

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

**IN THE MATTER OF THE APPLICATION OF)
INTRADO COMMUNICATIONS INC. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
LOCAL EXCHANGE SERVICES AND)
INTEREXCHANGE LONG DISTANCE SERVICES)
IN SOUTH DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF AUTHORITY AND
GRANTING WAIVERS**

TC14-002

On February 20, 2014, the South Dakota Public Utilities Commission (Commission) received an application from Intrado Communications Inc. (Intrado) requesting authority to provide local exchange service throughout South Dakota. Specifically, Intrado seeks to provide 9-1-1 emergency services to government and quasi-government Public Safety Answering Points (PSAPs). Intrado stated that eventually it may also provide other local exchange telecommunications services and interexchange telecommunications services.

On February 27, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of March 14, 2014, to interested individuals and entities. On March 13, 2014, South Dakota Telecommunications Association (SDTA) filed a petition to intervene, which was granted on April 1, 2014. On July 25, 2014, Intrado filed an Amended Application to provide local exchange and interexchange services. On August 14, 2014, the Commission electronically transmitted notice of the amended filing and the intervention deadline of August 29, 2014, to interested individuals and entities. On September 25, 2014, Intrado filed an Amended Local Application and an Amended Interexchange Application. Intrado requests that the Commission waive ARSD 20:10:24:02(9), 20:10:24:02(17), 20:10:32:03(11), 20:10:32:03(12), and 20:10:32:03(24). On October 31, 2014, SDTA and Intrado filed a Joint Stipulation.

At its regularly scheduled November 12, 2014, meeting, the Commission considered this matter. Commission staff recommended granting waivers of ARSD 20:10:24:02(9), 20:10:32:03(11), and 20:10:32:03(12). Commission Staff further recommended granting a certificate of authority for the purposes of aggregating and routing 9-1-1 emergency calls and subject to rural safeguards.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, 49-31-69 through 49-31-75, ARSD 20:10:24:02, 20:10:24:03, 20:10:32:03, and 20:10:32:06. The Commission voted unanimously to approve the waiver of ARSD 20:10:24:02(9), 20:10:32:03(11), and 20:10:32:03(12) and to approve Intrado's amended application for a certificate of authority, for the purposes of aggregating and routing 9-1-1 emergency calls and subject to rural safeguards. The Commission finds that Intrado has met the legal requirements established for the granting of a certificate of authority. Intrado 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(9), 20:10:32:03(11), and 20:10:32:03(12). The certificate of authority for Intrado shall authorize it to provide local exchange and intrastate interexchange telecommunications service in South Dakota for the purposes of aggregating and routing 9-1-1 emergency calls except in those areas served by a rural telephone company. In the future, should Intrado choose to provide local exchange services in areas served by a rural telephone company, Intrado 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 Intrado's application for a certificate of authority to provide interexchange services, for the purposes of aggregating and routing 9-1-1 emergency calls in South Dakota is granted. It is further

ORDERED, that Intrado's application for a certificate of authority to provide local exchange services is granted, for the purposes of aggregating and routing 9-1-1 emergency calls. It is further

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

ORDERED, that Intrado's request for waiver of ARSD 20:10:24:02(9), 20:10:32:03(11), and 20:10:32:03(12) is granted. It is further

ORDERED, that this order constitutes Intrado's certificate of authority as described above.

Dated at Pierre, South Dakota, this 21st day of November, 2014.

<p style="text-align: center;">CERTIFICATE OF SERVICE</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>Joy Lashley</u></p> <p>Date: <u>11-21-14</u></p> <p style="text-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