

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
ACCESS POINT, INC. FOR A CERTIFICATE OF)	CERTIFICATE OF
AUTHORITY TO PROVIDE)	AUTHORITY
TELECOMMUNICATIONS SERVICES IN)	
SOUTH DAKOTA)	TC97-122

On July 7, 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 Access Point, Inc. (Access Point).

Access Point is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers. A proposed tariff was filed by Access Point. This service is classified as fully competitive.

On July 10, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of July 25, 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 Access Point's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to Access Point obtaining authority from the Secretary of State to do business in South Dakota. Further, Commission Staff recommended granting the certificate of authority, subject to the condition that Access Point 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 Access Point has met the legal requirements established for the granting of a certificate of authority, except for certification by the South Dakota Secretary of State. Access Point has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Subject to the conditions proposed by Staff, the Commission approves Access Point's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Access Point's application for a certificate of authority is granted effective September 7, 1997, subject to Access Point receiving a certificate of authority from the Secretary of State, and it is

FURTHER ORDERED, when this condition has been met, a certificate of authority will be issued to Access Point, and it is

FURTHER ORDERED, that Access Point may not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission, and it is

FURTHER ORDERED, that Access Point shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 27th day of August, 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>Delaine Karbo</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