

KC/MZ

DOCKET NO. \_\_\_\_\_

In the Matter of                      IN THE MATTER OF THE  
                     APPLICATION OF ACCESSLINE  
                     COMMUNICATIONS CORPORATION  
                     FOR A CERTIFICATE OF AUTHORITY  
                     TO PROVIDE INTEREXCHANGE  
                     TELECOMMUNICATIONS SERVICES IN  
                     SOUTH DAKOTA.

### Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
11/23/04	Filed and docketed;
11/24/04	Weekly filing
1/26/05	Order granting COA;
1/26/05	Docket closed.

**Lance J.M. Steinhart, P.C.**

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November 22, 2004

**VIA OVERNIGHT DELIVERY**

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

**RECEIVED**

NOV 23 2004

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Re: AccessLine Communications Corporation

Dear Ms. Bonrud:

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

**APPLICANT HAS ALSO ENCLOSED ONE COPY OF FINANCIAL STATEMENTS IN A SEPARATE ENVELOPE MARKED "CONFIDENTIAL AND PROPRIETARY" AND RESPECTFULLY REQUESTS CONFIDENTIAL TREATMENT OF THE ENCLOSED FINANCIAL INFORMATION. APPLICANT EXPECTS THAT THIS INFORMATION WILL BE RESTRICTED TO COUNSEL, AGENTS AND EMPLOYEES WHO ARE SPECIFICALLY ASSIGNED TO THIS APPLICATION BY THE COMMISSION.**

Ms. Pamela Bonrud  
Executive Director  
South Dakota Public Utilities Commission  
November 22, 2004  
Page 2

The information which is the subject of this request is of Financial Statements for the periods ended December 31, 2002 and December 31, 2003, for AccessLine Holdings, Inc., Applicant's parent company. As a privately-held corporation, the Applicant's financial statements are not made publicly available, and Applicant takes reasonable precautions to maintain and protect the confidentiality of such information. Public disclosure of Applicant's financial information for which this request is made could place Applicant at a competitive disadvantage. For these reasons, AccessLine Communications Corporation hereby respectfully requests that its financial statements be treated as confidential information and not made a part of the public record in this Docket.

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 AccessLine Communications Corporation

Enclosures  
cc: Ann Furuya

APPLICATION FOR REGISTRATION  
OF ACCESSLINE COMMUNICATIONS CORPORATION  
FILED WITH THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE )  
APPLICATION OF )  
ACCESSLINE COMMUNICATIONS )  
CORPORATION )  
FOR AN ORDER ) Docket No. TC  
AUTHORIZING THE REGISTRATION )  
OF APPLICANT AS A )  
TELECOMMUNICATIONS COMPANY )

RECEIVED  
NOV 23 2004  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission for an Order authorizing AccessLine Communications Corporation ("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:

AccessLine Communications Corporation  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004  
Telephone: (206) 621-3500  
Toll-Free Customer Service: (877) 716-2540

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

AccessLine Communications Corporation

3. Applicant's corporate information:

Applicant was organized in the State of Delaware on October 14, 1986. A copy of the Applicant's Certificate 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
AccessLine Holdings, Inc.	100	100%

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 that intends to offer interexchange services, outbound dialing, 800/888 toll-free inbound dialing, conference calling, enhanced services, data services and postpaid calling card service. The Applicant will not offer prepaid calling card services.

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 Global Crossing, MCI World Communications and Emeritus, 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, Financial Statements which demonstrates that Applicant has the financial ability to provide the services that it proposes to offer, which are marked and filed as "Confidential" under separate cover.

Furthermore, since the Applicant will not require advance payments, deposits or prepayments of any kind, including prepaid calling cards, the Applicant will not be filing a surety bond.

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:

Ann Furuya, Compliance Officer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004  
Telephone: (206) 621-3500  
Facsimile: (206) 381-2299  
E-Mail: mklebanoff@accessline.com

All inquiries regarding complaints should be addressed to:

Justin Bowers, Director of Small Business Sales  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004  
Telephone: (206) 621-3500; (877) 716-2540 (toll-free)  
Facsimile: (206) 381-2299  
E-Mail: jbowers@accessline.com

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 the Applicant will provide customer service in-house.



**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 California, Colorado, Florida, Iowa, Indiana, Michigan, Montana, New Jersey, Utah, Virginia and Wyoming.

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:**

91-1353821

**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 22<sup>nd</sup> day of November, 2004.

**AccessLine Communications Corporation**

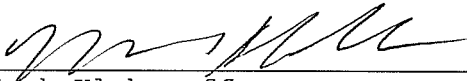
By: \_\_\_\_\_

~~Lance J.M. Steinhart, Its Counsel~~  
Lance J.M. Steinhart, PC  
1720 Windward Concourse  
Suite 250  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Facsimile)  
lsteinhart@telecomcounsel.com (E-Mail)

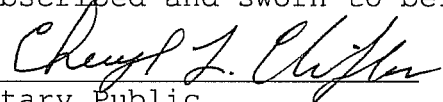
State of Washington

County of King

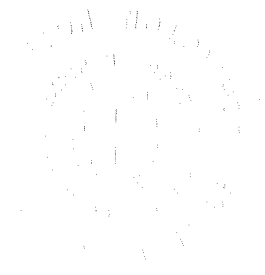
Mark Klebanoff, being first duly sworn, deposes and says that he/she is the Secretary and Treasurer of AccessLine Communications Corporation, the Applicant in the proceeding entitled above, that he/she has read the foregoing application and knows the contents thereof; that the same are true of his/her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

X   
Mark Klebanoff  
Secretary and Treasurer

X Subscribed and sworn to before this 22 day of Oct, 2004.

  
Notary Public

My Commission expires: 3-12-2008



LIST OF EXHIBITS

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

EXHIBIT A - CERTIFICATE OF INCORPORATION

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 05:57 PM 10/13/2004  
FILED 05:55 PM 10/13/2004  
SRV 040740810 - 2104412 FILE

RESTATED

CERTIFICATE OF INCORPORATION

OF

ACCESSLINE COMMUNICATIONS CORPORATION

The undersigned, Douglas Johnson, hereby certifies that:

(1) He is the President and Chief Executive Officer of AccessLine Communications Corporation, a Delaware corporation, the original Certificate of Incorporation of which was filed with the Secretary of the State of Delaware on October 14, 1986 under the name of US MetroLink Corp.

(2) The Certificate of Incorporation of this Corporation is restated to read in its entirety as follows:

FIRST: The name of this Corporation is AccessLine Communications Corporation.

SECOND: The address of the Corporation's registered office in the State of Delaware is 615 South Dupont Highway, in the City of Dover, County of Kent, Delaware 19901. The name of its registered agent at that address is TCS Corporate Services, Inc.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

FOURTH: The total number of shares of stock which the Corporation shall have authority to issue is one hundred (100), having a par value of \$.001.

FIFTH: The Corporation is to have perpetual existence.

SIXTH: In furtherance and not in limitation of the powers conferred by statute, the Board of Directors is expressly authorized to make, alter, amend or repeal the Bylaws of the Corporation.

SEVENTH: The number of directors which constitute the whole Board of Directors of the Corporation shall be as specified in the Bylaws of the Corporation.

EIGHTH: Elections of directors need not be by written ballot unless the Bylaws of the Corporation shall so provide.

NINTH: Meetings of stockholders may be held within or without the State of Delaware, as the Bylaws may provide. The books of the Corporation may be kept (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the Corporation.

TENTH:

1. To the fullest extent permitted by the Delaware General Corporation Law as the same exists or as may hereafter be amended, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

2. The Corporation shall indemnify to the fullest extent permitted by law any person (including the representative of such person's estate and such person's successors and assigns) made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he is or was a director or officer of the Corporation or serves or served at any other enterprise as a director or officer at the request of the Corporation. The Corporation may indemnify to the fullest extent permitted by law any person (including the representative of such person's estate and such person's successors and assigns) made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he is or was an employee of the Corporation or serves or served at any other enterprise as an employee at the request of the Corporation.

3. Neither any amendment nor repeal of this Article Tenth nor the adoption of any provision of this Corporation's Certificate of Incorporation inconsistent with this Article Tenth shall eliminate or reduce the effect of this Article Tenth in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article Tenth, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

ELEVENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.



(3) The aforementioned Restated Certificate of Incorporation of this Corporation has been duly adopted by the Board of Directors of this Corporation in accordance with the provisions of Section 245 of the General Corporation Law of the State of Delaware.

(4) The aforementioned Restated Certificate of Incorporation only restates and integrates and does not further amend the provisions of the Corporation's Certificate of Incorporation as heretofore amended or supplemented, and there is no discrepancy between those provisions and the provisions of this Restated Certificate of Incorporation.

The undersigned hereby further declares and certifies under penalty of perjury under the laws of the State of Delaware that the facts set forth in the foregoing Certificate are true and correct of his own knowledge and that this Certificate is his act and deed.

IN WITNESS WHEREOF, the undersigned has executed this Restated Certificate of Incorporation on the 12 day of October 2004.

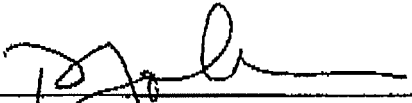
  
\_\_\_\_\_  
Douglas Johnson, President

EXHIBIT B - CERTIFICATE OF AUTHORITY

# State of South Dakota



## OFFICE OF THE SECRETARY OF STATE

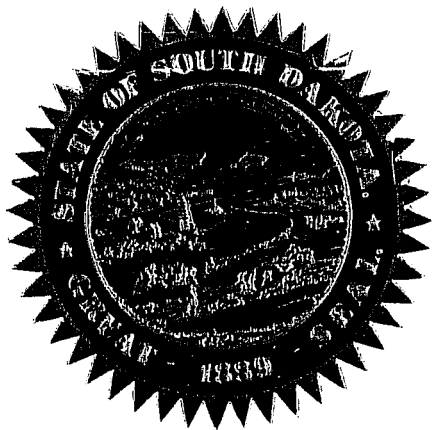
### Certificate of Authority

ORGANIZATIONAL ID #: FB028909

I, **Chris Nelson**, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of **ACCESSLINE COMMUNICATIONS CORPORATION (DE)** 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 September 7, 2004.



*Chris Nelson*

**Chris Nelson**  
Secretary of State

EXHIBIT C - MARKETING MATERIAL  
Not Available

EXHIBIT D - FINANCIAL INFORMATION

EXHIBIT E - PROPOSED 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 AccessLine Communications Corporation ("AccessLine"), with principal offices at 11201 SE 8th Street, Suite 200, Bellevue, Washington 98004. 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.

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ISSUED: , 2004 EFFECTIVE: , 2004  
ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

ACCESSLINE COMMUNICATIONS CORPORATION

ORIGINAL SHEET 2

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

RESERVED FOR FUTURE USE

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ISSUED: , 2004 EFFECTIVE: , 2004  
ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004



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
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9	Original
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12	Original
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31	Original
32	Original
33	Original
34	Original
35	Original
36	Original
37	Original
38	Original
39	Original
40	Original
* New or Revised Sheet	

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ISSUED:	, 2004	EFFECTIVE:	, 2004
ISSUED BY:	Mark Klebanoff, Secretary and Treasurer 11201 SE 8th Street, Suite 200 Bellevue, Washington 98004		

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ISSUED: , 2004

EFFECTIVE: , 2004

ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

TELECOMMUNICATIONS SERVICES TARIFFTARIFF 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.

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

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 AccessLine - Used throughout this tariff to mean AccessLine Communications Corporation, a Delaware 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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**ISSUED:** , 2004 **EFFECTIVE:** , 2004  
**ISSUED BY:** Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

TELECOMMUNICATIONS SERVICES TARIFF

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, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

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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ISSUED: , 2004 EFFECTIVE: , 2004  
ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

SECTION 2 - RULES AND REGULATIONS

2.1 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.

TELECOMMUNICATIONS SERVICES TARIFF

- 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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**ISSUED:** , 2004**EFFECTIVE:** , 2004**ISSUED BY:** Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004



TELECOMMUNICATIONS SERVICES TARIFF

- 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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ISSUED: , 2004

EFFECTIVE: , 2004

ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

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: , 2004 EFFECTIVE: , 2004  
ISSUED BY: Mark Klebanoff, Secretary and Treasurer  
11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004

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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TELECOMMUNICATIONS SERVICES TARIFF

- 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.

**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, 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.

TELECOMMUNICATIONS SERVICES TARIFF

- 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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TELECOMMUNICATIONS SERVICES TARIFF

2.6 Credit Allowance

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

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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.

**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. Fractions of a billing increment are rounded up to a full billing increment on a per call basis. Fractions of a cent per minute are rounded up to a full cent on a per call basis.
- 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. 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:

11201 SE 8th Street, Suite 200  
Bellevue, Washington 98004  
(877) 716-2540

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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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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ACCESSLINE COMMUNICATIONS CORPORATION

ORIGINAL SHEET 26

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

Reserved for Future Use.

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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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3.5.9 SmartConference -Conference Calling

SmartConference offers Reserved Conferencing that is configured by the user for up to 100 callers via an easy-to-use web screen. Other features:

Call in Number

Toll Free Access

Conference Scheduling

Start Date-The ability to set the date, up to 1 year in advance, on which the conference will take place.

Start Time-The ability to set the time the conference call will begin.

Duration-The ability to set how long the conference call will last.

Scheduled Conference Size

Maximum Size-One Hundred (100) Callers.

Speaking Participants-The maximum number of speaking participants is 25. The other 75 can listen to the Conference Call.

Early Arrival

Green Room w/Hold Music-A feature, which allows guests who call in early to wait and listen to hold music until the host joins.

Green Room w/Open Conferencing-A feature, which allows guests who call in early to talk with each other until the host joins.

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Host/Guest Codes

Multiple Host/Guest Codes-The ability to create different combinations of host and guest codes for multiple conference calls.

Host Controls

Continue Until Scheduled End-The ability, once the host disconnects, to continue the conference call until it is scheduled to end.

Continue for 5 Minutes-The ability to allow the conference call to continue for 5 minutes after the host disconnects.

Return Guest to Green Room-The ability, once the host disconnects, to automatically return the guests to the green room until the host reconnects.

End Conference Call-The ability to end the conference call when the host disconnects.

Conference ID

Conference ID-The ability to specifically create a name for a reserved or reoccurring conference via the web.

TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.10 SmartNumber

AccessLine's SmartNumber provides find me/follow me service allowing subscribers the convenience of one number to be reached on their/your cell phone, desk phone, home phone, or any phone of their choice. The phone you have your follow me number forward to can be changed at any time. Call screening lets you select which calls you accept, and which you choose to go to our full-featured voicemail. SmartNumber provides the following enhanced services:

## Personal Number

Local or Toll Free-One number to reach the user anywhere with a call, message, or fax. SmartNumber only for the "call anywhere" feature.

## Call Screening Intelligent Routing

If the phone is busy, SmartNumber may send the caller to voicemail and unanswered calls to an assistant, or to the user's portable phone or pager.

## Fax Store &amp; Forward

AccessLine SmartNumber accepts faxes and stores them.

## AccessLine Connection

AccessLine SmartNumber sends a message to any pager telling the user a call is holding. Go to any touch-tone phone, dial the AccessLine SmartNumber, and connect with the caller.

TELECOMMUNICATIONS SERVICES TARIFF

Weekly Schedule

Based on the time of day and day of week, AccessLine will automatically send calls to a specific location for a predetermined length of time. At any time the user may turn off or override the schedule.

Message Center

AccessLine SmartNumber and SmartMessage takes voicemail messages, which the user can then listen to from any phone or via the Internet.

Instant-Call-Back

Allows the user to instantly call back a caller who left a message. SmartNumber electronically attaches the caller's number to the message and will even recite the number back to the user.

Rebound

Sends the user back to voicemail to listen to the next message after the user has used instant call back.

Pager Notification Virtual Calling Card

Once in SmartNumber or SmartMessage, simply touch 9 to make long distance calls.

TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.11 SmartMessage-Voice Messaging Service

AccessLine's SmartMessage provides users with a full features unified messaging service. SmartMessage receives and stores voicemail and fax messages and allows users to access those messages from any touch-tone phone or web-enabled computer. SmartMessage provide the enhanced services listed above for SmartNumber.

## 3.5.12 Smart800-Switched Toll Free

Smart800 provides users with a toll free number, which may be directed to the DID number of their choice.

PIN Access-The ability, from any touch-tone phone, to access the user menu by entering a PIN.

## Destination Routing

Weekly Schedule-The ability to set automatic routing of incoming calls based on time of day or day of week.

Remote Call Forwarding-The ability to override the existing routing schedule and forward calls "on-the-fly" from any touchtone phone.

## Personal Features

Change PIN-The ability, from any touch-tone phone, to change the personal identification number.

Weekly Schedule-The ability, from any touch-tone phone, to turn on or off the weekly schedule.

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## 3.5.13 SmartOffice-Auto Attendant

SmartOffice will greet callers to the small business with a Call Attendant that gives the caller up to 10 options for call routing. The caller will choose the appropriate option, and SmartOffice will attempt to deliver the call. If the line is busy or unanswered, SmartOffice will either send the caller to voicemail or to another location. SmartOffice's built in schedule will allow an after hours message to automatically play at a predetermined time everyday and on weekends. An incoming fax to the SmartOffice will be stored for later delivery or automatically sent to a specific fax machine.

## Message Center

The AccessLine SmartOffice takes voicemail messages for the user, which the user can then listen to from any phone.

## Instant-Call-Back

Allows the user to instantly call back a caller who left a message. SmartOffice electronically attaches the caller's number to the message and will even recite the number back to the user.

## Rebound

Sends the user back to voicemail to listen to the next message after the user has used instant call back.

TELECOMMUNICATIONS SERVICES TARIFF

Pager Notification Call Transfer

Receive or place a call through  
AccessLine and then transfer the call to  
any other phone or person. Stay on the  
call for a three-way call or drop off.  
Transfer a call from office phone to  
cell phone or any phone.

Virtual Calling Card

Once in the Call Manager, simply touch 9  
to make long distance calls.





TELECOMMUNICATIONS SERVICES TARIFF

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.

TELECOMMUNICATIONS SERVICES TARIFF**4.5 Directory Assistance**

\$.95

**4.6 Returned Check Charge**

\$20.00

**4.7 SmartNumber**

One-time set up fee	\$40.00
Monthly recurring charge	\$18.95
Call or fax forwarding to long distance location	\$.109 per minute
Outdial to long distance location	\$.109 per minute
Conference calling service	\$.149 per minute
SmartMessage	\$25.00 one-time set up fee \$8.95 monthly recurring charge

**4.8 Smart800**

Monthly recurring charge	\$9.80
Call to personal toll free number	\$.109 per minute
Call or fax forwarding to long distance location	\$.109 per minute
Outdial to long distance location	\$.109 per minute

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TELECOMMUNICATIONS SERVICES TARIFF**4.9 SmartConference**

Monthly recurring charge	\$65.00
Call to personal toll free number	\$.109 per minute

**4.10 SmartOffice**

One-time set up fee	\$100.00
Monthly recurring charge	\$100.00
Conference calling service	\$.149 per minute
Call or fax forwarding to long distance location	\$.109 per minute
Outdial to long distance location	\$.109 per minute
Conference calling service	\$.149 per minute

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CONFIDENTIAL

#1

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16491

**ACCESSLINE COMMUNICATIONS**

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BELLEVUE, WA 98004  
(206) 621-3500

SILICON VALLEY BANK  
SANTA CLARA, CALIFORNIA 95054  
90-4039-1211

10/22/2004

AMOUNT \$250.00

Security Features Included: Details on back

Two Hundred Fifty Dollars And 00 Cents

PAY

SOUTH DAKOTA PUBLIC UTILITIES C  
CAPITAL BUILDING 1ST FLOOR  
500 EAST CAPITAL AVE  
PIERRE SD 57501-5070

TWO SIGNATURES REQUIRED FOR OVER \$5,000.00

*Don [Signature]*

⑈016491⑈ ⑆121140399⑆ 0900281270⑈

**ACCESSLINE COMMUNICATIONS**

VENDOR ID	VENDOR NAME	PAYMENT NUMBER	CHECK DATE	16491	
SOUT10	SOUTH DAKOTA PUBLIC UTILITIES CC	00029988	10/22/2004		
DOCUMENT NUMBER	DATE	AMOUNT	AMOUNT PAID	DISCOUNT	NET
LD FILING FEE 2004	10/22/2004	\$250.00	\$250.00	\$0.00	\$250.00
		\$250.00	\$250.00	\$0.00	\$250.00

COMMENT

TC04-252

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
**For the Period of November 18, 2004 through November 24, 2004**

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: 605-773-3201

**ELECTRIC**

**EL04-035      In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Xcel Energy, Inc. and Sioux Valley-Southwestern Electric Cooperative, Inc. d/b/a Sioux Valley Energy.**

On November 18, 2004, Sioux Valley Energy filed for Commission approval a Service Territory Exchange Agreement between Northern States Power Company, d/b/a Xcel Energy, Inc. (Xcel Energy) and Sioux Valley-Southwestern Electric Cooperative, Inc. d/b/a Sioux Valley Energy (SVE). SVE agrees to transfer to Xcel Energy eleven lots presently residing north of the territory boundary line in the Canterbury Heights Addition within the city of Sioux Falls within the SE 1/4 of Section 12 of Township 101N, Range 49W within Minnehaha County, South Dakota. Xcel Energy agrees to transfer to SVE twelve lots presently residing south of the territory boundary line previously described. The agreement seeks the modification to existing service territories to allow each party to better serve present and future customers within the modified territories.

Staff Analyst: Michele Farris  
Staff Attorney: Karen E. Cremer  
Date Filed: 11/18/04  
Intervention Deadline: 12/03/04

**EL04-036      In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.**

Application by MidAmerican Energy Company to revise its customer bill format by rearranging information, creating a "Message Center" area on the bill containing information and technical terms and deleting the definitions currently on the back of the bill, and other changes. The changes are the result of customer inquiries and feedback and customer focus groups.

Staff Analyst: Dave Jacobson  
Staff Attorney: Sara Harens  
Date Filed: 11/22/04  
Intervention Deadline: 12/10/04

**EL04-037      In the Matter of the Filing by Black Hills Power, Inc. for Approval of a Contract with Deviations with Black Hills Chair Lift Company d/b/a Terry Peak Ski Area.**

Application by Black Hills Power for approval of a contract with deviations to provide Energy Storage Service which deviates from the rates, terms and conditions of its regular tariffed Energy Storage Service rate. Black Hills explains that because of the unique operational characteristics of Black Hills Chair Lift, this contract is appropriate for the continuation of service to this facility.



