

**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>TELE-TECH, INC. FOR AN AMENDED )</b>	<b>AMENDED CERTIFICATE OF</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>LOCAL EXCHANGE SERVICES IN SOUTH )</b>	<b>TC97-011</b>
<b>DAKOTA</b>	

On February 5, 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 Tele-Tech, Inc. (Tele-Tech).

Tele-Tech proposes to amend its Certificate of Authority so that it may offer local exchange service in addition to its offering of interexchange carrier access and other telecommunications services. Tele-Tech does not intend to offer any local service in areas presently served by independent rural telecommunications companies, unless designated as an eligible telecommunications carrier pursuant to 47 U.S.C. §§ 214(e)(1) and 253(f), and then only upon approval by the Commission of any required interconnection agreement as prescribed by 47 U.S.C. § 252 of the federal Telecommunications Act of 1996.

On February 13, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of February 28, 1997, to interested individuals and entities. No parties filed to intervene. At its regularly scheduled meeting of May 13, 1997, the Commission considered Tele-Tech's request for an Amended Certificate of Authority. Commission Staff recommended approval of the Amended Certificate of Authority. On June 3, 1997, the Commission considered the waiver of ARSD 20:10:24:02 (6), (7), (9), and (12), as requested by Tele-Tech in its filing.

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 Tele-Tech has met the legal requirements established for the granting of an Amended Certificate of Authority. Tele-Tech 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), (9), and (12) because the information required by these subparagraphs is dependent on the outcome of negotiations or arbitrations between Tele-Tech and local exchange carriers.

Further, the Commission finds that pursuant to Tele-Tech's request, the Amended Certificate of Authority for Tele-Tech 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 Tele-Tech choose to provide services statewide, with respect to rural telephone companies, Tele-Tech 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 Tele-Tech's application for an Amended Certificate of Authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Tele-Tech'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 Tele-Tech 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), (9), and (12) of ARSD 20:10:24:02.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of June, 1997.

<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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Debra Kalbo</i></u>
Date: <u>6/11/97</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