

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

<b>IN THE MATTER OF THE APPLICATION OF ITI )</b>	<b>ORDER GRANTING</b>
<b>INMATE TELEPHONE, 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>TC06-195</b>

On December 4, 2006, 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 ITI Inmate Telephone, Inc. (ITI). A proposed tariff was filed by ITI. The Commission has classified long distance service as fully competitive.

On December 7, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of December 22, 2006, to interested individuals and entities. No petitions to intervene or comments were filed and at its February 13, 2007, meeting, the Commission considered ITI's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that ITI 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 20:10:24:05(4)(6)(7)(8) and (11).

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 ITI has met the legal requirements established for the granting of a certificate of authority. ITI 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 20:10:24:05(4)(6)(7)(8) and (11). The Commission approves ITI's application for a certificate of authority, subject to the condition that ITI 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 ITI's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that ITI 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 20:10:24:05(4)(6)(7)(8) and (11). It is

FURTHER ORDERED, that ITI shall file informational copies of tariff changes with the Commission as the changes occur. It is

FURTHER ORDERED, that this order shall constitute ITI's Certificate of Authority.

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of February, 2007.

<b>CERTIFICATE OF SERVICE</b>
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, electronically.
By: <u>Melaine Kalbo</u>
Date: <u>3/2/07</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson  
DUSTIN M. JOHNSON, Chairman

Gary Hanson  
GARY HANSON, Commissioner

Steve Kolbeck  
STEVE KOLBECK, Commissioner