Staff Analyst: Dave Jacobson  
Staff Attorney: Karen Cremer  
Date Filed: 11/23/04  
Intervention Deadline: 12/10/04

#### NATURAL GAS

**NG04-012 In the Matter of the Filing by MidAmerican Energy Company for Approval of  
Tariff Revisions.**

Application by MidAmerican Energy Company to revise its customer bill format by rearranging information, creating a "Message Center" area on the bill containing information and technical terms and deleting the definitions currently on the back of the bill, and other changes. The changes are the result of customer inquiries and feedback and customer focus groups.

Staff Analyst: Dave Jacobson  
Staff Attorney: Sara Harens  
Date Filed: 11/22/04  
Intervention Deadline: 12/10/04

#### TELECOMMUNICATIONS

- TC04-226 In the Matter of Access One, Inc.'s Failure to Submit a Report and Pay the  
Gross Receipts Tax.**
- TC04-227 In the Matter of ACCXX Communications, LLC's Failure to Submit a Report  
and Pay the Gross Receipts Tax.**
- TC04-228 In the Matter of Association Administrators, Inc.'s Failure to Submit a Report  
and Pay the Gross Receipts Tax.**
- TC04-229 In the Matter of BellSouth Long Distance, Inc.'s Failure to Submit a Report  
and Pay the Gross Receipts Tax.**
- TC04-230 In the Matter of Choice Telco, LLC's Failure to Submit a Report and Pay the  
Gross Receipts Tax.**
- TC04-231 In the Matter of Global Crest Communications, Inc.'s Failure to Submit a  
Report and Pay the Gross Receipts Tax.**
- TC04-232 In the Matter of Integra Telecom of South Dakota, Inc.'s Failure to Submit a  
Report and Pay the Gross Receipts Tax.**
- TC04-233 In the Matter of Intercontinental Communications Group, Inc. d/b/a Fusion  
Telecom's Failure to Submit a Report and Pay the Gross Receipts Tax.**
- TC04-234 In the Matter of International Exchange Communications, Inc. d/b/a IE Com's  
Failure to Submit a Report and Pay the Gross Receipts Tax.**
- TC04-235 In the Matter of Kiger Telephone & Telephony, LLC's Failure to Submit a  
Report and Pay the Gross Receipts Tax.**

- TC04-236 In the Matter of Local Telcom Holdings, LLC d/b/a Transpoint Communications' Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-237 In the Matter of Long Distance Billing Services, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-238 In the Matter of OneStar Communications, LLC's Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-239 In the Matter of Prairie Fire Communications f/k/a NorCom Advanced Technologies, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-240 In the Matter of QAI, Inc. d/b/a Long Distance Billing's Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-241 In the Matter of Quick Tel, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-242 In the Matter of ST Long Distance, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-243 In the Matter of Telephone Company of Central Florida, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-244 In the Matter of Telliss, LLC's Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-245 In the Matter of T-NETIX, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-246 In the Matter of TON Services, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-247 In the Matter of TRI-M Communications, Inc. d/b/a TMC Communications' Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-248 In the Matter of Utah I-Link Communications, Inc. d/b/a Family Telecommunications' Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-249 In the Matter of WebNet Communications, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-250 In the Matter of Wholesale Carrier Services, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.
- TC04-251 In the Matter of World Communications Satellite Systems, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

The above companies shall appear on December 28, 2004, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, 500 East Capitol, Pierre, South Dakota, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Heather Forney

Staff Attorney: Karen Cremer

Date Filed: 11/22/04

Hearing Date: 12/28/04

**TC04-252 In the Matter of the Application of AccessLine Communications Corporation for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.**

On November 23, 2004, AccessLine Communications Corporation filed for approval an application for a Certificate of Authority to provide Interexchange Telecommunication Services in South Dakota. The applicant intends to provide resold interexchange services, including outbound dialing, 800/888 toll free inbound dialing, conference calling, enhanced services, data services and postpaid calling card service. The applicant intends to provide these services throughout South Dakota.

Staff Analyst: Michele Farris

Staff Attorney: Karen E. Cremer

Date Filed: 11/23/04

Intervention Deadline: 12/10/04

**TC04-253 In the Matter of the Filing for Approval of a Master Services Agreement between Qwest Corporation and Granite Telecommunications, LLC.**

On November 23, 2004, the Commission received a filing for the approval of Qwest's Master Services Agreement. Qwest Corporation and Granite Telecommunications, LLC have executed a commercial agreement related to the provisions of switching and shared transport. The Master Services Agreement is being filed in compliance with the Commission's Order dated October 29, 2004, in Docket TC04-144. In its cover letter, Qwest stated that, "Qwest has disputed, and will continue to dispute, that the (Master Services) Agreement and similar commercial arrangements between Qwest and CLECs are ICAs that must be filed with the Commission for approval pursuant to Section 252 of the Act. Notwithstanding this position, and without waiving any of its rights or arguments on these issues, Qwest is filing the Agreement as set forth above. Qwest is making the filing solely to avoid further controversy or disputes with the Commission regarding the appropriate legal status of the Agreement. . . ." 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 December 13, 2004. 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: Sara B. Harens

Date Filed: 11/23/04

Initial Comments Due: 12/13/04

**TC04-254 In the Matter of the Filing for Approval of a Master Services Agreement between Qwest Corporation and Z-Tel Communications, Inc.**

On November 23, 2004, the Commission received a filing for the approval of Qwest's Master Services Agreement. Qwest Corporation and Z-Tel Communications, Inc. have executed a

commercial agreement related to the provisions of switching and shared transport. The Master Services Agreement is being filed in compliance with the Commission's Order dated October 29, 2004, in Docket TC04-144. In its cover letter Qwest stated that, "Qwest has disputed, and will continue to dispute, that the (Master Services) Agreement and similar commercial arrangements between Qwest and CLECs are ICAs that must be filed with the Commission for approval pursuant to Section 252 of the Act. Notwithstanding this position, and without waiving any of its rights or arguments on these issues, Qwest is filing the Agreement as set forth above. Qwest is making the filing solely to avoid further controversy or disputes with the Commission regarding the appropriate legal status of the Agreement. . . ." 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 December 13, 2004. 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: Sara B. Harens

Date Filed: 11/23/04

Initial Comments Due: 12/13/04

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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>ACCESSLINE COMMUNICATIONS )</b>	<b>CERTIFICATE OF</b>
<b>CORPORATION FOR A CERTIFICATE OF )</b>	<b>AUTHORITY</b>
<b>AUTHORITY TO PROVIDE INTEREXCHANGE )</b>	
<b>TELECOMMUNICATIONS SERVICES IN )</b>	<b>TC04-252</b>
<b>SOUTH DAKOTA )</b>	

On November 23, 2004, 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 AccessLine Communications Corporation (AccessLine).

AccessLine proposes to offer interexchange services, outbound dialing, 800/888 toll-free inbound dialing, conference calling, enhanced services, data services and postpaid calling card services. A proposed tariff was filed by AccessLine. The Commission has classified long distance service as fully competitive.

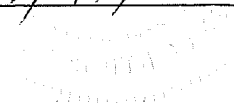
On November 24, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of December 10, 2004, to interested individuals and entities. No petitions to intervene or comments were filed and at its January 25, 2005, meeting, the Commission considered AccessLine's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that AccessLine not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 AccessLine has met the legal requirements established for the granting of a certificate of authority. AccessLine 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 AccessLine's application for a certificate of authority, subject to the condition that AccessLine not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that AccessLine's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that AccessLine not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of January, 2005.

<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><i>Alldene Kalbo</i></u>
Date: <u>1/27/05</u>
 (OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

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

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner

# SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

## 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 Certificate of Authority  
Docket No. TC04-252

*This is to certify that*

### ACCESSLINE COMMUNICATIONS CORPORATION

is authorized to provide interexchange telecommunications services in South Dakota, subject to the condition that it not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 26<sup>th</sup> day of January, 2005.

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION:**



GARY HANSON, Chairman

ROBERT K. SAHR, Commissioner

DUSTIN M. JOHNSON, Commissioner