

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
LCI INTERNATIONAL TELECOM CORP. FOR)	AMENDED CERTIFICATE OF
AN AMENDED CERTIFICATE OF AUTHORITY)	AUTHORITY
TO PROVIDE TELECOMMUNICATIONS)	
SERVICES, INCLUDING LOCAL EXCHANGE)	TC97-067
SERVICES, IN SOUTH DAKOTA)	

On June 9, 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 LCI International Telecom Corp. (LCI).

LCI is requesting authority to provide basic local exchange services to both residence and business customers throughout South Dakota. A proposed tariff was filed by LCI.

On June 12, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of June 27, 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 LCI's request for an amended certificate of authority. Commission Staff recommended granting an amended certificate of authority, subject to rural safeguards. Commission Staff further recommended a waiver of 20:10:24:02(12).

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 LCI has met the legal requirements established for the granting of an amended certificate of authority. LCI has, in accordance with SDCL 49-31-1, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive subparagraph (12) of ARSD 20:10:24:02.

The Commission approves LCI's application for an amended certificate of authority, subject to rural safeguards. The amended certificate of authority for LCI shall authorize it to offer local exchange services in those areas in South Dakota where U S WEST Communications, Inc. is the incumbent local exchange carrier. In the future, should LCI choose to provide local exchange services statewide, with respect to rural telephone companies, LCI will have to come before the Commission in another proceeding before being able to provide local 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). It is therefore

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

FURTHER ORDERED, that LCI shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize LCI 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 subparagraph (12) of ARSD 20:10:24:02.

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>William Kaelo</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