

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

IN THE MATTER OF THE APPLICATION OF )  
LEGENDS COMMUNICATIONS, INC. FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )

ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY

TC99-024

On March 18, 1999, 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 Legends Communications, Inc. (Legends).

Legends is requesting authority to provide resold interexchange services which include outbound calling, inbound (toll-free) service and debit card/prepaid calling cards. A proposed tariff was filed by Legends. The Commission has classified long distance service as fully competitive.

On March 25, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of April 9, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its May 12, 1999, meeting, the Commission considered Legends' request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Legends 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 Legends has met the legal requirements established for the granting of a certificate of authority. Legends 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 Legends' application for a certificate of authority, subject to the condition that Legends 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 Legends' application for a certificate of authority is hereby granted, effective May 18, 1999, subject to the condition that Legends not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of May, 1999.

<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 first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Delaine Keeso</i></u>
Date: <u>5/18/99</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