

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

IN THE MATTER OF THE FILING BY NEW)	ORDER GRANTING
EDGE NETWORK, INC. D/B/A NEW EDGE)	AMENDED CERTIFICATE OF
NETWORKS FOR APPROVAL OF RELIEF OF)	AUTHORITY
CERTIFICATION REQUIREMENT TO POST)	
SURETY BOND)	TC02-019

On September 30, 1999, the Public Utilities Commission (Commission) received an application for a certificate of authority from New Edge Network, Inc. d/b/a New Edge Networks (New Edge).

New Edge sought authority to provide resold and facilities-based competitive local exchange and interexchange services. A proposed tariff was filed by New Edge.

On October 7, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of October 22, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled November 29, 1999, meeting, the Commission granted New Edge's request for a certificate of authority, subject to rural safeguards, a continuous surety bond, and a waiver of ARSD 20:10:32:03(8).

On January 28, 2002, the Commission received notice that Travelers' Property Casualty Insurance would cancel Bond No. 081S103508175BCM on February 21, 2002. On February 21, 2002, New Edge filed for bond relief. New Edge requested that the requirement to post a continuous \$25,000 bond be removed and agreed to restrictions on its certificate of authority from offering prepaid services and collecting customer deposits and advanced payments.

At its regularly scheduled March 28, 2002, meeting, Staff recommended that the Commission reconsider the terms and conditions of New Edge's certificate of authority to remove the requirement that the certificate of authority be subject to a continuous \$25,000 bond and impose a new restriction that New Edge 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 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that New Edge has met the legal requirements established for the granting of an amended certificate of authority. New Edge has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves New Edge's application for an amended certificate of authority, subject to rural safeguards, and subject to the condition that New Edge not offer

a prepaid calling card or require deposits or advance payments without prior approval of the Commission. The amended certificate of authority for New Edge shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. It is therefore

ORDERED, that New Edge's application for an amended certificate of authority to provide interexchange telecommunications services and local exchange services is granted, subject to the removal of the condition of a surety bond, and subject to the condition that New Edge not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission; and it is

FURTHER ORDERED, that the Commission shall authorize New Edge to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company.

Dated at Pierre, South Dakota, this 4th 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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Wendine Kalbo</u>
Date: <u>4/8/02</u>
(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