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November 2, 2020

Patricia Ven Gerpen, Executive Director
South Dakota Public Utilities Commission
Capitol Building, 1st floor
500 E. Capitol Ave.

RE: Notice by Teleport Communications America, LLC (“TCA”) of Intent to Serve within Territory of Rural Telecommunications Providers

Dear Ms. Van Gerpen:

Teleport Communications America, LLC (“TCA”) submits this Notice of Intent to Serve within the Territory of various Rural Telecommunications Providers in the State. TCA provides service pursuant to a certificate to provide local exchange telecommunications services granted by the Commission in Docket No. TC13-107 (copy attached as Attachment 1).

TCA intends to provide Public Switched Telephone Network Interconnection (“PSTN-IS”) to voice over IP (VoIP) advanced communications providers in the service territory of various incumbent rural telecommunications providers in South Dakota. In its Order granting TCA’s certificate to provide local exchange telecommunications service the Commission indicated:

The certificate of authority for TCAL shall authorize it to provide local exchange telecommunications service in South Dakota, except in those areas served by a rural telephone company. In the future, should TCAL choose to provide local exchange services statewide, with respect to rural telephone companies, TCAL will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier.



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PSTN-IS is a digital connection service that connects the customer's network at the customer-provided Point of Presence to the PSTN at the Point of Interconnection. PSTN-IS enables a VoIP provider to connect their owned or leased IP-based facilities with the PSTN to support their end users' origination and termination of telephone calls to and from the PSTN and obtain numbering resources. TCA will need local trunks to interconnect with the local exchange provider's network; however, TCA will not be providing TDM service to retail customers, as PSTN-IS is only available to providers. TCA will negotiate with rural providers pursuant to South Dakota Administrative Rule 20:10:32:38 to obtain the local trunks and numbering resources.

While the service TCA intends to provide in rural areas does not include "local exchange telecommunications service" as set forth in the Commission's Order granting its certificate, TCA is providing this notice to ensure the Commission is aware of these service offerings.

A handwritten signature in cursive script that reads "Jon Blessing".

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PUBLIC UTILITIES COMMISSION

www.puc.sd.gov

The enclosed *Order Granting Certificate of Authority* indicates your company has been approved by the South Dakota Public Utilities Commission (Commission) to provide telecommunications services in the state of South Dakota. This order will serve as your Certificate of Authority and describes the type of service you are authorized to provide and any conditions applicable to your authority.

Company officials are advised to be familiar with South Dakota Codified Laws and Administrative Rules applicable to the regulation of telecommunications services in South Dakota, including our slamming and cramming laws and rules. These statutes and rules describe the required reporting and corresponding deadlines for your company's business in South Dakota. Links to the laws, rules and reporting forms are accessible from the Commission's Web site at the above address.

Annual Report and Gross Receipts Tax Fund Assessment forms must be submitted to the Commission annually. **Please be advised that the failure to remit the Annual Report or Gross Receipts Tax Fund Assessment forms or to pay the gross receipts tax may result in the revocation of your Certificate of Authority.**

It is important the Commission have current contact information for your company as well as a list of current company administrators and customer service representatives. When updates occur, please relay the information to the Commission via its Web site.

Commission Orders and Dockets can be accessed from the Commission's Web site. Further, you may subscribe, on the Commission's Web site, to electronic mailings of the Commission's Agendas, Minutes, Weekly Filing Reports, Rules Information and News Releases.

500 E. Capitol Ave. • Pierre, SD 57501 • (605) 773-3201

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
TELEPORT COMMUNICATIONS AMERICA,)	CERTIFICATE OF
LLC FOR A CERTIFICATE OF AUTHORITY TO)	AUTHORITY
PROVIDE LOCAL EXCHANGE SERVICES IN)	
SOUTH DAKOTA)	TC13-107

On August 26, 2013, the Public Utilities Commission (Commission) received an application for a certificate of authority to provide local exchange services from Teleport Communications America, LLC (TCAL). TCAL intends to provide wholesale local exchange service to one of its affiliates in the service area of CenturyLink.

On August 29, 2013, the Commission electronically transmitted notice of the filing and the intervention deadline of September 13, 2013, to interested individuals and entities. No petitions to intervene or comments were filed. On September 26, 2013, TCAL requested a waiver of ARSD 20:10:32:03(12).

At its regularly scheduled meeting of October 9, 2013, the Commission considered TCAL's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that, for retail purposes, TCAL 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, and subject to rural safeguards. Commission Staff further recommended a waiver of ARSD 20:10:32:03(12).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, 49-31-69 through 49-31-75, and ARSD 20:10:32:03. The Commission finds that TCAL has met the legal requirements established for the granting of a certificate of authority. TCAL has, in accordance with SDCL 49-31-3 and 49-31-71, 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 20:10:32:03(12). The Commission voted unanimously to grant TCAL a certificate of authority and the waiver as requested.

The Commission approves TCAL's application for a certificate of authority subject to the condition that, for retail purposes, TCAL 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, and subject to rural safeguards. The certificate of authority for TCAL shall authorize it to provide local exchange telecommunications service in South Dakota, except in those areas served by a rural telephone company. In the future, should TCAL choose to provide local exchange services statewide, with respect to rural telephone companies, TCAL will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that TCAL's application for a certificate of authority to provide local exchange services is granted, subject to the condition that, for retail purposes, TCAL 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 this certificate of authority authorizes TCAL to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is further

ORDERED, that TCAL's request for waiver of ARSD 20:10:32:03(12) is hereby granted. It is further

ORDERED, that this order constitutes TCAL's Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 17th day of October, 2013.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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, electronically.</p> <p>By: <u><i>Joy Lashley</i></u></p> <p>Date: <u>10-17-13</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner