

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
LATTICE INCORPORATED FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS)	
SERVICES AND ALTERNATIVE OPERATOR)	TC09-089
SERVICES IN SOUTH DAKOTA)	

On September 21, 2009, 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 to provide interexchange telecommunications services and alternative operator services from Lattice Incorporated (Lattice). The Commission has classified long distance service as fully competitive.

On September 24, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of October 9, 2009, to interested individuals and entities. No petitions to intervene or comments were filed and at its October 20, 2009, meeting, the Commission considered Lattice's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Lattice 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(3), (5) and (6).

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 Lattice has met the legal requirements established for the granting of a certificate of authority. Lattice 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(3), (5) and (6). The Commission approves Lattice's application for a certificate of authority, subject to the condition that Lattice 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 Lattice's application for a certificate of authority to provide interexchange telecommunications services and alternative operator services is hereby granted, subject to the condition that Lattice 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(3), (5) and (6). It is

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

Dated at Pierre, South Dakota, this 3rd day of November, 2009.

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, electronically.
By: <u>Alcino Kolbe</u>
Date: <u>11/4/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner