

**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>NUI TELECOM, INC. FOR A CERTIFICATE OF )</b>	<b>CERTIFICATE OF</b>
<b>AUTHORITY TO PROVIDE INTEREXCHANGE )</b>	<b>AUTHORITY</b>
<b>TELECOMMUNICATIONS SERVICES IN )</b>	
<b>SOUTH DAKOTA )</b>	<b>TC01-193</b>

On December 17, 2001, 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 NUI Telecom, Inc. (NUI).

NUI proposes to offer a full range of "1+" interexchange telecommunications services on a resale basis. Specifically, NUI seeks authority to provide MTS, in-WATS, out-WATS and Calling Card Services. A proposed tariff was filed by NUI. The Commission has classified long distance service as fully competitive.

On December 20, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of January 4, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its March 28, 2002, meeting, the Commission considered NUI's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that NUI 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 NUI has met the legal requirements established for the granting of a certificate of authority. NUI 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 NUI's application for a certificate of authority, subject to the condition that NUI 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 NUI's application for a certificate of authority is hereby granted, subject to the condition that NUI not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

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

Dated at Pierre, South Dakota, this 4<sup>th</sup> day of April, 2002.

**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: *Delaine Kalbs*

Date: *4/8/02*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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

*Pam Nelson*  
PAM NELSON, Commissioner

*Robert K. Sahr*  
ROBERT K. SAHR, Commissioner