

**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>TOUCHTONE COMMUNICATIONS INC. FOR A )</b>	<b>CERTIFICATE OF</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>INTEREXCHANGE TELECOMMUNICATIONS )</b>	
<b>SERVICES IN SOUTH DAKOTA )</b>	<b>TC03-195</b>

On December 4, 2003, 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 Touchtone Communications Inc. (Touchtone).

Touchtone proposes to offer interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services and travel card services. A proposed tariff was filed by Touchtone. The Commission has classified long distance service as fully competitive.

On December 11, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of December 26, 2003, to interested individuals and entities. No petitions to intervene or comments were filed and at its February 17, 2004, meeting, the Commission considered Touchtone's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Touchtone not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 Touchtone has met the legal requirements established for the granting of a certificate of authority. Touchtone 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 Touchtone's application for a certificate of authority, subject to the condition that Touchtone not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that Touchtone's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that Touchtone not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 Touchtone shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of February, 2004.

**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: Helaine Kolbe

Date: 2/26/04

(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