BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF GLOBAL CAPACITY GROUP, INC. FOR A CERTIFICATE OF AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES AND LOCAL EXCHANGE SERVICES IN SOUTH DAKOTA	))))))	**ORDER GRANTING CERTIFICATE OF AUTHORITY** **TC07-083**

On July 3, 2007, the Public Utilities Commission (Commission) received an application for a certificate of authority from Global Capacity Group, Inc. (Global Capacity).

On July 5, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of July 27, 2007, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 11, 2007, meeting, the Commission considered Global Capacity's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Global Capacity 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, and subject to rural safeguards. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8) and ARSD 20:10:32:03(11).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that Global Capacity has met the legal requirements established for the granting of a certificate of authority. Global Capacity has, in accordance with SDCL 49-31-3 and 49-31-71, 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) and ARSD 20:10:32:03(11).

The Commission approves Global Capacity's application for a certificate of authority, subject to the condition that Global Capacity 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, and subject to rural safeguards. The certificate of authority for Global Capacity shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should Global Capacity choose to provide local exchange services statewide, with respect to rural telephone companies, Global Capacity 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 Global Capacity's application for a certificate of authority to provide interexchange telecommunications services and local exchange services is granted, subject to the condition that Global Capacity 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 shall authorize Global Capacity to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(8) and ARSD 20:10:32:03(11). It is

FURTHER ORDERED, that this order constitutes your certificate of authority as described above.

Dated at Pierre, South Dakota, this 26th day of September, 2007.

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: Delaine Kolbo

Date: 9/27/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner