

## Telecommunications Orders - Issued 1997

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

<b>IN THE MATTER OF THE APPLICATION OF MFS INTELENET OF SOUTH DAKOTA, INC. FOR AN AMENDED CERTIFICATE OF AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICES IN SOUTH DAKOTA</b>	) ) ) )	<b>ORDER GRANTING AMENDED CERTIFICATE OF AUTHORITY  TC97-019</b>
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On February 25, 1997, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for an Amended Certificate of Authority from MFS Intelenet of South Dakota, Inc. (MFSI-SD).

MFSI-SD proposes to amend its Certificate of Authority so that it may offer local exchange services in exchanges currently served by U S WEST Communications, Inc. (U S WEST) in addition to its offering of interexchange carrier access and other telecommunications services.

On February 27, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of March 14, 1997, to interested individuals and entities. No parties filed to intervene. A regularly scheduled meeting of April 15, 1997, the Commission considered MFSI-SD's request for an Amended Certificate of Authority. Commission Staff recommended approval of the Amended Certificate of Authority.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and ARSD Chapter 20:10:24. The Commission finds that MFSI-SD has met the legal requirements established for the granting of an Amended Certificate of Authority. MFSI-SD has, in accordance with the above cited authority, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Pursuant to ARSD 20:10:24:02, the Commission finds good cause to waive subparagraphs (6), (7), (8), (11), and (12) because some of the information required by these subparagraphs is dependent on the outcome of negotiations or arbitrations between MFSI-SD and local exchange carriers.

Further, the Commission finds that pursuant to MFSI-SD's request, the Amended Certificate of Authority for MFSI-SD shall authorize it to offer its services only in those areas in South Dakota where U S WEST is the incumbent local exchange carrier. It is therefore

**ORDERED**, that MFSI-SD's application for an Amended Certificate of Authority to provide local exchange services is granted; and it is

**FURTHER ORDERED**, that the Commission shall authorize MFSI-SD to offer its services in those

areas in South Dakota where U S WEST is the incumbent local exchange carrier; and it is

FURTHER ORDERED, that the Commission finds good cause to waive subparagraphs (6), (7), (8), (11), and (12) of ARSD 20:10:24:02.

Dated at Pierre, South Dakota, this 28th day of April, 1997.

**CERTIFICATE OF SERVICE**

BY ORDER OF THE COMMISSION:

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.

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JAMES A. BURG, Chairman

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

PAM NELSON, Commissioner

Date: \_\_\_\_\_

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(OFFICIAL SEAL)

LASKA SCHOENFELDER,  
Commissioner

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