

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

IN THE MATTER OF THE APPLICATION OF)
TEL-SAVE, INC. D/B/A THE PHONE)
COMPANY, INC. FOR AN AMENDED)
CERTIFICATE OF AUTHORITY TO PROVIDE)
LOCAL EXCHANGE SERVICE IN SOUTH)
DAKOTA)

**ORDER GRANTING
AMENDED CERTIFICATE OF
AUTHORITY**

TC97-040

On April 15, 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 Tel-Save, Inc. d/b/a The Phone Company, Inc. (Tel-Save).

Tel-Save, currently a South Dakota certified interexchange provider, seeks authority to resell local exchange services throughout the state of South Dakota, in areas served by local exchange carriers which are not eligible for a small or rural carrier exemption pursuant to 47 U.S.C. § 251(f)(1).

On April 17, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 2, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled June 3, 1997, meeting, the Commission considered Tel-Save's request for an amended certificate of authority. Commission Staff recommended granting an amended 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 Tel-Save has met the legal requirements established for the granting of an amended certificate of authority. Tel-Save 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 Tel-Save's application for an amended certificate of authority. Further, the Commission waives the provisions of ARSD 20:10:24:02 (8) and (12). As the Commission's final decision in this matter, it is therefore

ORDERED, that Tel-Save's application for an amended certificate of authority is hereby granted, effective June 15, 1997. It is

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

Dated at Pierre, South Dakota, this 10th day of June, 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> Melaine Kalbs </u>
Date: <u> 6/12/97 </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