

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
MOMENTUM TELECOM, INC. FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS)	
SERVICES AND LOCAL EXCHANGE)	TC08-041
SERVICES IN SOUTH DAKOTA)	

On April 21, 2008, the Public Utilities Commission (Commission) received an application for a certificate of authority from Momentum Telecom, Inc. (Momentum).

On April 24, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of May 9, 2008, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled June 10, 2008, meeting, the Commission considered Momentum's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Momentum 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 and that the Commission grant Momentum's request for confidential treatment of its financial statements.

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 Momentum has met the legal requirements established for the granting of a certificate of authority. Momentum 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.

The Commission approves Momentum's application for a certificate of authority, subject to the condition that Momentum 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 and grants Momentum's request for confidential treatment of its financial statements. The certificate of authority for Momentum 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 Momentum choose to provide local exchange services statewide, with respect to rural telephone companies, Momentum 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 Momentum's application for a certificate of authority to provide interexchange telecommunications services and local exchange services is granted, subject to the condition that Momentum 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 Momentum to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is

FURTHER ORDERED, that confidential treatment be granted to Momentum's financial statements. It is

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

Dated at Pierre, South Dakota, this 19th day of June, 2008.

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>Delaine Kolbo</u>
Date: <u>6/19/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner