

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
DTG COMMUNITY TELEPHONE, INC. FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
TELECOMMUNICATIONS SERVICES,)	
INCLUDING LOCAL EXCHANGE SERVICES, IN)	TC97-164
SOUTH DAKOTA)	

On October 15, 1997, 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 DTG Community Telephone, Inc. (DCT).

DCT stated in its filing: "Services in South Dakota will include, but are not limited to, local exchange service, and other telecommunications services incidental to local exchange service. DCT will be assuming the local exchange operations of Dakota Cooperative Telecommunications, Inc. for the following exchanges: Alsen (253), Beresford Rural (957), Chancellor (647), Davis (238), Flyger (327), Gayville (267), Hurley (238), Irene (263), Lennox (647), Monroe (297), Parker (297), Volin (267), Wakonda (267) and Worthing (372). . . . Because DCT will be assuming the obligations and benefits of the Eligible Telecommunications Carrier status which was granted to DTG in TC97-030, DCT will advertise its services in a manner consistent with its obligations as an Eligible Telecommunications Carrier." DCT has requested a waiver of ARSD 20:10:24:02(8) and (12). On May 22, 1998, DCT notified the Commission Staff that it had obtained the bond as requested by Staff.

On October 16, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of October 31, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled June 11, 1998, meeting, the Commission considered DCT's request for a certificate of authority. Commission Staff recommended granting DCT a certificate of authority as DCT had furnished the Commission with a surety bond, subject to rural safeguards. Commission Staff further recommended a waiver of 20:10:24:02(8) and (12).

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that DCT has met the legal requirements established for the granting of a certificate of authority. DCT has, in accordance with SDCL 49-31-1, 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 subparagraphs (8) and (12) of ARSD 20:10:24:02.

The Commission approves DCT's application for a certificate of authority, subject to rural safeguards. The certificate of authority for DCT shall authorize it to offer local

exchange services in the following exchanges in South Dakota: Alsen (253), Beresford Rural (957), Chancellor (647), Davis (238), Flyger (327), Gayville (267), Hurley (238), Irene (263), Lennox (647), Monroe (297), Parker (297), Volin (267), Wakonda (267) and Worthing (372). In the future, should DCT choose to provide local exchange services statewide, with respect to rural telephone companies, DCT will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that DCT's application for a Certificate of Authority to provide telecommunications services, including local exchange services, is granted, and it is

FURTHER ORDERED, that DCT shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize DCT to offer its services in the following exchanges in South Dakota: Alsen (253), Beresford Rural (957), Chancellor (647), Davis (238), Flyger (327), Gayville (267), Hurley (238), Irene (263), Lennox (647), Monroe (297), Parker (297), Volin (267), Wakonda (267) and Worthing (372); and it is

FURTHER ORDERED, that the Commission finds good cause to waive subparagraphs (8) and (12) of ARSD 20:10:24:02.

Dated at Pierre, South Dakota, this 19th day of June, 1998.

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 Krebs</u>
Date:	<u>6/19/98</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner