

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

**IN THE MATTER OF THE APPLICATION OF )  
ANPI, LLC, FOR A CERTIFICATE OF )  
AUTHORITY TO PROVIDE LOCAL )  
EXCHANGE SERVICES IN SOUTH DAKOTA )  
)**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY  
  
TC13-138**

On December 13, 2013, the Public Utilities Commission (Commission) received an application from ANPI, LLC, (ANPI) requesting a Certificate of Authority for ANPI to provide Resold Local Exchange Telecommunications Services and Internet Protocol-enhanced telecommunications services on a wholesale basis only within the territories and exchanges of CenturyLink in the State of South Dakota. ANPI was formerly Associated Network Partners, Inc. which was granted authorization by this Commission to provide interexchange telecommunications services in South Dakota in Docket No. TC97-048. ANPI now wishes to expand its authority in South Dakota to include resold competitive local exchange telecommunications services and Internet Protocol-enhanced telecommunications services on a wholesale basis only.

On December 19, 2013, the Commission electronically transmitted notice of the filing and the intervention deadline of January 3, 2014, to interested individuals and entities. No petitions to intervene or comments were filed.

At its regularly scheduled meeting on January 27, 2014, the Commission considered ANPI's request for a certificate of authority. Commission staff recommended granting a certificate of authority with the condition that ANPI not offer any prepaid services, for retail purposes, including prepaid calling cards and not accept or require any deposits or advance payments without prior approval of the Commission, and be subject to rural safeguards.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, 49-31-5, 49-31-69 through 49-31-75, and ARSD 20:10:32:03. The Commission finds that ANPI has met the legal requirements established for the granting of a certificate of authority. ANPI 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 ANPI's application for a certificate of authority subject to the condition that ANPI not offer any prepaid services, for retail purposes, (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission, and be subject to rural safeguards. The certificate of authority for ANPI shall authorize it to provide local exchange telecommunications service in South Dakota, except in those areas served by a rural telephone company. In the future, should ANPI choose to provide local exchange services statewide, with respect to rural telephone companies, ANPI 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 ANPI's application for a certificate of authority to provide local exchange services is granted, subject to the condition that ANPI not offer any prepaid services, for retail purposes, (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission, and be subject to rural safeguards. It is further

ORDERED, that this certificate of authority authorizes ANPI to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is further

ORDERED, that this order constitutes ANPI's Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 30<sup>th</sup> day of January, 2014.

<p align="center"><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Tina Douglas</u></p> <p>Date: <u>1-30-14</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Chris Nelson

CHRIS NELSON, Commissioner

Kristie Fiegen

KRISTIE FIEGEN, Commissioner