

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

IN THE MATTER OF THE APPLICATION OF Z- )  
TEL, INC. FOR A CERTIFICATE OF )  
AUTHORITY TO PROVIDE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )

ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY  
  
TC97-111

On June 25, 1997, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Z-Tel, Inc. (Z-Tel).

Z-Tel seeks authority to provide MTS, out-WATS, in-WATS, and calling card services. Z-Tel does not intend to provide operator services, 900 or 700 services. A proposed tariff was filed by Z-Tel. The Commission has classified long distance service as fully competitive.

On June 26, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of July 11, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled August 18, 1997, meeting, the Commission considered Z-Tel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Z-Tel not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

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 Z-Tel has met the legal requirements established for the granting of a certificate of authority. Z-Tel 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 Z-Tel's application for a certificate of authority, subject to the condition that Z-Tel not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Z-Tel's application for a certificate of authority is hereby granted effective August 25, 1997, subject to the condition that Z-Tel not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 27<sup>th</sup> day of August, 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>Debbie Kelbo</u>
Date: <u>9/2/97</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