

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

IN THE MATTER OF THE APPLICATION OF) BUYERS UNITED, INC. FOR A CERTIFICATE) OF AUTHORITY TO PROVIDE) INTEREXCHANGE TELECOMMUNICATIONS) SERVICES IN SOUTH DAKOTA)	ORDER DENYING CERTIFICATE OF AUTHORITY TC02-013
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On February 5, 2002, 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 Buyers United, Inc. (Buyers United).

Buyers United proposes to resell intrastate long distance and provide in a limited capacity, internet services throughout South Dakota. The Commission has classified long distance service as fully competitive.

On February 7, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of February 22, 2002, to interested individuals and entities. No petitions to intervene or comments were filed. At its regularly scheduled July 23, 2002, meeting, the Commission considered Buyer's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Buyers United was non-responsive to data requests from Staff.

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 Buyers United has not met the legal requirements established for the granting of a certificate of authority. Buyers United has not, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission voted to deny Buyers United's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Buyers United's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 7th day of August, 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: <u><i>Delaine Koels</i></u>
Date: <u>8/7/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

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