

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>EZTEL NETWORK SERVICES, LLC FOR A )</b>	<b>CERTIFICATE OF</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>TELECOMMUNICATIONS SERVICES IN )</b>	
<b>SOUTH DAKOTA )</b>	<b>TC00-001</b>

On January 3, 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 ezTel Network Services, LLC (ezTel).

ezTel is a switch-based reseller which intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card service, and directory assistance service. A proposed tariff was filed by ezTel. The Commission has classified long distance service as fully competitive.

On January 6, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of January 21, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its February 15, 2000, meeting, the Commission considered ezTel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that ezTel not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

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 ezTel has met the legal requirements established for the granting of a certificate of authority. ezTel has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves ezTel's application for a certificate of authority, subject to the condition that ezTel 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 ezTel's application for a certificate of authority is hereby granted effective March 3, 2000, subject to the condition that ezTel not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

**FURTHER ORDERED**, that the Commission finds good cause to waive ARSD 20:10:24:02(8). It is

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

Dated at Pierre, South Dakota, this 23<sup>rd</sup> day of February, 2000.

<p style="text-align: center;"><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>Aleksine Kaelo</i></u></p> <p>Date: <u>2/23/00</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
--

BY ORDER OF THE COMMISSION:

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

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner