

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
NOBELTEL, LLC FOR A CERTIFICATE OF)	AMENDED CERTIFICATE OF
AUTHORITY TO PROVIDE INTEREXCHANGE)	AUTHORITY
TELECOMMUNICATIONS SERVICES IN)	
SOUTH DAKOTA)	TC02-164

On September 24, 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 NobelTel, LLC (NobelTel).

NobelTel sought authority to provide a full range of interexchange services on a resale basis. Services include direct and dial-around outbound dialing, toll free inbound dialing, directory assistance, data services and travel card services. The Commission has classified long distance service as fully competitive.

On September 26, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of October 11, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its December 19, 2002, meeting, the Commission considered NobelTel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that NobelTel not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission, and a waiver of ARSD 20:10:24:02(8).

On January 6, 2003, the Commission received a \$25,000 surety bond from NobelTel and on January 8, 2003, the Commission was notified that NobelTel wished to provide prepaid calling card services. NobelTel requested that it be permitted to post a \$25,000 surety bond and that the restrictions be removed from its certificate of authority.

At its regularly scheduled February 20, 2003, meeting, Staff recommended that the Commission reconsider the terms and conditions of NobelTel's certificate of authority to permit NobelTel to post a continuous \$25,000 surety bond and remove the restriction that NobelTel 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 NobelTel has met the legal requirements established for the granting of a certificate of authority. NobelTel 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 NobelTel's application for an amended certificate of authority, subject to a continuous \$25,000 surety bond, it is therefore

ORDERED, that NobelTel's application for an amended certificate of authority to provide interexchange telecommunications services is hereby granted, subject to a continuous \$25,000 surety bond.

Dated at Pierre, South Dakota, this 7th day of March, 2003.

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>Debra Kalbs</i></u>
Date: <u>3/11/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Gary Hanson

GARY HANSON, Commissioner

James A. Burg

JAMES A. BURG, Commissioner