

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

IN THE MATTER OF AN ORDER TO SHOW)	ORDER APPROVING
CAUSE AS TO WHY TO OCMC, INC. SHOULD)	SCHEDULING OF A
NOT BE FOUND TO BE IN VIOLATION OF THE)	HEARING
LAWS AND REGULATIONS OF THE STATE)	
OF SOUTH DAKOTA)	TC03-067

On March 28, 2003, Staff filed a motion requesting that the Public Utilities Commission (Commission) issue an Order To Show Cause to OCMC, Inc. d/b/a One Call Communications, Inc., OPTICOM, AdvantTel, LiveTel, SuperTel, RegionalTel, and 1-800-MAX-SAVE (Opticom). Staff requested that the Commission issue an Order To Show Cause to hear arguments from Staff and the company on whether the Commission shall commence proceedings in accordance with ARSD 20:10:24:04.04. Staff is seeking a suspension or revocation of the certificate of authority transferred to Opticom in TC02-046. According to the motion, Opticom, inter alia, has failed to provide consumers the ability to determine rates in advance of accepting collect phone calls in violation of its tariff and failed to update its tariff pursuant to a Commission Order. The motion also alleges that Opticom, by using numbers such as 1-800-CALL-AAT and 1-800-COLECT, is attempting to take advantage of mistakes by consumers attempting to use other collect phone call services and is billing rates that could exceed \$30.00 for a one-minute call. At its April 15, 2003, meeting the Commission considered the motion and voted unanimously to issue an order to show cause and to open a docket for consideration of the above issues.

On April 17, 2003, the Commission electronically transmitted notice of the filing to interested individuals and entities. On August 19, 2003, Commission Staff recommended scheduling a hearing in this matter.

The Commission has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-1.1, 49-13-4, 49-13-13, 49-31-3 and 49-31-7.1 and ARSD 20:10:24:04.02 and 20:10:01:45.

At a regularly scheduled August 19, 2003, meeting, the Commission considered this matter. The Commission voted unanimously to schedule a hearing in this docket. It is therefore

ORDERED, that a hearing shall be scheduled in this docket.

Dated at Pierre, South Dakota, this 28th day of August, 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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Rebecca Kalbo</u>
Date: <u>8/29/03</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