

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
BLACKSTONE COMMUNICATIONS COMPANY)	AMENDED CERTIFICATE OF
FOR APPROVAL OF RELIEF OF)	AUTHORITY
CERTIFICATION REQUIREMENT TO POST)	
SURETY BOND)	TC03-110

On April 7, 1999, 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 Blackstone Communications Company (Blackstone).

Blackstone sought to provide 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card and prepaid calling card service.

On April 8, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of April 23, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its June 8, 1999, meeting, the Commission granted Blackstone's request for a certificate of authority, subject to a continuous surety bond and a waiver of ARSD 20:10:24:02(8).

On June 30, 2003, the Commission received notice that Indemnity Insurance Company of North America would cancel Bond No. K05070235 on July 31, 2003. On July 8, 2003, Blackstone filed for bond relief. Blackstone 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 September 2, 2003, meeting, Staff recommended that the Commission reconsider the terms and conditions of Blackstone'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 Blackstone not offer a prepaid calling card or require or accept 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 Blackstone has met the legal requirements established for the granting of an amended certificate of authority. Blackstone 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 Blackstone's application for an amended certificate of authority, subject to the condition that Blackstone 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 Blackstone's application for an amended certificate of authority to provide interexchange telecommunications services is granted, subject to the removal of the condition of a surety bond, and subject to the condition that Blackstone not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

Dated at Pierre, South Dakota, this 5th day of September, 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>Melaine Kaelo</u>
Date:	<u>9/5/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman *JS*

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner