivalentents.

**Inventories** - Inventories are stated at the lower of cost or market. Cost is determined by the first-in, first-out (FIFO) method.

See the Accompanying Accountants' Compilation Report

**INTELECALL COMMUNICATIONS, INC.**  
**STATEMENT OF INCOME AND RETAINED EARNINGS**  
**FOR THE YEAR ENDED DECEMBER 31, 2000**

<b>SALES</b>	<b>\$ 14,403,103</b>
<b>COST OF SALES</b>	<b>12,324,888</b>
	<hr/>
<b>GROSS PROFIT</b>	<b>2,078,215</b>
<b>OPERATING, SELLING, GENERAL, AND ADMINISTRATIVE EXPENSES</b>	<b>852,156</b>
	<hr/>
<b>NET INCOME</b>	<b>1,226,059</b>
<b>RETAINED EARNINGS - January 1, 2000</b>	<b>15,677</b>
<b>STOCKHOLDER DISTRIBUTION</b>	<b>(894,400)</b>
	<hr/>
<b>RETAINED EARNINGS-December 31, 2000</b>	<b>\$ 347,336</b>
	<hr/> <hr/>

See the Accompanying Accountants' Compilation Report.

**INTELECALL COMMUNICATIONS, INC.**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2000**

**NOTE 2 - Inventory:**

Inventory at December 31, 2000 consists of the following:

Prepaid phone cards (activated)	\$ 300,000
Prepaid phone cards (un-activated)	21,499
Advertising posters and supplies	<u>10,000</u>
	<u>\$ 331,499</u>

**NOTE 3 - Property and Equipment:**

The major category of property and equipment at December 31, 2000:

	<u>COST</u>	<u>LIFE</u>
Office furniture, equipment, and fixtures	\$4,500	5 years
Accumulated depreciation	<u>(2,175)</u>	
Net	<u>\$2,325</u>	

See the Accompanying Accountants' Compilation Report

**INTELECALL COMMUNICATIONS, INC.**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2000**

**NOTE 4 - Commitments and Contingent Liabilities:**

**Operating lease**

The company entered into a five year lease beginning November 1, 1998 for office space under an operating lease expiring October 31, 2003. The lease requires monthly payments of approximately \$6,052, which includes sales tax and is subject to annual changes as defined in the lease.

The following is a schedule of minimum future rentals on the non-cancelable operating lease:

**Years Ended December 31.**

2001	\$ 76,624
2002	\$ 76,624
2003	<u>\$ 60,520</u>
	<u>\$213,768</u>



**EXHIBIT E - PROPOSED TARIFF**

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 Intelecall Communications, Inc. ("Intelecall"), with principal offices at 11900 Biscayne Blvd., Suite 201, Miami, Florida 33181. 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:  
ISSUED BY:

EFFECTIVE:  
Linda Katz, President  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181

INTELECALL COMMUNICATIONS, INC.

ORIGINAL SHEET 2

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

RESERVED FOR FUTURE USE

---

ISSUED:  
ISSUED BY:

EFFECTIVE:  
Linda Katz, President  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181

TELECOMMUNICATIONS SERVICES TARIFF

CHECK 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
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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:**  
**ISSUED BY:**

**EFFECTIVE:**  
**Linda Katz, President**  
**11900 Biscayne Blvd., Suite 201**  
**Miami, Florida 33181**

TELECOMMUNICATIONS SERVICES TARIFF

TABLE OF CONTENTS

	Page
Title Sheet.....	1
Reserved for Future Use.....	2
Check Sheet.....	3
Table of Contents.....	4
Tariff Format.....	5
Symbols.....	6
Section 1 - Technical Terms and Abbreviations.....	7
Section 2 - Rules and Regulations.....	9
2.1 Undertaking of the Company.....	9
2.2 Use of Services.....	10
2.3 Liability of the Company.....	11
2.4 Responsibilities of the Customer.....	13
2.5 Cancellation or Interruption of Service.....	15
2.6 Credit Allowance.....	17
2.7 Restoration of Service.....	18
2.8 Deposit.....	18
2.9 Advance Payments.....	18
2.10 Payment and Billing.....	19
2.11 Collection Costs.....	20
2.12 Taxes.....	20
2.13 Late Charge.....	20
2.14 Returned Check Charge.....	20
2.15 Reconnection Charge.....	20
Section 3 - Description of Service.....	21
3.1 Computation of Charges.....	21
3.2 Customer Complaints and/or Billing Disputes.....	22
3.3 Level of Service.....	23
3.4 Billing Entity Conditions.....	23
3.5 Service Offerings.....	24
Section 4 - Rates.....	29

ISSUED:  
ISSUED BY:

EFFECTIVE:

Linda Katz, President  
11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181

TELECOMMUNICATIONS SERVICES TARIFF

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 filed with the Commission.

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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

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 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 the Company's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable the Company 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 the Company and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or Intelecall - Used throughout this tariff to mean Intelecall Communications, Inc., a Florida 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.

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Resp. Org - Responsible Organization or entity identified by a Toll-Free service Customer that manages and administers records in the toll free number 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.

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

This tariff contains the regulations and rates applicable to intrastate interexchange telecommunications services provided by the Company for telecommunications between points within the State of South Dakota. 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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- 2.1.1 The services provided by the Company 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 which may be subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the services furnished by the Company 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 the Company.
- 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 The Company'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 the Company'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.

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- 2.2.3 The use of the Company'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 The Company's services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 The Company does not transmit messages, but the services may be used for that purpose.
- 2.2.6 The Company'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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- 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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TELECOMMUNICATIONS SERVICES TARIFF**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 the Company on the Customer's behalf.
- 2.4.3 If required for the provision of the Company's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to the Company.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to the Company and the Customer when required for Company personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of the Company'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 the Company's equipment to be maintained within the range normally provided for the operation of microcomputers.

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- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with the Company's facilities or services, that the signals emitted into the Company'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, the Company 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 Company equipment, personnel or the quality of service to other Customers, the Company may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, the Company may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay the Company for replacement or repair of damage to the equipment or facilities of the Company 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 Company equipment installed at Customer's premises.
- 2.4.9 If the Company installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

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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, the Company 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 the Company for more than thirty (30) days after issuance of the bill for the amount due, unless the charge is in dispute;

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 the Company'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 the Company from furnishing its services.

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- 2.5.2 Without incurring liability, the Company 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 the Company'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 the Company 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 the Company deems it necessary to take such action to prevent unlawful use of its service. The Company 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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2.6 Credit Allowance

2.6.1 Credit may be given for disputed calls, on a per call basis.

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**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.

**2.9 Advance Payments**

The Company does not require advance payments.

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TELECOMMUNICATIONS SERVICES TARIFF**2.10 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. 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 the applicable contract law statute of limitations. No credits, refunds, or adjustments shall be granted if demand therefore is not received by the Company in writing within such applicable contract law statute of limitations.

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TELECOMMUNICATIONS SERVICES TARIFF**2.11 Collection Costs**

In the event Company is required to initiate legal proceedings to collect any amounts due to Company, 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 by 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.

**2.15 Reconnection Charge**

A reconnection fee of \$25.00 per occurrence will be charged when service is reestablished for Customers which have been disconnected due to non-payment. Payment of the reconnection fee and any other outstanding amounts will be due in full prior to reconnection of service.

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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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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. The Company 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:

11900 Biscayne Blvd., Suite 201  
Miami, Florida 33181  
(800) 868-7170

An objection to billed charges should be reported to the Company within 180 days from receipt of an invoice. 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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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 a complaint with 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 Company 800 Service charges, the Company 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 the Company 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. The Company's name and toll-free telephone number will appear on the Customer's bill.

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TELECOMMUNICATIONS SERVICES TARIFF**3.5 Service Offerings**

## 3.5.1 1+ Dialing

This service permits Customers to originate calls 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 Toll-Free Service

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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3.5.4 Reserved for Future Use.

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Reserved for Future Use.

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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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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**

\$0.15 per minute

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

**4.2 Travel Cards**

\$.199 per minute

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

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**4.3 Toll Free**

\$0.15 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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TELECOMMUNICATIONS SERVICES TARIFF

4.5 Directory Assistance

\$.95

4.6 Returned Check Charge

\$20.00

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**TELECOMMUNICATIONS SERVICES TARIFF**

**4.7 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 \$.50 per call will be added to any completed INTRASTATE toll access code and subscriber toll-free 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 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 any state agency or its administrator. A Presubscribed Interexchange Carrier Charge ("PICC") applies on a monthly basis to all Customer monthly bills at the prevailing rate.

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INTELECALL COMMUNICATIONS, INC.  
11900 BISCAYNE BLVD SUITE 201  
MIAMI, FL 33181

SUNTRUST BANK  
HALLANDALE, FL 33009  
63-607/670

2507

7/30/2002

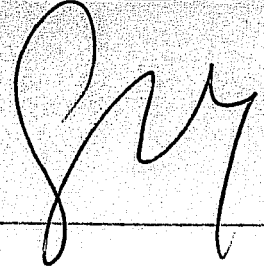
PAY TO THE ORDER OF South Dakota Public Utilities Commission

\$ \*\*250.00

Two Hundred Fifty and 00/100\*\*\*\*\*

DOLLARS

South Dakota Public Utilities Commission



filing fee

MEMO

⑈002507⑈ ⑆067006076⑆ ⑆007600705295⑈

INTELECALL COMMUNICATIONS, INC.

South Dakota Public Utilities Commission

filing fee

7/30/2002

2507

250.00

TC02-175

SunTrust Bank, South Flor filing fee

250.00

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
**For the Period of October 24, 2002 through October 30, 2002**

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

**ELECTRIC**

**EL02-023 In the Matter of the Petition of Montana-Dakota Utilities Co. for Approval of a Revision to its Fuel Clause to Permit the Inclusion of Purchased Power Costs Related to Renewable Energy Purchases.**

Application by Montana-Dakota Utilities Co. for approval of tariff revisions which would allow costs of energy produced by renewable resources to be included in and recovered by Fuel Clause Rate 58. Montana-Dakota Utilities Co. has entered into an agreement to purchase electric energy from Dakota I Power Partners LLC which will construct wind generation facilities in the near future. Montana-Dakota Utilities Co. is requesting authority to recover such costs, and specifically the costs of wind generated energy pursuant to the agreement, through Fuel Clause Rate 58.

Staff Analyst: Dave Jacobson  
Staff Attorney: Kelly Frazier  
Date Docketed: 10/28/02  
Intervention Deadline: 11/15/02

**TELECOMMUNICATIONS**

**TC02-172 In the Matter of the Application of CI<sup>2</sup>, Inc. For a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

On October 28, 2002, CI<sup>2</sup>, Inc. filed an application for a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The applicant intends to provide resold intrastate telecommunications services throughout South Dakota.

Staff Analyst: Michele Farris  
Staff Attorney: Kelly Frazier  
Date Docketed: 10/28/02  
Intervention Deadline: 11/15/02

**TC02-173 In the Matter of the Application of CI<sup>2</sup>, Inc. for a Certificate of Authority to Provide Local Exchange Services in South Dakota.**

CI<sup>2</sup>, Inc. has filed an application for a Certificate of Authority to provide local exchange service in South Dakota. The applicant intends to provide resold local exchange service to end users without using its own network facilities or the unbundled network elements, but those of an underlying local

exchange carrier. The applicant intends to provide service in those areas served by Qwest.

Staff Analyst: Michele Farris  
Staff Attorney: Kelly Frazier  
Date Docketed: 10/28/02  
Intervention Deadline: 11/15/02

**TC02-174 In the Matter of the Filing by Qwest Corporation for Approval of Revisions to its Exchange and Network Services Tariff.**

On October 28, 2002, Qwest Corporation filed changes to its Exchange and Network Services Tariff. The filing introduces new service options for wireless E911 connectivity in South Dakota providing Phase I and Phase II Selective Routing/Automatic Location Identification (SR/ALI). An effective date of November 28, 2002 is requested.

Staff Analyst: Heather Forney  
Staff Attorney: Karen Cremer  
Date Docketed: 10/28/02  
Intervention Deadline: 11/15/02

**TC02-175 In the Matter of the Application of Intelcall Communications, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

Intelcall Communications, Inc. is seeking a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The Applicant intends to offer direct and dial-around outbound dialing, toll free inbound dialing, directory assistance, data services and travel card services.

Staff Analyst: Keith Senger  
Staff Attorney: Kelly Frazier  
Date Docketed: 10/30/02  
Intervention Deadline: 11/15/02

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>INTELECALL COMMUNICATIONS, INC. FOR A )</b>	<b>CERTIFICATE OF</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>INTEREXCHANGE TELECOMMUNICATIONS )</b>	
<b>SERVICES IN SOUTH DAKOTA )</b>	<b>TC02-175</b>

On October 30, 2002, 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 Intelecall Communications, Inc. (Intelecall).

Intelecall proposes to provide direct and dial-around outbound dialing, toll free inbound dialing, directory assistance, data services and travel card services. A proposed tariff was filed by Intelecall. The Commission has classified long distance service as fully competitive.

On October 31, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of November 15, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 20, 2002, meeting, the Commission considered Intelecall's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Intelecall not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Intelecall has met the legal requirements established for the granting of a certificate of authority. Intelecall has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves Intelecall's application for a certificate of authority, subject to the condition that Intelecall not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Intelecall's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, effective December 31, 2002, subject to the condition that Intelecall not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(8). It is

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

Dated at Pierre, South Dakota, this 2<sup>nd</sup> day of December, 2002.

<b>CERTIFICATE OF SERVICE</b>
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: <u>Delaine Kalbo</u>
Date: <u>12/3/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Robert K. Sahr  
ROBERT K. SAHR, 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 effective December 31, 2002  
Docket No. TC02-175

*This is to certify that*

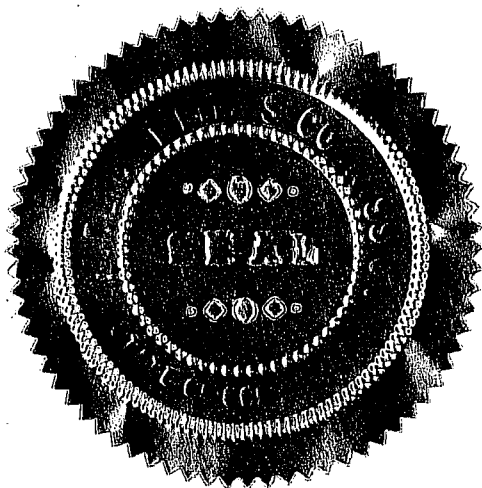
### **INTELECALL COMMUNICATIONS, INC.**

is authorized to provide interexchange telecommunications services in South Dakota, subject to the condition that it not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

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 2<sup>nd</sup> day of December, 2002.

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION:**



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

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

*Robert K. Sahr*  
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ROBERT K. SAHR, Commissioner