

**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>3U 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>TC02-099</b>

On August 2, 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 3U Telecom, Inc. (3U Telecom).

3U Telecom proposes to provide resold interexchange service, including 1+ dialing, to business and residential customers throughout South Dakota. A proposed tariff was filed by 3U Telecom. The Commission has classified long distance service as fully competitive.

On August 8, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of August 23, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its September 5, 2002, meeting, the Commission considered 3U Telecom's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that 3U Telecom not offer a prepaid calling card or require or accept 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 3U Telecom has met the legal requirements established for the granting of a certificate of authority. 3U Telecom 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 3U Telecom's application for a certificate of authority, subject to the condition that 3U Telecom not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that 3U Telecom's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, effective September 30, 2002, subject to the condition that 3U Telecom not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(8). It is

FURTHER ORDERED, that 3U Telecom shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of September, 2002.

<b>CERTIFICATE OF SERVICE</b>
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 Kalbo</i></u>
Date: <u>9/20/02</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