

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

IN THE MATTER OF THE APPLICATION OF)
ACCUTEL COMMUNICATIONS, INC. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC97-135

On July 28, 1997, 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 Accutel Communications, Inc. (Accutel).

Accutel seeks authority to operate as a reseller of intrastate telecommunications services statewide, including "1+" services on a resale basis. Included in the request is authority to provide MTS, out-WATS, in-WATS and calling card services. A proposed tariff was filed by Accutel. The Commission has classified long distance service as fully competitive.

On July 31, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of August 15, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 25, 1997, meeting, the Commission considered Accutel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Accutel has met the legal requirements established for the granting of a certificate of authority. Accutel 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 Accutel's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Accutel's application for a certificate of authority is hereby granted. It is

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

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Alan Kabis</u>
Date: <u>10/8/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE APPLICATION OF)
MICRO-COMM, INC. FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC97-137

On August 1, 1997, 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 Micro-Comm, Inc. (Micro-Comm).

Micro-Comm proposes to offer 1+ access, WATS, calling card and debit card services. A proposed tariff was filed by Micro-Comm. The Commission has classified long distance service as fully competitive.

On August 7, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of August 22, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 9, 1997, meeting, the Commission considered Micro-Comm's request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Micro-Comm has met the legal requirements established for the granting of a certificate of authority. Micro-Comm 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 Micro-Comm's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Micro-Comm's application for a certificate of authority is hereby granted, effective October 1, 1997: It is

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

Dated at Pierre, South Dakota, this 17th day of September, 1997.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Debra Kaelo</i></u>
Date: <u>9/18/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE APPLICATION OF)
KCI LONG DISTANCE, INC. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC97-138

On August 1, 1997, 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 KCI Long Distance, Inc. (KCI).

KCI proposes to operate as a reseller of intrastate telecommunications services such as WATS, 800, travel card, and debit card services. A proposed tariff was filed by KCI. The Commission has classified long distance service as fully competitive.

On August 7, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of August 22, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 25, 1997, meeting, the Commission considered KCI's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that KCI not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that KCI has met the legal requirements established for the granting of a certificate of authority. KCI 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 KCI's application for a certificate of authority, subject to the condition that KCI not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

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

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

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Aldine Kelbo</i></u>
Date: <u>10/8/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE COMPLAINT FILED) BY GEMINI COMPANIES, INC., SIOUX FALLS,) SD, AGAINST U S WEST COMMUNICATIONS,) INC. REGARDING THE COST OF BASIC) PUBLIC ACCESS LINES)	ORDER FINDING NO PROBABLE CAUSE TC97-139
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On July 28, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Gemini Companies, Inc. (Gemini) against U S WEST Communications, Inc. (U S WEST) regarding the cost of basic public access lines. Gemini requested that the Commission mandate the use of a flat rate and eliminate the measured service rate. Gemini alleged that the effect of U S WEST's measured rate is to cause higher bills for Gemini in South Dakota as compared to surrounding states. At its regularly scheduled meeting of September 9, 1997, the Commission deferred action on this matter.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On September 25, 1997, at its duly noticed meeting, the Commission reviewed the complaint, as well as comments from Gemini and staff.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 49-13 and 49-31 and ARSD 20:10:01:08.01 and 20:10:01:09. In Docket TC97-006, the Commission did not mandate the use of a flat rate for U S WEST's Smart Public Access Lines. Consistent with that decision, the Commission voted unanimously to find no probable cause. It is therefore

ORDERED, that there is no probable cause of an unlawful or unreasonable act, rate, practice, or omission.

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

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><i>Alaine Kelso</i></u>
Date:	<u>10/7/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
 JAMES A. BURG, Chairman

Pam Nelson
 PAM NELSON, Commissioner

Laska Schoenfelder
 LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE APPLICATION OF) ONE CALL TELECOM, INC. FOR A) CERTIFICATE OF AUTHORITY TO PROVIDE) TELECOMMUNICATIONS SERVICES IN) SOUTH DAKOTA)	ORDER DENYING CERTIFICATE OF AUTHORITY TC97-140
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On August 8, 1997, 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 One Call Telecom, Inc. (One Call).

One Call proposed to become a reseller of interexchange telecommunications services. A proposed tariff was filed by One Call. The Commission has classified long distance service as fully competitive.

On August 21, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of September 5, 1997, to interested individuals and entities. Commission Staff requested additional information from One Call on numerous occasions. One Call failed to respond to Staff's requests.

No petitions to intervene or comments were filed and at its regularly scheduled June 11, 1998, meeting, the Commission considered One Call's request for a certificate of authority. Pursuant to ARSD 20:10:24:03, Commission Staff recommended denial of the application for a certificate of authority due to unresponsiveness of Staff's request for information on the application and a demonstrated financial capability.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that One Call has not met the legal requirements established for the granting of a certificate of authority. One Call has not, in accordance with SDCL 49-31-3, demonstrated sufficient financial capabilities to offer telecommunications services in South Dakota. The Commission denies One Call's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that One Call's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 19th day of June, 1998.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Alaine Koelke</u>
Date: <u>6/19/98</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE APPLICATION OF)
INTERNATIONAL TELECOMMUNICATIONS)
CORP. D/B/A DISCOUNT DIRECT DIALING)
FOR A CERTIFICATE OF AUTHORITY TO)
PROVIDE TELECOMMUNICATIONS)
SERVICES IN SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC97-141

On August 8, 1997, 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 International Telecommunications Corp. d/b/a Discount Direct Dialing (ITC).

ITC is a switchless reseller proposing to provide interstate, interexchange long distance service and intrastate interLATA and intraLATA telecommunications services throughout the state of South Dakota. A proposed tariff was filed by ITC. The Commission has classified long distance service as fully competitive.

On August 21, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of September 5, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 25, 1997, meeting, the Commission considered ITC's request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that ITC has met the legal requirements established for the granting of a certificate of authority. ITC 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 ITC's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that ITC's application for a certificate of authority is hereby granted, effective October 8, 1997. It is

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

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Melvin Kaelo</i></u>
Date: <u>10/8/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner