

TC97-052

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BENJAMIN W. BRONSTON
EDWARD P. GOTHARD
Of Counsel

May 7, 1997

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MAY 09 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501

RE: RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

Dear Sir:

Enclosed herewith for filing please find an original and 10 copies of the Application of RRV Enterprises, Inc. for authority to provide resold interexchange telecommunications services within the State of South Dakota. The requisite \$250.00 filing fee is enclosed.

Please date stamp and return the attached copy of this letter as acknowledgment of your receipt of these documents. A self-addressed, stamped envelope has been provided for this purpose.

If you should have any questions regarding this filing, please do not hesitate to call.

Sincerely,



Monica R. Borne

Enclosure
cc: Scott Moster, RRV

BEFORE THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION OF RRV)
 ENTERPRISES, INC. D/B/A CONSUMER)
 ACCESS FOR AUTHORITY TO PROVIDE)
 INTEREXCHANGE TELECOMMUNICATIONS)
 SERVICES WITHIN THE STATE OF)
 SOUTH DAKOTA)

Docket No. _____

APPLICATION

RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS ("Consumer Access" or "Applicant") hereby submits this application for certificate of public convenience and necessity to provide resold intrastate telecommunications service within the State of South Dakota.

In support of its application, Applicant provides the following information:

1. The legal name, principal address and telephone number of the applicant corporation are:

RRV Enterprises, Inc.
 5120 Woodway, Suite 7007
 Houston, Texas 77056
 Phone: (713) 6267-1661

2. Applicant is a corporation having perpetual existence which was organized under the laws of the State of Texas on January 10, 1996 and is authorized to transact business within South Dakota as evidenced by the Certificate of Authority attached hereto as Exhibit "A." The Company does not own or control any subsidiaries.

3. The Applicant's representative to whom all correspondence regarding this application should be addressed is:

Monica R. Borne, Attorney
Nowalsky & Bronston
3500 N. Causeway Blvd.
Suite 1442
Metairie, Louisiana 70002
Phone: (504) 832-1984

4. Applicant possesses the management personnel necessary to provide the proposed services as indicated in the Management Profiles attached as **Exhibit "B."** Applicant's officers and directors are as follows:

Scott Moster
President/Director
5120 Woodway
Suite 7007
Houston, Texas 77056

Jim Rautio
Treasurer/Director
1132 Bishop St., #PH
Honolulu, Hawaii 96813

Bruce Robin
Secretary/Director
1132 Bishop St., #PH
Honolulu, Hawaii 96813

5. Applicant proposes to offer resold intrastate long distance services to the public on a statewide basis in the State of South Dakota. The services to be provided are MTS, Incoming 800 and Travel Card services. The Applicant resells the services of underlying carriers and does not own any facilities, including switches. Applicant will resell the services of only Commission certificated underlying carriers.

6. The Company is currently authorized to provide service in and is pending authorization to provide services in those states set forth in the Initial Data Request attached as **Exhibit "C."** The Company has not been denied authorization to provide service in any state.
7. The Applicant's proposed initial tariff containing the rules, regulations, terms and conditions of service is attached hereto as **Exhibit "D."**
8. Applicant has adequate and sufficient financial resources to provide the proposed public telecommunications service properly and continuously. The Company's most recent financial statements are attached hereto as **Exhibit "E."**
9. Granting of this application will further the public interest. The resale of telecommunications services expands the availability of telecommunications services to more members of the public at more competitive prices. In addition, by lowering the costs of telecommunications, small and medium sized businesses are able to maintain their communications costs at levels that are closer to those available to larger users. The more competitively equal companies are, the more the public should benefit through products and services made and/or delivered more efficiently and more responsively to consumer needs and desires.

10. The Applicant is willing and able to conform to the Constitution and laws of the State of South Dakota and the Rules and Regulations of the Commission, now in effect or hereinafter enacted.

11. A list of shareholders owning more than a twenty percent (20%) share is attached hereto as **Exhibit "F."**

WHEREFORE, **RRV Enterprises, Inc.** respectfully requests that the Commission Grant Applicant a Certificate of Public Convenience and Necessity, giving Applicant authority to provide public telecommunications service, effective upon approval of this Application.

Respectfully submitted this 5th day of May, 1997.

By: 

Monica R. Borne
Nowalsky & Bronston
3500 N. Causeway Blvd.
Suite 1442
Metairie, LA 70002
Ph. (504) 832-1984

ATTORNEY FOR APPLICANT

6. The Company is currently authorized to provide service in and is pending authorization to provide services in those states set forth in the Initial Data Request attached as **Exhibit "C."** The Company has not been denied authorization to provide service in any state.
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11. A list of shareholders owning more than a twenty percent (20%) share is attached hereto as **Exhibit "F."**

WHEREFORE, **RRV Enterprises, Inc.** respectfully requests that the Commission Grant Applicant a Certificate of Public Convenience and Necessity, giving Applicant authority to provide public telecommunications service, effective upon approval of this Application.

Respectfully submitted this 5th day of May, 1997.

By: 

Monica R. Borne
Nowalsky & Bronston
3500 N. Causeway Blvd.
Suite 1442
Metairie, LA 70002
Ph. (504) 832-1984

ATTORNEY FOR APPLICANT

EXHIBIT A

STATEMENT OF REGISTRATION
OF BUSINESS NAME

To the Register of Deeds
County of HUGHES
State of South Dakota

Pursuant to Section 37-11 1, South Dakota Code 1967, the undersigned corporation (the "corporation") hereby states:

1. The name of the corporation is
RRV Enterprises, Inc.
2. The corporation will engage in or conduct a business for profit in the State of South Dakota under the business name
Consumer Access
3. The name, the post-office address and the residence address of the corporation, which is the person interested in the aforesaid business, are
RRV Enterprises, Inc. 5120 Woodway, Suite 8020
Houston, TX 77056
4. The address where the main office of the aforesaid business of the corporation is to be maintained is
5120 Woodway, Suite 8020
Houston, TX 77056

Signed on April 21, 1976

[real name of corporation]

RRV Enterprises, Inc.


By:


[name], [Vice-]President

Scott Moster - President

STATE OF LA)
) SS:
COUNTY OF ORANGE

Scott Moster, being duly sworn on oath, deposes and says that he is the ~~[M&K]~~
President of RRV Enterprises, Inc.
, the corporation which signed the foregoing statement of registration of
business name in the capacity of a shareholder; that he signed the said statement in the
corporate name; that he has read the said statement; and that the facts stated therein
are true.



[name] ~~[Vice-]~~President
Scott Moster - President



Notary Public

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

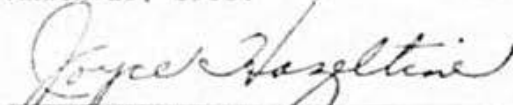
CERTIFICATE OF AUTHORITY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Application for a Certificate of Authority of RR ENTERPRISES, INC. (TX) d/b/a CONSUMER ACCESS, IN (NY) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application to transact business in this state under the name of RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS, INC.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this March 29, 1996.


JOYCE HAZELTINE
Secretary of State



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JAN 10 1996
STATE
S.D. SEC. OF STATE

The State of Texas

SECRETARY OF STATE

IT IS HEREBY CERTIFIED, that
Articles of Incorporation
of

RRV ENTERPRISES, INC.
CHARTER# 1384734

were filed in this office and a certificate of incorporation was issued on
JANUARY 10, 1996;

IT IS FURTHER CERTIFIED, that no certificate of dissolution has been issued, and
that the corporation is still in existence.



*IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused to be
impressed hereon the Seal of State at my office in
the City of Austin, on March 11, 1996.*

Antonio O. Garza, Jr.

Antonio O. Garza, Jr.
Secretary of State

BAM

SECRETARY OF STATE
STATE CAPITOL

Filed this 29th day of MARCH, 1996

FILE NO. _____
RECEIPT NO. _____

RECEIVED
MAR 15 1996
RECEIVED

APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to the provisions of SDCL 47-8-7, the undersigned corporation hereby applies for a Certificate of Authority to transact business in the State of South Dakota and for that purpose submits the following statement:

(1) The name of the corporation is RRV Enterprises, Inc.
d/b/a CONSUMER ACCESS, INC.
(Exact corporate name)

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MAR 29 1996
S.D. SEC. OF STATE

(2) If the name of the corporation does not contain the word "corporation", "company", "incorporated" or "limited" or does not contain an abbreviation of one of such words, then the name of the corporation with the word or abbreviation which it elects to add thereto for use in this state is _____

(3) State where incorporated Texas Federal Taxpayer ID# 76-0489874

(4) The date of its incorporation is January 10, 1996 and the period of its duration is perpetual

(5) The address of its principal office in the state or country under the laws of which it is incorporated is 5120 Woodway, Ste. 8020, Houston, Texas Zip Code 77056

(6) The street address, or a statement that there is no street address, of its proposed registered office in the State of South Dakota is c/o The Prentice-Hall Corporation System, Inc., 503 South Pierre Street, Pierre Zip 57501 and the name of its proposed registered agent in the State of South Dakota at that address is The Prentice-Hall Corporation System, Inc.

(7) The purposes which it proposes to pursue in the transaction of business in the State of South Dakota are: The sale of long distance and other enhanced telecommunications services.

(8) The names and respective addresses of its directors and officers are:

Name	Officer Title	Street Address	City	State	Zip
<u>Scott Moster</u>	<u>Pres.</u>	<u>5120 Woodway, Ste. 8020, Houston, TX</u>	<u>77056</u>		
<u>Bruce Robin</u>	<u>SEct'y</u>	<u>500 Ala Moana, Ste. 5-300, Honolulu, HI</u>	<u>96813</u>		
<u>Jim Rautio</u>	<u>Treas.</u>	<u>500 Ala Moana, Ste. 5-300, Honolulu, HI</u>	<u>96813</u>		

(9) The aggregate number of shares which it has authority to issue, itemized by classes, par value of shares, shares without par value, and series, if any, within a class is:

Number or shares	Class	Series	Par value per share or statement that shares are without par value
<u>100,000</u>	<u>Common</u>	<u>---</u>	<u>.01</u>
_____	_____	_____	_____
_____	_____	_____	_____

(10) The aggregate number of its issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, is

Number or shares	Class	Series	Par value per share or statement that shares are without par value
100,000	Common	---	.01

(11) The amount of its stated capital is \$ 1,000.00

(12) This application is accompanied by a CERTIFICATE OF FACT duly acknowledged by the secretary of state or other officer having custody of corporate records in the state or country under whose laws it is incorporated.

(13) That such corporation shall not directly or indirectly combine or make any contract with any incorporated company, foreign or domestic, through their stockholders or the trustees or assigns of such stockholders, or with any copartnership or association of persons, or in any manner whatever to fix the prices, limit the production or regulate the transportation of any product or commodity so as to prevent competition in such prices, production or transportation or to establish excessive prices therefor.

(14) That such corporation, as a consideration of its being permitted to begin or continue doing business within the State of South Dakota, will comply with all the laws of the said State with regard to foreign corporations.

The application must be signed by the chairman of the board of directors, or by the president or by another officer.

I DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THIS APPLICATION IS IN ALL THINGS, TRUE AND CORRECT.

Dated MARCH 8 19 96

[Signature]
(Signature)
President
(Title)

State of LOUISIANA
County of ORLEANS

On this 8th day of MARCH, 19 96, before me LEON NOWALSKY personally appeared SCOTT MORTON, known to me, or proved to me, to be the President of the corporation that is described in and that executed the within instrument and acknowledged to me that such corporation executed same.

My Commission Expires: AT DEATH [Signature]
(Notary Public)

Notarial Seal

The Consent of Appointment below must be signed by the registered agent listed in number six.

CONSENT OF APPOINTMENT BY THE REGISTERED AGENT

I, The Prentice-Hall Corporation System, Inc., hereby give my consent to serve as the
(name of registered agent)

registered agent for RRY ENTERPRISES, INC
(corporate name)

Dated 3-11 19 96

[Signature]
By: Charles A. Covle
(signature of registered agent)
Charles A. Covle, Assistant Secretary

EXHIBIT B

SCOTT G. MOSTER

EXPERIENCE:

TWT - 1994 to 1995

Vice President of Sales and Marketing

While at TWT, the company grew from a Southwest regional carrier to a nationwide facilities based carrier growing revenues from \$8 million in 1993 to almost \$50 million in 1995.

SGM ENTERPRISES, INC. - 1991 to 1994

Founder

This telecommunications company was founded by Mr. Moster and reached sales volume of over \$3 million in annual revenue. In 1994 SGM was successfully sold and accepted his current position.

TELESPHERE COMMUNICATIONS, INC., Oakbrook Terrace, IL - 1988 to 1991

Director of Marketing

Responsible for directing and managing the marketing activities in the 1+, Operator Service and 900 product areas. Assisted sales force, as needed, by participating in sales calls to prospective customers and major accounts. Organized, recruited and hired marketing staff. Introduced new pricing, products and advertising concepts reversing deteriorating company revenue trends.

Major successes included introduction of Telesphere Payphone Program which quadrupled monthly revenue to over \$1 million within a five month period. Introduced the CitySaver Program (T-1 access with lata sensitive discounting) which tripled dedicated service monthly revenue.

US SPRINT COMMUNICATIONS, Dallas, TX - 1982 to 1988

Regional Director of Sales

Responsible for the management of six branch offices, nine managers and 70 sales representatives in Texas, Oklahoma, Arkansas, Kansas, and Missouri. The sales region consistently exceeded revenue plan with sales exceeding 200% during the second half of 1986. Invited to attend the 1987 President's Club due to the exceptional sales performance of the region.

Corporate Marketing

Duties included management of all dedicated access products, private line products, international calling and 800 services in the Central Business Marketing Unit. Selected to serve on national task forces handling 800 service offerings, private line product introduction and sales effectiveness training on current services.

Regional Manager, Major Accounts

Managed 12 major account representatives in four offices throughout Texas and Oklahoma. Ranked as top sales manager in the nation and winner of 1985 Winners Circle Award.

Major Account Representative

Sold long distance service to commercial customers.

J.R. PACE & ASSOCIATES, Houston, TX - 1981 to 1982

Recruiter

Recruited oil field sales and management personnel for various U.S. and worldwide positions. Top sales recruiter in the firm.

JOSKES, Houston, TX - 1979 to 1981

Area Manager

Responsible for revenue growth and sales management.

EDUCATION:

UNIVERSITY OF MIAMI, Coral Gables, Florida - 1975 to 1979

Bachelor of Business Administration, Major in Marketing
Recipient of the University of Miami Honor Scholarship

BRUCE ROBIN

Mr. Robin has been consulting to business and industry throughout the United States since 1974 and active in the long distance resale business since 1988.

B.A. in Communications from the University of Miami

For over twenty years, Mr. Robin has worked as an independent telecommunications consultant to Fortune 500 companies and, since 1988, he has been actively engaged in long distance resale programs. Before founding the firm of Robin Consulting International, he was affiliated with the Los Angeles Times as a Telecommunications Manager, during which time he served on the Board of Directors of the Telecommunications Association (TCA) and was chairman of the TCA Interconnect Committee. Mr. Robin's achievements include:

- Principal-in-Charge of many complex telecommunications and networking projects
- Principal-in-Charge of over 200 cable and PBX projects for Healthcare facilities
- Principal-in-Charge of over 40 Shared Tenant Service (STS) projects.
- Principal-in-Charge of many voice/data networking projects involving microwave and other wireless systems design, procurement and implementation.
- Principal-in-Charge of Hospitality Technology systems for dozens of domestic and international properties
- Principal-in-Charge of major cable plant designs and implementation
- Analysis of International Virtual Networks for banking clients.
- Troubleshooting of software problems on major PBX products for various clients.
- Development of computer software to facilitate the analysis and design of system networks.
- Direct involvement in designing and implementing hundreds of Telecommunications systems.
- Analysis of large systems for colleges, universities, and studios.
- Assistance to Fortune 100 firms in telecommunications planning.
- Lecturer to the Association of Legal Administrators, American Management Association, HTCA.
- Member of the TCA Vendor Council.
- Expert Witness in Telecommunications and Security matters.
- Member of TRA

Mr. Robin was a founding member of the Society of Telecommunications Consultants (STC), a member of the Hawaiian Telecommunications Association (HTCA), the TRA and has served as a faculty member of Golden Gate University's M.B.A. program in Telecommunications Management.

James R. Rautio

810 Moani'Ala St
Honolulu, HI 96821

EXPERIENCE

AUGUST 1993-present

R & R VENTURES

Vice President-CEO

Company is a contract reseller and marketer of residential long distance services nationally

- Designed, produced and implemented a national long distance program reselling carrier services
- Developed, trained and managed national dealer sales force of 256 independent agents
- Built a solid block of business billing \$5 Million+ monthly

Feb. 85-May 93

HOTEL EXPRESS MARKETING OF HI, Inc.

President

Distributor of Hotel Express, a national discount hotel travel club designed for and selling to the general public on an annual membership basis

- Designed and implemented a unique sales format for marketing product.
- Trained and motivated a sales staff of 45 generating \$6 Million in annual revenue
- Won top national sales awards 1988, 1989, 1990, 1991.

1971-1985

TREASURE CHEST PUBLISHING LTD.

President

National company specializing in consumer benefit programs
Grew company to number one in industry, billing over \$10 Million annually

EDUCATION

University of Oregon

B.S., Major, Pre-Med -Minor, Business Administration 1968

EXHIBIT C

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.1. Has the company received a certificate of authority to do business in South Dakota from the Secretary of State? If so, please provide a copy. If not, has the company made application to the Secretary of State for authority?
- A.1. The Company's certificate of authority to do business in South Dakota is attached to its application as **Exhibit A**.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.2. Has the company retained a registered agent for service of process in the State of South Dakota? If so, provide the name, address, and telephone number of the registered agent. If not, is the company in the process of retaining a registered agent?
- A.2. The Company has retained as its registered agent within the State of South Dakota, The Prentice-Hall Corporation System, Inc., 503 South Pierre Street, Pierre, South Dakota 57501, telephone: (605) 224-8803.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

Q.3. List the states in which the company is presently doing intrastate business. Also provide the date service was started in each state.

<u>A.3. State</u>	<u>Date Service Started</u>
Alabama	02/97
Arkansas	06/96
Colorado	04/96
Connecticut	09/96
Delaware	08/96
Florida	11/96
Georgia	12/96
Iowa	05/96
Idaho	07/96
Indiana	09/96
Kansas	01/97
Kentucky	06/96
Louisiana	08/96
Massachusetts	09/96
Maryland	07/96
Michigan	04/96
Mississippi	11/96
Missouri	10/96
Montana	06/96
Nebraska	10/96
New Hampshire	04/97
New Jersey	08/96
New York	09/96
Nevada	01/97
Ohio	10/96
Pennsylvania	01/97
South Carolina	03/97
Tennessee	07/96
Texas	05/96
Utah	04/96
Virginia	05/96
Washington	12/96
Wisconsin	10/96
W. Virginia	10/96

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.4. List the states in which the company is registered or certified to do business by the respective state public utility commission.
- A.4. The company has registered with or obtained certification from the following public utility commission(s) or comparable agencies:

Alabama
Arkansas
Connecticut
Delaware
Florida
Georgia
Idaho
Indiana
Kansas
Kentucky
Louisiana
Massachusetts
Maryland
Mississippi
Missouri
Montana
Nebraska
New Hampshire
New York
Nevada
Ohio
Pennsylvania
South Carolina
Tennessee
Texas
Washington
Wisconsin
W. Virginia

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

Q.5. Does the company have any registrations or certifications pending before other state public utility commissions? If yes, list the states.

A.5. The company has certifications or registrations pending in the following states:

Arizona, Oregon and Oklahoma.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.6. Has the company been denied registration or certification by public utility commissions in any state? If so, provide the state, docket number, date of denial and reason for denial.
- A.6. The company has not been denied registration or certification by any public utility commission to which it has applied.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.7. What are the reasons for the company seeking authority to conduct business in South Dakota?
- A.7. The Company wishes to eventually provide service in all or most of the contiguous United States and will, therefore, have customers in other states with long distance needs in South Dakota.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.8. Is this registration part of a nationwide or regionwide application process before public utility commissions? If yes, state why South Dakota is included.
- A.8. Yes. The Company does intend to provide service in all of of the contiguous United States. South Dakota is included since many customers from other states will also have needs within the state of South Dakota.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.9. When does the company intend to provide intrastate service to South Dakota subscribers?
- A.9. The company intends to begin providing service in South Dakota immediately upon certification.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.10. If the company is providing intrastate service in South Dakota, when was it started?
- A.10. The Company is not currently providing intrastate service in South Dakota.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.11. How does the company handle customer billings?
- A.11. The Company performs its own billing functions. Monthly bills are sent out in the Company's name with its address and 800 telephone number stated on the bill.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.12. How does the company handle customer service matters?
- A.12. The Company's customer service personnel are available via an 800 telephone number which is stated on all customer bills. All customer service matters are handled in an expeditious and professional manner by the company's customer service personnel.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.13. Does the company have a toll-free telephone number for customer service? If so, what is it and is it included in the company's tariffs.
- A.13. The Company's toll-free telephone number is 1-800-570-7305. This number is included in the company's tariff.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.14. Where is the customer service department located?
- A.14. The company's customer service department is located in Houston, Texas.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.15. How many customer service personnel are available to answer customer concerns?
- A.15. The company employs 3 full time customer service personnel which are available to answer all customer concerns.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.17. Does the company own any telecommunications facilities?
If so, where and what.
- A.17. The company does not own any telecommunications
facilities.

START

OF

RETAKE

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.16. Does the company contract with other companies for customer services? If yes, provide their name, address and telephone number.
- A.16. The company does not contract with other companies for provision of its customer service functions.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.17. Does the company own any telecommunications facilities?
If so, where and what.
- A.17. The company does not own any telecommunications
facilities.

END

OF

RETAKE

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.18. Does the company have in-house service technicians to maintain the facilities? If not, who does the service?
- A.18. The company does not have any facilities to maintain.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.19. What types of intrastate telecommunication services will the company provide in South Dakota?
- A.19. The company will provide MTS, Inbound 800 service and Travel Card service.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.20. If the above services are resold services of another carrier, identify the carrier and the type of services purchased from that carrier.
- A.20. The Company resells the services of IXC Long Distance, Inc. and/or other certificated carrier(s).

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.21. How does the company intend to market its services in South Dakota?
- A.21. The company will market its services via independent agents which are skilled in the sale of long distance services and possibly print media.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.22. How will potential customers be contacted?
- A.22. Potential customers will be contacted via general print or other forms of media campaigns or by an independent agent via telephone.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

Q.23. Will independent contractors and/or company sales people
be selling the company services in South Dakota?

A.23. Yes.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.24. If independent contractors are used, how does the company recruit such individuals?
- A.24. Independent agents are given a review of the history and operations of the company, are required to have experience in the telecommunications industry and are expected to operate in a professional manner.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.25. Describe the training method undertaken by the company for independent contractors and company sale persons. Provide any materials used in the training process.
- A.25. Since the Company requires its contractors to have a telecommunications background, the need for extensive training is alleviated. No written materials are used in the training process.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.26. If sales are made through independent contractors, is there a written contract or agreement between the company and the independent contractor? If so, please provide a copy of the agreement.
- A.26. The Company has not made any arrangements with independent contractors and intends to use in-house sales personnel for marketing of its services.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.27. How are the sales individuals compensated, i.e. commission, salary, etc.?
- A.27. Sales agents are paid on a commission-only basis.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.28. Does the company engage in any multi-level marketing? If yes, provide a detailed explanation of the marketing procedure.
- A.28. The company does not engage in multi-level marketing.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.29. Does the company have a target market?
- A.29. The company markets its services to both residential and business customers, but targets mainly small to large business customers.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
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- Q.30. Does the company market through nonprofit corporations or organizations? If so, please explain the methods used. How is the organization compensated? What types of organizations does the company or its agents solicit for assistance in sales?
- A.30. The company does not market through nonprofit corporations or organizations.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.31. Provide copies of any company brochures used to assist in the sale of services.
- A.31. No sales brochures currently exists for the Company.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.31. Provide copies of any company brochures used to assist in the sale of services.
- A.31. No sales brochures currently exists for the Company.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.32. Please indicate whether the company will provide intraLATA and/or interLATA services.
- A.32. The company will provide both interLATA and IntraLATA services to the extent authorized by the Commission.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.33. Does the company have a volume discount plan? If so, does it combine intrastate and interstate usage?
- A.33. The Company does not currently have a volume discount plan.

State of South Dakota
Public Utilities Commission

INITIAL STAFF DATA REQUEST

REGARDING APPLICATION OF
RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

- Q.34. Provide cost support for all rates shown in the company's tariff.
- A.34. The Company's rates are based on the rate at which the company purchases the service with an adjustment for market considerations.

EXHIBIT D

RRV ENTERPRISES, INC.
D/B/A CONSUMER ACCESS

SD P.U.C. Tariff No. 1
Original Sheet No. 1

TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

TARIFF NO. 1

This tariff contains the description, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS with principal offices at 5120 Woodway, Suite 7007, Houston, Texas 77056. This tariff is on file with the South Dakota Public Utilities Commission, and copies may be inspected during normal business hours at the Company's principal place of business.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

RRV ENTERPRISES, INC.
D/B/A CONSUMER ACCESS

SD P.U.C. Tariff No. 1
Original Sheet No. 2

TELECOMMUNICATIONS SERVICES TARIFF

CHECK SHEET

All sheets of this tariff are effective as of the date shown at the bottom of the respective pages. Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>
1	Original	21	Original
2	Original	22	Original
3	Original	23	Original
4	Original	24	Original
5	Original	25	Original
6	Original	26	Original
7	Original	27	Original
8	Original		
9	Original		
10	Original		
11	Original		
12	Original		
13	Original		
14	Original		
15	Original		
16	Original		
17	Original		
18	Original		
19	Original		
20	Original		

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TELECOMMUNICATIONS SERVICES TARIFF

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TELECOMMUNICATIONS SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Deleted or Discontinued Material
- I - Change Resulting in a Rate Increase
- N - New Regulation, Term, Condition or Rate
- R - Change Resulting in a Rate Reduction
- T - Change In Text or Regulation, but no Change in Rates

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TELECOMMUNICATIONS SERVICES TARIFF

TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper-right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be Sheet 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper-right corner of the sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, 4th Revised Sheet 34 cancels 3rd Revised Sheet 34.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level of coding.
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a)
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i)
 - 2.1.1.A.1.(a).I.(i).(1)
- D. Check Sheets - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS

1.1 Definitions:

Application for Service - A standard order form which includes all pertinent billing, technical, and other descriptive information which will enable the carrier to provide the communication service as required.

Authorized User - A person, firm, corporation, or other entity authorized by the customer to receive or send communications.

Cancellation of Order - A customer-initiated request to discontinue processing a service order, either in part or in its entirety, prior to its completion. Cancellation charges will be assessed for each circuit-end or dedicated access line cancelled from an order prior to its completion by carrier under the following circumstances: (1) if the local telephone company has confirmed in writing to the carrier that the circuit-end or dedicated access line will be installed; or (2) if the carrier has already submitted facilities orders to an interconnecting telephone company.

Carrier - RRV Enterprises, Inc., unless stated otherwise.

Class of Service - Various categories of telephone service generally available to customers, such as business or residential.

Commission - South Dakota Public Utilities Commission.

Company - RRV Enterprises, Inc.

Completed Calls - Completed calls are calls answered on the distance end.

Customer or Subscriber - The person, firm, corporation, or other entity which orders or uses service and is responsible by law for payment for communication service from the telephone utility.

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TELECOMMUNICATIONS SERVICES TARIFF

1.1 Definitions (continued)

Customer Provided Equipment - Terminal equipment provided by a customer.

Delinquent Account - An account for which a bill or payment agreement for regulated services or equipment has not been paid in full on or before the last day for timely payment.

Direct Distance Dialing (DDD) - Customer dialing over the nationwide intertoll telephone network of calls to which toll charges are applicable. No operator assistance is required for DDD calls.

Due Date - The last day for payment without unpaid amounts being subject to a late payment charge or additional collection efforts.

Holidays - Carrier's recognized holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

Measured Use Service - The provision of long distance measured time communications telephone service to customers who access the carrier's services at its switching and call processing equipment by means of access facilities obtained from another carrier by the customer or otherwise provided at its own expense (the customer is responsible for arranging for the access line).

Message - A completed telephone call by a customer or user.

Premises - The space occupied by an individual customer in a building, in adjoining buildings occupied entirely by that customer, or on contiguous property occupied by the customer separated only by a public thoroughfare, a railroad right of way or a natural barrier.

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TELECOMMUNICATIONS SERVICES TARIFF

1.1 Definitions (continued)

Rates - Recurring amounts billed to customers for regulated services and/or equipment.

Reseller - RRV Enterprises, Inc., unless the context means otherwise.

Terminal Equipment - All telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wiring, which are intended to be connected electrically, acoustically or inductively to the telecommunication system of the telephone utility.

Underlying Carrier - The telecommunications carrier whose network facilities provides the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic.

1.2 Abbreviations:

LATA - Local Access Transport Area

LEC - Local Exchange Carrier

MTS - Message Toll Service

NSF - Non-Sufficient Funds

PBX - Private Branch Exchange

V&H - Vertical and Horizontal

WATS - Wide Area Telephone Service

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of Company

The Company undertakes to provide only those services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within the State. The Company's services are provided on a statewide basis and are not intended to be limited geographically.

Communications originate when the customer accesses network directly or through the facilities of the local service carrier via one or more access lines, equal access or on a dial-up basis. The company may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Carrier network. The customer shall be responsible for all charges stated in this tariff.

The Company's services are provided on a monthly basis unless otherwise stated in this tariff, and are available twenty-four (24) hours per day, seven (7) days per week.

2.2 Limitations on Service

- 2.2.1 Service is offered subject to the provisions of this tariff.
- 2.2.2 Carrier reserves the right to provide services only to and from locations where the necessary facilities or equipment are available.
- 2.2.4 Title to any equipment provided by Carrier under these regulations remains with Carrier. Prior written permission from the company is required before any assignment or transfer. In the event an assignment or transfer is allowed, all regulations and conditions contained in this tariff shall apply to the assignees or transferees.

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TELECOMMUNICATIONS SERVICES TARIFF

2.3 Use of Service

Service may not be used for any unlawful purposes.

The minimum period for service is one month (30 days) unless otherwise noted in the service description.

2.4 Liability of Carrier

2.4.1 Carrier shall not be liable to any person, firm or entity for damages, either direct, indirect, consequential, special, incidental, actual, punitive, or for any other damages or for any lost profits of any kind or nature whatsoever, arising out of mistakes, accidents, errors, omissions, interruptions, delays or defects in transmissions, not caused by the negligence of the carrier, commencing upon activation of service and in no event exceeding an amount equivalent to the proportionate charge to the customer for the period of service during which the mistake(s), accident(s), error(s), omission(s), interruption(s), delay(s) or defect(s) in transmission occur.

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TELECOMMUNICATIONS SERVICES TARIFF

2.4 Liability of Carrier

2.4.2 Carrier, at its own expense, will indemnify the customer and hold it harmless in respect to any and all loss, damage, liability or expense asserted against the customer by a third party on account of any property damage or personal injury caused by any negligence or willful misconduct of Carrier or its agents or representatives arising out of performance by Carrier of any testing or other activities on the customer's premises pursuant to this tariff. Carrier's obligations under the immediately preceding sentence shall be subject to the customer's full performance of this tariff and subject further to the customer's duty to take reasonable precautions in the location, construction, maintenance and operation of all activities, facilities and equipment for the protection against hazard or injury and so as to not interfere with the services provided by Carrier.

2.4.3 Carrier shall be indemnified and held harmless by the customer against:

- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name, or service mark arising out of the material, data information, or other content transmitted over the carrier's facilities; and

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TELECOMMUNICATIONS SERVICES TARIFF

2.4 Liability of Carrier

2.4.3 (continued)

- B. Claims for patent infringement of copyright or unauthorized use of any trademark, trade name, or service mark arising out of the material, data information, or other content transmitted over the carriers facilities; and
- C. All other claims arising out of any act or omission by the customer in connection with any service provided by Carrier.

2.4.4 Carrier shall not be liable for, and the customer indemnifies and holds Carrier harmless from and all loss, claims, demands, suits, or other actions, or any liability whatsoever, whether suffered, made, instituted, or asserted by the customer or by any party or persons, for a personal injury to, or death of, any person or persons, and for any loss, damage, defacement, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, condition, location, or use that is not the direct result of the Carrier's negligence. No agents or employees of other carriers shall be deemed to be agents or employees of Carrier.

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TELECOMMUNICATIONS SERVICES TARIFF

2.5 Interruption of Service

2.5.1. Carrier shall make all reasonable efforts to prevent interruptions of service. When interruptions are reported or found by Carrier to occur, Carrier shall reestablish service as quickly as possible.

2.5.2 When a customer's service access line is reported to be out of order and remains out of order in excess of two (2) consecutive hours, the company shall, upon request, make appropriate adjustments to the subscriber's account. This rule does not apply if the outage occurs as a result of:

- (1) A negligent or willful act on the part of the subscriber;
- (2) A malfunction of subscriber-owned telephone equipment;
- (3) Disasters or acts of God; or
- (4) The inability of the company to gain access to the subscriber's premises after Carrier has requested that customer provide access to the premises.
- (5) Carrier's provision of routine maintenance, testing or adjustments.

2.5.3 The customer shall be credited for an interruption of two (2) hours or more at the rate of 1/720th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Credit for an interruption shall commence with the hour of the report or discovery of the interruption and will cease upon restoration of service. Any adjustments not in dispute shall be rendered within two billing periods after the billing period during which the interruption occurred.

2.5.4. Customers shall notify Carrier of interruptions in service. Before giving notice of interruption, the customer should ascertain whether the trouble is being caused by any action or omission by or within his control or in any wiring or equipment connected to the Carrier's terminal.

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2.6 Responsibility of the Customer

2.6.1 All customers assume general responsibilities in connection with the provisions and use of services stated in this tariff. All customers are responsible for the following:

- A. The customer is responsible for placing orders for service, paying all charges for service rendered by Carrier and complying with all regulations governing the service. The customer is also responsible for assuring that its users comply with regulations.
- B. When placing an order for service, the customer must provide:
 - 1. The name(s) and address(es) of the person(s) responsible for the payment of service charges.
 - 2. The name(s), telephone number(s), and address(es) of the customer contact person(s).

2.6.2 Maintenance, Testing, and Adjustment

If a customer's service must be interrupted due to maintenance, Carrier shall notify the affected customer, in advance, if possible and will perform the work in such a manner as to minimize inconvenience.

Equipment provided by Carrier shall be made available to Carrier for such tests and adjustments as may be necessary to maintain them in satisfactory condition.

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TELECOMMUNICATIONS SERVICES TARIFF

2.6.3 Deposits

The Company may require a customer who has a proven history of late payment or whose financial responsibility is not a matter of record to make a deposit to be held as a guarantee for the payment of charges. Such a deposit shall not exceed an amount equal to two (2) months estimated or actual service or as may reasonably be required by the utility in cases involving service for short periods of time or special occasions. No written notice is required to be given of a deposit required as a prerequisite for commencing initial service.

Deposits, plus interest as prescribed by the Commission, shall be refunded after 12 consecutive months of prompt payment or upon disconnection. The deposit or any portion thereof may be applied to any charges unpaid after thirty days from the invoice date.

2.6.4 Cancellation by Customer

If a customer orders services requiring special equipment and/or facilities dedicated to the customer's use and then cancels his order before the service begins, before a completion of the minimum period mutually agreed upon by the customer and Carrier, a charge will be made to the customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the customer by Carrier and not fully reimbursed by installation and monthly charges. If, based on such an order, any construction has either begun or been completed, but not such services provided, the non-recoverable cost of such construction shall be borne by the customer.

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2.6.5 Payment of Charges

- A. Service is provided and billed on a monthly (30 day) basis. Charges based on actual usage during a month will be billed monthly in arrears. All fixed monthly and non-recurring charges for services ordered will be billed monthly in advance.
- B. Bills are payable upon receipt of invoice. Customers will be charged a late payment penalty in the amount of one and one-half percent (1.5%) per month on delinquent amounts and will be responsible for any charges associated with disconnection and reconnection of service. A bill will be considered delinquent after thirty (30) days from rendition of the invoice.
- C. In the event of a dispute concerning a bill, Customer must pay a sum equal to the amount of the undisputed portion of the bill and proceed with complaint procedures set forth in this tariff. If notice of a dispute as to charges is not received in writing within thirty (30) days after a bill has been rendered, the billing will be considered correct and binding.
- D. Customer is responsible for payment of all state and local taxes (i.e. gross receipts tax, sales tax, municipal utilities tax) which shall be listed as separate line items and which are not included in Carrier's quoted rates.
- E. Customers will be charged a fee on all checks issued to Carrier which are returned due to non-sufficient funds.

2.6.6 Application of Charges

The charges for service are those in effect for the period that service is furnished.

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2.6.7 Customer Complaint Procedure

Carrier will resolve any disputes brought to its attention as promptly and effectively as possible.

Customer inquiries, complaints or notices may be made in writing to the Company at the address stated in this tariff or via the Customer Services 800 number: 1-800-570-7305.

Any unresolved disputes may be directed to the attention of the South Dakota Public Utilities Commission at:

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
(605) 773-3201 or
1-800-332-1782

In the event of a dispute concerning an invoice, the customer must pay a sum equal to the amount of the undisputed portion of the bill. Service shall not be disconnected for nonpayment of the disputed portion of the bill for 30 days after rendition of the disputed bill.

2.7.1 Credit Upon Cancellation

Where Carrier cancels a service and the final service period is less than the monthly billing period, a credit will be issued for any amounts billed in advance, prorated at 1/30th of the monthly recurring charge for each day the service was not rendered. This credit will be issued to the customer or applied against the balance remaining on the customer's account.

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TELECOMMUNICATIONS SERVICES TARIFF

2.7.2 Disconnection of Service by Carrier

Five (5) days prior notice of pending disconnection shall be rendered to customers setting forth the reason(s) for the notice and the final date by which the account is to be settled or specific action taken. Such notice shall be forwarded to the customer via U.S. mail and will be considered rendered when delivered to the last known address of the responsible party.

Transmission service will be refused or disconnected, after notice as set forth below, for any of the following reasons:

- A. Without notice in the event of a condition on the customer's premises determined by the Carrier to be hazardous.
- B. Without notice in the event of customer's use in a manner which may adversely affect the Carrier's equipment or service to others.
- C. Without notice in the event of tampering with equipment furnished and owned by the Carrier.
- D. Without notice in the event of unauthorized use.
- E. After five (5) days written notice, for violation of or noncompliance with the Carrier's rules on file with the Commission, the requirements of municipal ordinances or law pertaining to the services.
- F. After five (5) days written notice for failure of the customer to permit Carrier reasonable access to its equipment.
- G. Upon five (5) days prior written notice for nonpayment of any regulated sum due to Carrier.

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2.7.2 Disconnection of Service by Carrier

H. After five (5) days written notice, for failure of the customer or prospective customer to furnish any service equipment, permits, certificates or rights of way specified by Carrier to be furnished as a condition for obtaining service, or for the withdrawal of that same equipment or the termination of those permissions or rights, or for the failure of the customer or prospective customer to fulfill the contractual obligations imposed upon the customer as conditions of obtaining service.

2.7.3 Fractional Credits for Monthly Billed Services

Credits for a fractional part of a month are calculated by counting the number of days remaining in the billing period after service was discontinued. The number of days remaining in the billing period is divided by thirty and the resultant fraction is then multiplied by the monthly charge to arrive at the credit amount.

2.7.4 Advance Payments

The company does not collect advance payments, but reserves the right to collect up to one (1) month's estimated charges as advance payment for service when the financial circumstances of the customer warrants. Any advance payment required will be applied towards the next month's charges and a new advance payment, if necessary, may be collected for the following month.

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SECTION 3 - DESCRIPTION OF SERVICE AND RATES

3.1 Timing of Calls

The customer's monthly usage charges for Carrier service are based upon the total number of minutes the customer uses and service options subscribed to. Chargeable time begins when the connection is established between the calling station and the called station or PBX. Chargeable time ends when either party "hangs up."

3.2 Service Period

For billing purposes, the start of service is the first day on which service is available for use by the customer. The end of service date is the last day or any portion of the last day for which service was provided by Carrier.

