

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

**IN THE MATTER OF THE APPLICATION OF)
LATTICE INCORPORATED FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
INTEREXCHANGE TELECOMMUNICATIONS)
SERVICES AND ALTERNATIVE OPERATOR)
SERVICES IN SOUTH DAKOTA)**

**ORDER GRANTING
REQUEST FOR RELEASE OF
IRREVOCABLE LETTER OF
CREDIT**

TC09-089

On September 21, 2009, the South Dakota Public Utilities Commission (Commission) received an application from Lattice Incorporated (Lattice) for a certificate of authority to provide interexchange and alternative operator services in South Dakota. Lattice proposed to offer automated operator-assisted collect and prepaid calling services to inmates and other incarcerated persons in confinement facilities within the State of South Dakota. Lattice also sought a waiver of ARSD 20:10:24:05(3), (5), and (6).

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 on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On November 3, 2009, the Commission issued an Order Granting Certificate of Authority. On November 17, 2009, Lattice requested to amend its certificate of authority to offer prepaid services and filed a Letter of Credit with the Commission. On January 15, 2010, the Commission issued an Order Granting Amended Certificate of Authority which approved the application of Lattice to remove the prepaid restrictions from its prior certificate of authority, subject to a \$25,000 irrevocable letter of credit (ILOC). On June 1, 2017, Lattice submitted a letter requesting to cancel its amended certificate of authority and have the \$25,000 ILOC #SM236054W released. Since Lattice was in compliance with gross receipts tax remittance and annual reporting, a letter was sent on June 13, 2017, canceling its amended certificate of authority. On July 12, 2017, Lattice filed supplemental information supporting its release of the ILOC.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, and ARSD 20:10:24:02 and 20:10:24:04.05.

On July 21, 2017, at its regularly scheduled meeting, the Commission considered this matter. The Commission voted unanimously to grant Lattice's request to release the ILOC. It is therefore

ORDERED, that Lattice's request for release of its \$25,000 irrevocable letter of credit #SM236054W is hereby granted.

Dated at Pierre, South Dakota, this 24th day of July, 2017.

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| <p>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 or by mail.</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>7/24/17</u></p> <p align="center">(OFFICIAL SEAL)</p> |
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BY ORDER OF THE COMMISSION:

[Signature: Kristie Fiegen]
KRISTIE FIEGEN, Chairperson

[Signature: Gary Hanson]
GARY HANSON, Commissioner

[Signature: Chris Nelson]
CHRIS NELSON, Commissioner