

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

IN THE MATTER OF THE APPLICATION OF EASTON TELECOM SERVICES INC FOR AN AMENDED CERTIFICATE OF AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICES IN SOUTH DAKOTA)))	ORDER GRANTING AMENDED CERTIFICATE OF AUTHORITY TC97-047
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On April 29, 1997, the Public Utilities Commission (Commission) received an application from Easton Telecom Services Inc. (Easton) for an Amended Certificate of Authority to provide telecommunications services in South Dakota. The application stated, "Easton intends to provide local exchange service on a resale basis. The specific manner in which Easton will provide local exchange service depends upon the result of negotiations with the incumbent local exchange carriers currently operating within the State."

On May 1, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 16, 1997, to interested individuals and entities.

At its regularly scheduled meeting of June 3, 1997, the Commission considered Easton's request for an Amended Certificate of Authority. Commission Staff recommended approval of the Certificate of Authority and also granting a waiver of ARSD 20:10:24:02 (6), (7), (8), and (12).

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 Easton has met the legal requirements established for the granting of an Amended Certificate of Authority. Easton 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), and (12) because the information required by these subparagraphs is dependent on the outcome of negotiations or arbitrations between Easton and local exchange carriers.

Further, the Commission finds that pursuant to Easton's request, the Certificate of Authority for Easton shall authorize it to offer its services in those areas in South Dakota where U S WEST Communications, Inc. is the incumbent local exchange carrier. In the future should Easton choose to provide services statewide, with respect to rural telephone companies, Easton will have to come before the Commission in another proceeding before being able to provide 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). Subject to the above, the Commission approves Easton's application for an Amended Certificate of

Authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Easton's application for an Amended Certificate of Authority to provide local exchange services is granted, effective June 29, 1997; and it is

FURTHER ORDERED, that the Commission shall authorize Easton to offer its services in those areas in South Dakota where U S WEST Communications, Inc. is the incumbent local exchange carrier; and it is

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

Dated at Pierre, South Dakota, this 10th day of June, 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.

JAMES A. BURG, Chairman

By: _____

PAM NELSON, Commissioner

Date: _____

(OFFICIAL SEAL)

LASKA SCHOENFELDER,
Commissioner

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