



1850 M Street, NW
Suite 300
Washington, DC 20036
Tel (202) 367 7600
www.winstar.com

March 26, 2003

Via Overnight Delivery

Pam Bonrud
Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, South Dakota 57501-5070

RECEIVED

MAR 28 2003

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: Certificate of Authority – Docket TC02-027

Dear Ms. Bonrud:

Winstar Communications, LLC (“Winstar”) respectfully requests that the Commission remove the \$25,000 surety bond requirement imposed on Winstar in the above-referenced docket. Winstar does not and will not provide prepaid services or require deposits or advance payments in South Dakota. Winstar will accept restrictions concerning prepayments on its Certificate of Authority to provide interexchange telecommunications services in South Dakota. Therefore, Winstar requests that the Commission reissue its Certificate of Authority to include such restrictions.

In furtherance of its request, Winstar has removed all references to advance payment or the collection of deposits from its South Dakota P.U.C. Tariff No. 1. Revised tariff pages are attached hereto. Winstar requests that the Commission allow these pages to become effective concurrent with the reissuance of its Certificate of Authority.

Kindly date stamp the enclosed copy of this filing and return it to me in the self-addressed, stamped envelope provided.

Should you require further information concerning this request, please do not hesitate to contact me at 202-367-7654.

Sincerely,

Kimberley A. Bradley
Senior Director, Regulatory Affairs

Interexchange Communications Services

CHECK SHEET

<u>Page</u>	<u>Revisions</u>	<u>Page</u>	<u>Revisions</u>	<u>Page</u>	<u>Revisions</u>
Title Page	Original				
1	Second Revised*	30	Original	59	Original
2	Original	31	Original	60	Original
3	Original	32	Original	61	Original
4	Original	33	First Revised*		
5	Original	34	First Revised		
6	Original	35	First Revised*		
7	First Revised*	36	First Revised*		
8	Original	37	Original		
9	Original	38	Original		
10	Original	39	Original		
11	Original	40	Original		
12	Original	41	Original		
13	Original	42	Original		
14	Original	43	Original		
15	Original	44	Original		
16	Original	45	Original		
17	Original	46	Original		
18	Original	47	Original		
19	Original	48	Original		
20	Original	49	Original		
21	Original	50	Original		
22	Original	51	Original		
23	Original	52	Original		
24	Original	53	Original		
25	Original	54	Original		
26	Original	55	Original		
27	Original	56	Original		
28	Original	57	Original		
29	Original	58	Original		

RECEIVED
MAR 2 8 2003
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

*Indicates New or Revised Page

Interexchange Communications Services

DEFINITIONS

Certain terms used generally throughout this tariff are defined below.

Account Codes: Permits Centrex Stations and attendants to dial an account code number of up to eight digits. For use when placing calls over facilities arranged for Automatic Message Accounting (AMA) recording. The account or project number must be input prior to dialing the called number.

(C)
|
(C)

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carrier or a third party subscriber. The primary purpose of ANI is to allow for billing of toll calls.

Bit: The smallest unit of information in the binary system of notation.

Call Back/Camp On: Permits a station line encountering an all-trunk-busy condition the option of being notified when a trunk becomes idle.

Call Forwarding:

Call Forwarding Station: Allows calls directed to a station line to be routed to a user defined line inside or outside the customer's telephone system.

Call Forwarding System: Permits calls attempting to terminate to a busy station line to be re-directed to a predetermined line inside or outside the customer's telephone system.

Call Forwarding Remote: This optional feature allows a user to activate/deactivate the Call Forwarding - All Calls feature or change the forwarded to telephone number from a remote location.

Interexchange Communications Services

REGULATIONS (CONT'D)

2.5 Payment Arrangements

2.5.1 Payment for Service

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.

2.5.2 Billing and Collection of Charges

2.5.2.1 Non-recurring charges are due and payable from the Customer within 15 days after the invoice date.

(D)

(D)

Interexchange Communications Services

REGULATIONS (CONT'D)

2.5 Payment Arrangements (Cont'd)

2.5.3 Reserved for Future Use

(C)

(C)

Interexchange Communications Services

REGULATIONS (CONT'D)

2.5 Payment Arrangements (Cont'd)

2.5.4 Deposits

Company will not require or collect a deposit from its Customers.

(C)

(C)

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of March 27, 2003 through April 2, 2003

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

ELECTRIC

EL03-013 In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Butte Electric Cooperative, Inc. and Black Hills Power.

On March 28, 2003, Butte Electric Cooperative and Black Hills Power submitted a joint request to the South Dakota Public Utilities Commission for approval of the relocation of an electric service territory boundary located in Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota. The specific impacted properties include the western most portion of Lot 1A, and Lot 1B revised in the Sturgis Industrial Park Subdivision.

Staff Analyst: Michele M. Farris
Staff Attorney: Karen Cremer
Date Docketed: 03/28/03
Intervention Deadline: 04/11/03

TELECOMMUNICATIONS

TC03-062 In the Matter of the Filing by Winstar Communications, LLC for Approval of Relief of Certification Requirement to Post Surety Bond.

In an Order dated May 16, 2002, the Commission granted Winstar Communications, LLC (Winstar) authority to provide interexchange telecommunications services in South Dakota, subject to a continuous \$25,000 surety bond. On March 28, 2003, the Commission received a filing from Winstar requesting relief from the Commission's bond requirement.

Staff Analyst: Keith Senger
Staff Attorney: Kelly Frazier
Date Docketed: 03/28/03
Intervention Deadline: 04/14/03

TC03-063 In the Matter of the Application of Qwest Communications Corporation for an Amended Certificate of Authority to Provide InterLATA Intrastate Telecommunications Services and Operator Services in South Dakota.

Qwest Communications Corporation has filed an application for a Certificate of Authority to provide interexchange telecommunications services and operator services in South Dakota. The applicant intends to provide facilities based and resold interLATA and intraLATA interexchange services for voice and data applications, including 1+ and 10-10-XXXX

outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services, calling cards and operator services throughout South Dakota.

Staff Analyst: Bonnie Bjork
Staff Attorney: Kelly Frazier
Date Docketed: 04/01/03
Intervention Deadline: 04/18/03

TC03-064 In the Matter of the Filing For Approval of an Interconnection Agreement between McLeodUSA Telecommunications Services, Inc. and Midcontinent Communications, Inc.

On April 2, 2003, the Commission received for approval an Interconnection Agreement between McLeodUSA Telecommunications Services, Inc. and Midcontinent Communications, Inc. According to the parties, this agreement addresses the type of traffic and rates to be exchanged between the parties, and the responsibilities of the parties regarding billing, payment and interconnection. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than April 22, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier
Date Docketed: 04/02/03
Initial Comments Due: 04/22/03

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

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

IN THE MATTER OF THE FILING BY WINSTAR)	ORDER GRANTING
COMMUNICATIONS, LLC FOR APPROVAL OF)	AMENDED CERTIFICATE OF
RELIEF OF CERTIFICATION REQUIREMENT)	AUTHORITY
TO POST SURETY BOND)	
)	TC03-062

On March 21, 2002, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:04.01 and 20:10:24:04.02, received an application for the transfer of a certificate of authority from Winstar Wireless, Inc. (Winstar Wireless), to Winstar Communications, LLC (Winstar Communications).

Winstar Communications sought to provide intrastate interexchange telecommunications services to subscribers to and from all points in South Dakota.

On March 28, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of April 12, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its May 9, 2002, meeting, the Commission granted the request for transfer of certificate of authority, subject to a continuous \$25,000 surety bond.

On March 3, 2003, the Commission received notice that The Insurance Company of the State of Pennsylvania would cancel Bond No. 248231 on April 18, 2003. On March 26, 2003, Winstar Communications filed for bond relief. Winstar Communications requested that the requirement to post a continuous \$25,000 bond be removed and agreed to restrictions on its certificate of authority from offering prepaid services and collecting customer deposits and advanced payments.

At its regularly scheduled April 15, 2003, meeting, Staff recommended that the Commission reconsider the terms and conditions of Winstar Communications' certificate of authority to remove the requirement that the certificate of authority be subject to a continuous \$25,000 bond and impose a new restriction that Winstar Communications not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

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 Winstar Communications has met the legal requirements established for the granting of an amended certificate of authority. Winstar Communications 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 Winstar Communications' application for an amended certificate of authority, subject to the condition that Winstar Communications 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 Winstar Communications' application for an amended certificate of authority to provide interexchange telecommunications services is granted, subject to the removal of the condition of a surety bond, and subject to the condition that Winstar Communications not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

Dated at Pierre, South Dakota, this 24th day of April, 2003

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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Aldine Kolbo</u>
Date:	<u>4/24/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Gary Hanson

GARY HANSON, Commissioner

James A. Burg

JAMES A. BURG, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

AMENDED CERTIFICATE OF AUTHORITY

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

Authority was Granted as of the date of the
Order Granting Transfer of Certificate of Authority
Docket No. TC03-062

This is to certify that

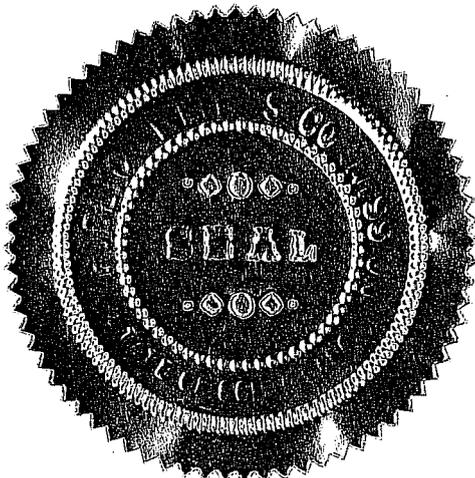
WINSTAR COMMUNICATIONS, LLC

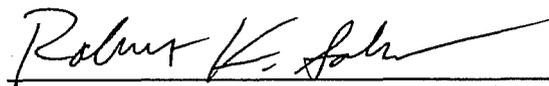
is authorized to provide interexchange telecommunications services in
South Dakota, subject to the condition that it not offer a prepaid calling
card or require or accept deposits or advance payments without prior
approval of the Commission.

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 24th day of April, 2003.

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION:




ROBERT K. SAHR, Chairman


GARY HANSON, Commissioner


JAMES A. BURG, Commissioner