

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

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| IN THE MATTER OF THE APPLICATION OF) COMMUNICATIONS NETWORK BILLING, INC.) FOR A CERTIFICATE OF AUTHORITY TO) PROVIDE INTEREXCHANGE) TELECOMMUNICATIONS SERVICES IN) SOUTH DAKOTA) | ORDER GRANTING CERTIFICATE OF AUTHORITY TC04-012 |
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On January 28, 2004, 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 Communications Network Billing, Inc. (Network Billing).

Network Billing proposes to provide MTS, WATS and calling card services. A proposed tariff was filed by Network Billing. The Commission has classified long distance service as fully competitive.

On January 29, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of February 13, 2004, to interested individuals and entities. No petitions to intervene or comments were filed and at its March 2, 2004, meeting, the Commission considered Network Billing's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Network Billing 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 Network Billing has met the legal requirements established for the granting of a certificate of authority. Network Billing 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 Network Billing's application for a certificate of authority, subject to the condition that Network Billing 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 Network Billing's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, effective March 28, 2004, subject to the condition that Network Billing 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 Network Billing shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 5th day of March, 2004.

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| 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>Melaine Kalbo</u> |
| Date: | <u>3/5/04</u> |
| (OFFICIAL SEAL) | |

BY ORDER OF THE COMMISSION:

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

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner