

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

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| IN THE MATTER OF THE APPLICATION OF )<br>ITELSA (USA), INC. FOR A CERTIFICATE OF )<br>AUTHORITY TO PROVIDE )<br>TELECOMMUNICATIONS SERVICES IN )<br>SOUTH DAKOTA ) | ORDER DENYING<br>CERTIFICATE OF<br>AUTHORITY<br><br>TC97-170 |
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On October 27, 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 ITELSA (USA), Inc. (ITELSA).

ITELSA proposed to become a reseller of interexchange telecommunications services. A proposed tariff was filed by ITELSA. The Commission has classified long distance service as fully competitive.

On October 30, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of November 14, 1997, to interested individuals and entities. Commission Staff requested additional information from ITELSA on numerous occasions. ITELSA failed to respond to Staff's requests.

No petitions to intervene or comments were filed and at its regularly scheduled June 11, 1998, meeting, the Commission considered ITELSA's request for a certificate of authority. Pursuant to ARSD 20:10:24:03, Commission Staff recommended denial of the application for a certificate of authority due to unresponsiveness to Staff's request for information on the application and a demonstrated financial capability.

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 ITELSA has not met the legal requirements established for the granting of a certificate of authority. ITELSA has not, in accordance with SDCL 49-31-3, demonstrated sufficient financial capabilities to offer telecommunications services in South Dakota. The Commission denies ITELSA's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that ITELSA's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 19<sup>th</sup> day of June, 1998.

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| <p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u><i>Hilaine Kaelo</i></u></p> <p>Date: <u>6/19/98</u></p> <p align="center">(OFFICIAL SEAL)</p> |
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BY ORDER OF THE COMMISSION:

*James A. Burg*  
 JAMES A. BURG, Chairman

*Pam Nelson*  
 PAM NELSON, Commissioner

*Laska Schoenfelder*  
 LASKA SCHOENFELDER, Commissioner