

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

IN THE MATTER OF THE APPLICATION OF)
MVX COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC98-054

On February 13, 1998, 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 MVX Communications, LLC (MVX).

MVX is a switch-based reseller which intends to offer 1+ direct dialing, 800 toll free, travel card and prepaid calling card service through resale of telephone services provided by facilities-based interexchange carriers. A proposed tariff was filed by MVX. The Commission has classified long distance service as fully competitive.

On February 19, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of March 6, 1998, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled March 10, 1998, meeting, the Commission considered MVX's request for a certificate of authority. Commission Staff recommended granting a 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 MVX has met the legal requirements established for the granting of a certificate of authority. MVX 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 MVX's application for a certificate of authority upon it obtaining a certificate of authority from the South Dakota Secretary of State. As the Commission's final decision in this matter, it is therefore

ORDERED, that MVX's application for a certificate of authority is hereby granted, effective April 13, 1998, upon it filing with the Commission a certificate of authority from the South Dakota Secretary of State. It is

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

Dated at Pierre, South Dakota, this 16th day of March, 1998.

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 Kalbo </u>
Date: <u> 3/17/98 </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