

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

**IN THE MATTER OF THE APPLICATION OF
COMCAST PHONE OF SOUTH DAKOTA,
LLC D/B/A COMCAST DIGITAL PHONE FOR)
A CERTIFICATE OF AUTHORITY TO)
PROVIDE INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA.)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC09-093

On October 13, 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 from Comcast Phone of South Dakota, LLC d/b/a Comcast Digital Phone (Comcast). The Commission has classified long distance service as fully competitive.

On October 15, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of October 30, 2009, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 10, 2009, meeting, the Commission considered Comcast's request for a certificate of authority. Commission Staff recommended granting a certificate of authority and waiver of ARSD 20 10 24 02 (9) subject to the condition that Comcast supply its sales tax number, 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.

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 Comcast has met the legal requirements established for the granting of a certificate of authority. Comcast has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves Comcast's application for a certificate of authority and waiver of ARSD 20 10 24 02 (9), subject to the condition that Comcast supply its sales tax number, 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 Comcast's application for a certificate of authority to provide interexchange telecommunications services and waiver of ARSD 20 10 24 02 (9) is hereby granted, subject to the condition that Comcast supply its sales tax number, 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 this order constitutes your certificate of authority as described above.

Dated at Pierre, South Dakota, this 18th 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: Demaris Althelm

Date: 11/18/09

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman PA

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner