

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

IN THE MATTER OF THE APPLICATION OF)
PAC-WEST TELECOMM, INC. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
INTEREXCHANGE TELECOMMUNICATIONS)
SERVICES IN SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC00-128

On August 22, 2000, 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 Pac-West Telecomm, Inc. (Pac-West).

Pac-West proposes to provide presubscribed message toll calling and a full range of other inbound and outbound voice and data services. A proposed tariff was filed by Pac-West. The Commission has classified long distance service as fully competitive.

On August 24, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of September 8, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 30, 2000, meeting, the Commission considered Pac-West's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Pac-West 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 SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Pac-West has met the legal requirements established for the granting of a certificate of authority. Pac-West 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 Pac-West's application for a certificate of authority, subject to the condition that Pac-West 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 Pac-West's application for a certificate of authority is hereby granted, subject to the condition that Pac-West not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 7th day of December, 2000.

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| 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><i>Melaine Kelso</i></u> |
| Date: <u>12/8/00</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