

**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>HOULTON ENTERPRISES, INC. D/B/A )</b>	<b>CERTIFICATE OF</b>
<b>GUARANTEED PHONE SERVICE FOR A )</b>	<b>AUTHORITY</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	
<b>LOCAL EXCHANGE SERVICES IN SOUTH )</b>	<b>TC02-049</b>
<b>DAKOTA )</b>	

On May 20, 2002, the Public Utilities Commission (Commission) received an application for a certificate of authority from Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service (Houlton).

Houlton proposes to offer basic local exchange services with customer calling features in Qwest territory. A proposed tariff was filed by Houlton.

On May 23, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of June 7, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled July 9, 2002, meeting, the Commission considered Houlton's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to rural safeguards, and subject to Houlton posting a bond in the amount of \$25,000 prior to offering service in South Dakota.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Houlton has met the legal requirements established for the granting of a certificate of authority. Houlton has, in accordance with SDCL 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves Houlton's application for a certificate of authority, subject to rural safeguards, and subject to the condition that Houlton post a bond in the amount of \$25,000 prior to offering service in South Dakota. The certificate of authority for Houlton shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should Houlton choose to provide local exchange services statewide, with respect to rural telephone companies, Houlton will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that Houlton's application for a certificate of authority to provide local exchange services is granted, effective July 20, 2002, subject to the condition that Houlton post a bond in the amount of \$25,000 prior to offering service in South Dakota; and it is

FURTHER ORDERED, that Houlton shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Houlton 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 26<sup>th</sup> day of July, 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>Melaine Kaebo</u>
Date:	<u>8/1/02</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