3.3 Interconnection

Service furnished by Carrier may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Carrier. Service furnished by Carrier is not part of a joint undertaking with such other carriers. Any special interface equipment shall be provided at the customer's expense.

Interconnection with the facilities or services of other carriers shall be under the applicable terms and conditions of this tariff. The customer is responsible for taking all necessary legal steps for interconnecting his customer-provided terminal equipment or communications systems with Carrier's. The customer shall secure all licenses, permits, right-of-ways, and other arrangements necessary for such interconnection.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

3.4 Terminal Equipment

- 3.4.1 Carrier's service may be used with or terminated in customer provided terminal equipment or customer provided communication systems, such as teleprinters, handsets, or data sets. Such terminal equipment shall be furnished and maintained at the expense of the customer. The customer is responsible for all costs at his premises, including customer personnel, wiring, electrical power, and the like incurred in his use of Carrier's service.
- 3.4.2 When terminal equipment is used, the equipment shall not interfere with service furnished to other customers. Additional protective equipment, if needed, shall be employed at the customer's expense.
- 3.4.3 If the customer fails to maintain and operate his terminal equipment properly, resulting in the occurrence or possibility of harm to Carrier's equipment or personnel, or impairment to the quality of service to other customers, Carrier may, upon written notice, require the use of protective equipment at the customer's expense. If this fails to produce satisfactory quality and safety of service, Carrier may, upon written notice, terminate the customer's service.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

3.5 Calculation of Distance

Usage charges for any mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The company uses the rate centers and associated vertical and horizontal coordinates generally used within the industry.

Formula:
$$\sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

3.6 Minimum Call Completion Rate

The customer can expect a call completion rate of 99% per 100 calls attempted during peak use periods for Feature Group D (1+) services.

3.7 Special Services

For purposes of this tariff, a Special Service is deemed to be any service requested by the customer for which there is no prescribed rate in this tariff. Special Services charges will be developed on an individual case basis and filed in this tariff.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

3.8 Services Offerings

The company will provide the following services:

3.8.1 Message Toll Service (MTS)

"1+" Dialing is achieved by customer's telephone lines being programmed by the local telephone company (LEC) to automatically route 1+ calls to the Company's network.

3.8.2 800 Service

800 Service is virtual banded inbound toll service which permits calls to be completed at the subscriber's location without charge to the calling party. Access to the service is gained by dialing a ten digit telephone number which terminates at the customer's location. 800 services originate via normal shared use facilities and are terminated via the customers' local exchange service access line. The 800 service offered by Carrier is available to customers as a stand-alone offering.

Carrier will accept a prospective 800 service customer's request for up to ten (10) 800 telephone numbers and will reserve such number(s) on a first come first serve basis. All requests for 800 number reservations must be made in writing, dated and signed by a responsible representative of the customer. Carrier does not guarantee the availability of number(s) until assigned. The 800 services telephone number(s) so requested, if found to be available, will be reserved for and furnished to the eligible customer.

If a customer who has received an 800 number does not subscribe to 800 service within 90 days, the company reserves the right to make the assigned number available for use by another customer.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

3.8.3 Travel Card Service

Allows subscribers who are away from home or office to place calls by gaining access to the network via an 800 number and personal identification number issued by the Company.

3.8.4 Directory Assistance

Directory Assistance will be provided by the Carrier at per call charge as set forth in this tariff.

3.8.5 Operator Services

The Company does not provide operator services. Operator assisted calls are defaulted to and billed directly by the underlying carrier.

All 0- and 911 calls are immediately defaulted to and handled by the underlying carrier.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES AND CHARGES

4.1. Usage Charges and Billing Increments

4.1.1 Usage Charges

Unless flat rated, usage charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call origination at the customer's location.

4.1.2 Billing Increments

Usage is billed in accordance with the billing increments set forth in the individual product rate sections of this tariff. All partial usage will be rounded up to the next highest applicable billing increment.

4.1.3 Rounding

All calls are rounded to the next highest billing interval. Any partial cents per call will be rounded up to the next highest whole cent.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

4.2 Outbound MTS Rates

A. Rates:

<u>Day</u>	<u>Evening</u>	<u>N/WE</u>
\$0.315/min.	\$0.275/min.	\$0.275/min.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$2.96, billed in advance.

4.3 Inbound 800 Service Rates

A. Rates: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$3.05

D. Minimum Monthly Usage Charge: \$5.00 per month.

4.4 Travel Card Service Rates

A. Rate: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. One time installation Charge: \$4.96

D. Minimum Monthly Usage Charge: \$6.00, billed in advance.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

4.2 Outbound MTS Rates

A. Rates:

<u>Day</u>	<u>Evening</u>	<u>N/WE</u>
\$0.315/min.	\$0.275/min.	\$0.275/min.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$2.96, billed in advance.

4.3 Inbound 800 Service Rates

A. Rates: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$3.05

D. Minimum Monthly Usage Charge: \$5.00 per month.

4.4 Travel Card Service Rates

A. Rate: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. One time installation Charge: \$4.96

D. Minimum Monthly Usage Charge: \$6.00, billed in advance.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

4.5 Directory Assistance

Directory assistance will be provided at a charge of \$0.85 per call.

4.6 Late Payment Penalty

Customers will be charged 1.5% of any amounts owed to the Company beyond the due date as set forth within this tariff.

4.7 Dishonored Check Charge

All customers issuing dishonored check(s) will be charged a fee of \$20.00 per check.

4.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance marketing of services. These promotional offerings will be subject to Commission approval prior to implementation.

ISSUED: May 7, 1997

EFFECTIVE: July 10, 1997

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

EXHIBIT E

01/15/97

RRV Enterprises, Inc. dba Consumer Access
Profit and Loss
 January through November 1996

	Jan - Nov '96
Ordinary Income/Expense	
Income	
CARRIER INCOME	3,977,208.63
Non Fee Income	35,233.72
Total Income	4,012,442.35
Expense	
Advertising	2,384.50
Automobile Expense	1,518.62
Bank Service Charges	703.19
Call Center	254,801.58
Commissions	1,225,823.81
Consumer Benefits & Svcs	374,444.45
Data Entry	76,771.55
Data Processing	70,143.73
Dues and Subscriptions	2,706.26
Employee Costs	234,831.24
FF&E Expense	27,608.29
Insurance	3,328.50
Licenses and Permits	16,761.15
Miscellaneous	164.94
Office Supplies	22,145.40
Postage and Delivery	153,668.17
Printing and Reproduction	368,508.57
Processing & Fulfillment	27,178.07
Professional Development	950.00
Professional Fees	121,278.16
Rent	14,025.42
Taxes	50.00
Telco Usage/Billing	1,207,860.19
Telephone	14,363.03
Travel & Ent	37,982.74
Total Expense	4,260,101.58
Net Ordinary Income	(247,659.21)
Other Income/Expense	
Other Income	
Interest Earned	314.66
Total Other Income	314.66
Other Expense	
Interest Expense	33,066.20
Total Other Expense	33,066.20
Net Other Income	(32,751.54)
Net Income	(280,410.75)

01/15/97

RRV Enterprises, Inc. dba Consumer Access
Balance Sheet
 As of November 30, 1996

	Nov 30, '96
ASSETS	
Current Assets	
Checking/Savings	
Checking-118397	70,855.35
Money Market	311.66
Total Checking/Savings	71,167.01
Accounts Receivable	
LEC Receivables	522,638.23
Total Accounts Receivable	522,638.23
Other Current Assets	
Funding Reserves	225,500.56
Prepaid Expenses	60,608.26
Undeposited Funds	940.11
Total Other Current Assets	287,048.93
Total Current Assets	880,854.17
Fixed Assets	
FF&E	182,096.53
Total Fixed Assets	182,096.53
Other Assets	
Deposits	5,400.00
Total Other Assets	5,400.00
TOTAL ASSETS	1,068,350.70
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	478,261.76
Total Accounts Payable	478,261.76
Other Current Liabilities	
HBS Billing Services	339,536.62
LDN - funds held for IXC	155,870.78
Payroll Liabilities	25,227.46
Total Other Current Liabilities	520,634.86
Total Current Liabilities	998,896.62
Long Term Liabilities	
Senior Secured Notes	348,864.83
Total Long Term Liabilities	348,864.83
Total Liabilities	1,347,761.45
Equity	
Capital	1,000.00
Net Income	(280,410.75)
Total Equity	(279,410.75)
TOTAL LIABILITIES & EQUITY	1,068,350.70

EXHIBIT F

000 2 4450

NEXT

DOCUMENT (S)

DISREGARD

BACKGROUND

2380

RRV ENTERPRISES, INC.
DBA CONSUMER ACCESS
5120 WOODWAY, #8020
HOUSTON, TX 77056

SOUTHWEST BANK OF TEXAS, N.A.
HOUSTON, TEXAS 77227-7459
35-1125-1130

5/5/97

PAY TO THE ORDER OF South Dakota Public Utilities Commission

\$ **250.00

Two Hundred Fifty and 00/100*****

DOLLARS

South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SC 57501-5070

VOID AFTER 90 DAYS

MEMO

Certificate of Public Convenience and Tarriff



⑈002380⑈ ⑆⑆⑆⑆30⑆⑆⑆258⑆⑆⑆0⑆⑆⑆839 7⑈

South Dakota
Public Utilities Commission
State Capitol 500 E. Capitol
Pierre, SD 57501-5070
Phone: (800) 332-1782
Fax: (605) 773-3809

TELECOMMUNICATIONS SERVICE FILINGS

These are the telecommunications service filings that the Commission has received for the period of:

05/09/97 through 05/15/97

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
NEGOTIATED WIRELESS INTERCONNECTION AGREEMENT FILED			
TC97-053	Western Wireless Corporation and Dakota Cooperative Telecommunications, Inc. submitted copies of the contract entered into between the parties for a wireless interconnection agreement. Any person wishing to comment on the parties' request for approval may do so by filing written comments with the Commission and the parties to the agreement no later than June 4, 1997. Parties to the agreement may file written responses to the comments no later than June 23, 1997.	05/14/97	Responses Due 06/04/97
REQUEST FOR CERTIFICATE OF AUTHORITY			
TC97-052	Application by RRV Enterprises, Inc. d/b/a Consumer Access for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) "Applicant proposes to offer MTS, Incoming 800 and Travel Card services."	05/09/97	05/30/97
FILING OF INFORMATIONAL INTRASTATE PAYPHONE TARIFFS			
NA	Kennebec Telephone Co., Inc. on May 9, 1997; Roberts County Telephone Cooperative Association on May 9, 1997; Valley Telco on May 9, 1997; Valley Cable & Satellite Communications Inc. on May 9, 1997; Western Telephone Company on May 12, 1997; Splitrock Telecom Cooperative on May 12, 1997; Baltic Telecom Cooperative on May 12, 1997; Beresford Municipal Telephone Company on May 12, 1997; Tri-County Telcom, Inc. on May 13, 1997; Stockholm-Strandburg Telephone Company on May 13, 1997; Bridgewater-Canistota Independent Telephone Company on May 14, 1997; Union Telephone Company on May 14, 1997; Armour Independent Telephone Company on May 14, 1997; Mobridge Telecommunications Cooperative on May 14, 1997; West River Telecommunications Cooperative on May 14, 1997; Interstate Telecommunications Cooperative, Inc. on May 14, 1997; Intrastate Telephone Company, Inc. on May 14, 1997; Sioux Valley Telephone Company on May 14, 1997; James Valley Telephone Company on May 14, 1997; Accent Communications Corporation on May 14, 1997; McCook Cooperative Telephone Company and its subsidiaries on May 15, 1997.	NA	NA

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing it to Terry Norum at terryn@pucc.state.sd.us. Faxing the address to the Commission at: 605-773-3809.

NOWALSKY, BRONSTON & GOTHARD, L.L.P.
ATTORNEYS AT LAW

LEON L. NOWALSKY
BENJAMIN W. BRONSTON
EDWARD P. GOTHARD

3500 N. CAUSEWAY BOULEVARD
SUITE 1442
METAIRIE, LOUISIANA 70002
TELEPHONE: (504) 832-1984
FACSIMILE: (504) 831-0892

MONICA R. BORNE
JEFFREY T. GREENBERG
Of Counsel

September 4, 1997

RECEIVED

SEP 08 1997

Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

RE: RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS
Docket No. TC-97-052

Dear Sir:

In response to the Commission's letter dated June 5, 1997, the Company submits an original and ten copies of its amended original tariff. All references to advanced payment have been eliminated along with the Effective date.

Thank you for your assistance. Please call with any questions.

Sincerely,



Monica R. Borne

Enclosure

RRV ENTERPRISES, INC.
D/B/A CONSUMER ACCESS

SD P.U.C. Tariff No. 1
Original Sheet No. 1

TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

TARIFF NO. 1

This tariff contains the description, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS with principal offices at 5120 Woodway, Suite 7007, Houston, Texas 77056. This tariff is on file with the South Dakota Public Utilities Commission, and copies may be inspected during normal business hours at the Company's principal place of business.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY:

Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

RRV ENTERPRISES, INC.
D/B/A CONSUMER ACCESS

SD P.U.C. Tariff No. 1
Original Sheet No. 2

TELECOMMUNICATIONS SERVICES TARIFF

CHECK SHEET

All sheets of this tariff are effective as of the date shown at the bottom of the respective pages. Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>
1	Original	21	Original
2	Original	22	Original
3	Original	23	Original
4	Original	24	Original
5	Original	25	Original
6	Original	26	Original
7	Original	27	Original
8	Original		
9	Original		
10	Original		
11	Original		
12	Original		
13	Original		
14	Original		
15	Original		
16	Original		
17	Original		
18	Original		
19	Original		
20	Original		

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

RRV ENTERPRISES, INC.
D/B/A CONSUMER ACCESS

SD P.U.C. Tariff No. 1
Original Sheet No. 3

TELECOMMUNICATIONS SERVICES TARIFF

TABLE OF CONTENTS

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Section 1: Definitions and Abbreviations.....	06
Section 2: Rules and Regulations.....	09
Section 3: Description of Service.....	20
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ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Deleted or Discontinued Material
- I - Change Resulting in a Rate Increase
- N - New Regulation, Term, Condition or Rate
- R - Change Resulting in a Rate Reduction
- T - Change In Text or Regulation, but no Change in Rates

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper-right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be Sheet 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper-right corner of the sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, 4th Revised Sheet 34 cancels 3rd Revised Sheet 34.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level of coding.
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a)
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i)
 - 2.1.1.A.1.(a).I.(i).(1)
- D. Check Sheets - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS

1.1 Definitions:

Application for Service - A standard order form which includes all pertinent billing, technical, and other descriptive information which will enable the carrier to provide the communication service as required.

Authorized User - A person, firm, corporation, or other entity authorized by the customer to receive or send communications.

Cancellation of Order - A customer-initiated request to discontinue processing a service order, either in part or in its entirety, prior to its completion. Cancellation charges will be assessed for each circuit-end or dedicated access line cancelled from an order prior to its completion by carrier under the following circumstances: (1) if the local telephone company has confirmed in writing to the carrier that the circuit-end or dedicated access line will be installed; or (2) if the carrier has already submitted facilities orders to an interconnecting telephone company.

Carrier - RRV Enterprises, Inc., unless stated otherwise.

Class of Service - Various categories of telephone service generally available to customers, such as business or residential.

Commission - South Dakota Public Utilities Commission.

Company - RRV Enterprises, Inc.

Completed Calls - Completed calls are calls answered on the distance end.

Customer or Subscriber - The person, firm, corporation, or other entity which orders or uses service and is responsible by law for payment for communication service from the telephone utility.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

1.1 Definitions (continued)

Customer Provided Equipment - Terminal equipment provided by a customer.

Delinquent Account - An account for which a bill or payment agreement for regulated services or equipment has not been paid in full on or before the last day for timely payment.

Direct Distance Dialing (DDD) - Customer dialing over the nationwide intertoll telephone network of calls to which toll charges are applicable. No operator assistance is required for DDD calls.

Due Date - The last day for payment without unpaid amounts being subject to a late payment charge or additional collection efforts.

Holidays - Carrier's recognized holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

Measured Use Service - The provision of long distance measured time communications telephone service to customers who access the carrier's services at its switching and call processing equipment by means of access facilities obtained from another carrier by the customer or otherwise provided at its own expense (the customer is responsible for arranging for the access line).

Message - A completed telephone call by a customer or user.

Premises - The space occupied by an individual customer in a building, in adjoining buildings occupied entirely by that customer, or on contiguous property occupied by the customer separated only by a public thoroughfare, a railroad right of way or a natural barrier.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

1.1 Definitions (continued)

Rates - Recurring amounts billed to customers for regulated services and/or equipment.

Reseller - RRV Enterprises, Inc., unless the context means otherwise.

Terminal Equipment - All telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wiring, which are intended to be connected electrically, acoustically or inductively to the telecommunication system of the telephone utility.

Underlying Carrier - The telecommunications carrier whose network facilities provides the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic.

1.2 Abbreviations:

LATA - Local Access Transport Area

LEC - Local Exchange Carrier

MTS - Message Toll Service

NSF - Non-Sufficient Funds

PBX - Private Branch Exchange

V&H - Vertical and Horizontal

WATS - Wide Area Telephone Service

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of Company

The Company undertakes to provide only those services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within the State. The Company's services are provided on a statewide basis and are not intended to be limited geographically.

Communications originate when the customer accesses network directly or through the facilities of the local service carrier via one or more access lines, equal access or on a dial-up basis. The company may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Carrier network. The customer shall be responsible for all charges stated in this tariff.

The Company's services are provided on a monthly basis unless otherwise stated in this tariff, and are available twenty-four (24) hours per day, seven (7) days per week.

2.2 Limitations on Service

2.2.1 Service is offered subject to the provisions of this tariff.

2.2.2 Carrier reserves the right to provide services only to and from locations where the necessary facilities or equipment are available.

2.2.4 Title to any equipment provided by Carrier under these regulations remains with Carrier. Prior written permission from the company is required before any assignment or transfer. In the event an assignment or transfer is allowed, all regulations and conditions contained in this tariff shall apply to the assignees or transferees.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

2.3 Use of Service

Service may not be used for any unlawful purposes.

The minimum period for service is one month (30 days) unless otherwise noted in the service description.

2.4 Liability of Carrier

2.4.1 Carrier shall not be liable to any person, firm or entity for damages, either direct, indirect, consequential, special, incidental, actual, punitive, or for any other damages or for any lost profits of any kind or nature whatsoever, arising out of mistakes, accidents, errors, omissions, interruptions, delays or defects in transmissions, not caused by the negligence of the carrier, commencing upon activation of service and in no event exceeding an amount equivalent to the proportionate charge to the customer for the period of service during which the mistake(s), accident(s), error(s), omission(s), interruption(s), delay(s) or defect(s) in transmission occur.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

2.4 Liability of Carrier

2.4.2 Carrier, at its own expense, will indemnify the customer and hold it harmless in respect to any and all loss, damage, liability or expense asserted against the customer by a third party on account of any property damage or personal injury caused by any negligence or willful misconduct of Carrier or its agents or representatives arising out of performance by Carrier of any testing or other activities on the customer's premises pursuant to this tariff. Carrier's obligations under the immediately preceding sentence shall be subject to the customer's full performance of this tariff and subject further to the customer's duty to take reasonable precautions in the location, construction, maintenance and operation of all activities, facilities and equipment for the protection against hazard or injury and so as to not interfere with the services provided by Carrier.

2.4.3 Carrier shall be indemnified and held harmless by the customer against:

- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name, or service mark arising out of the material, data information, or other content transmitted over the carrier's facilities; and

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EFFECTIVE:

ISSUED BY: Scott Moster, President
RRV Enterprises, Inc.
5120 Woodway, Suite 7007
Houston, Texas 77056

TELECOMMUNICATIONS SERVICES TARIFF

2.4 Liability of Carrier

2.4.3 (continued)

- B. Claims for patent infringement of copyright or unauthorized use of any trademark, trade name, or service mark arising out of the material, data information, or other content transmitted over the carriers facilities; and
- C. All other claims arising out of any act or omission by the customer in connection with any service provided by Carrier.

2.4.4 Carrier shall not be liable for, and the customer indemnifies and holds Carrier harmless from and all loss, claims, demands, suits, or other actions, or any liability whatsoever, whether suffered, made, instituted, or asserted by the customer or by any party or persons, for a personal injury to, or death of, any person or persons, and for any loss, damage, defacement, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, condition, location, or use that is not the direct result of the Carrier's negligence. No agents or employees of other carriers shall be deemed to be agents or employees of Carrier.

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TELECOMMUNICATIONS SERVICES TARIFF

2.6 Responsibility of the Customer

2.6.1 All customers assume general responsibilities in connection with the provisions and use of services stated in this tariff. All customers are responsible for the following:

- A. The customer is responsible for placing orders for service, paying all charges for service rendered by Carrier and complying with all regulations governing the service. The customer is also responsible for assuring that its users comply with regulations.
- B. When placing an order for service, the customer must provide:
 - 1. The name(s) and address(es) of the person(s) responsible for the payment of service charges.
 - 2. The name(s), telephone number(s), and address(es) of the customer contact person(s).

2.6.2 Maintenance, Testing, and Adjustment

If a customer's service must be interrupted due to maintenance, Carrier shall notify the affected customer, in advance, if possible and will perform the work in such a manner as to minimize inconvenience.

Equipment provided by Carrier shall be made available to Carrier for such tests and adjustments as may be necessary to maintain them in satisfactory condition.

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2.6.3 Deposits

The Company may require a customer who has a proven history of late payment or whose financial responsibility is not a matter of record to make a deposit to be held as a guarantee for the payment of charges. Such a deposit shall not exceed an amount equal to two (2) months estimated or actual service or as may reasonably be required by the utility in cases involving service for short periods of time or special occasions. No written notice is required to be given of a deposit required as a prerequisite for commencing initial service.

Deposits, plus interest as prescribed by the Commission, shall be refunded after 12 consecutive months of prompt payment or upon disconnection. The deposit or any portion thereof may be applied to any charges unpaid after thirty days from the invoice date.

2.6.4 Cancellation by Customer

If a customer orders services requiring special equipment and/or facilities dedicated to the customer's use and then cancels his order before the service begins, before a completion of the minimum period mutually agreed upon by the customer and Carrier, a charge will be made to the customer for the non-recoverable portions of expenditures or liabilities incurred expressly on behalf of the customer by Carrier and not fully reimbursed by installation and monthly charges. If, based on such an order, any construction has either begun or been completed, but not such services provided, the non-recoverable cost of such construction shall be borne by the customer.

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TELECOMMUNICATIONS SERVICES TARIFF

2.6.5 Payment of Charges

- A. Service is provided and billed on a monthly (30 day) basis. Charges based on actual usage during a month will be billed monthly in arrears. All fixed monthly and non-recurring charges for services ordered will be billed monthly in advance.
- B. Bills are payable upon receipt of invoice. Customers will be charged a late payment penalty in the amount of one and one-half percent (1.5%) per month on delinquent amounts and will be responsible for any charges associated with disconnection and reconnection of service. A bill will be considered delinquent after thirty (30) days from rendition of the invoice.
- C. In the event of a dispute concerning a bill, Customer must pay a sum equal to the amount of the undisputed portion of the bill and proceed with complaint procedures set forth in this tariff. If notice of a dispute as to charges is not received in writing within thirty (30) days after a bill has been rendered, the billing will be considered correct and binding.
- D. Customer is responsible for payment of all state and local taxes (i.e. gross receipts tax, sales tax, municipal utilities tax) which shall be listed as separate line items and which are not included in Carrier's quoted rates.
- E. Customers will be charged a fee on all checks issued to Carrier which are returned due to non-sufficient funds.

2.6.6 Application of Charges

The charges for service are those in effect for the period that service is furnished.

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2.6.7 Customer Complaint Procedure

Carrier will resolve any disputes brought to its attention as promptly and effectively as possible.

Customer inquiries, complaints or notices may be made in writing to the Company at the address stated in this tariff or via the Customer Services 800 number: 1-800-570-7305.

Any unresolved disputes may be directed to the attention of the South Dakota Public Utilities Commission at:

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
(605) 773-3201 or
1-800-332-1782

In the event of a dispute concerning an invoice, the customer must pay a sum equal to the amount of the undisputed portion of the bill. Service shall not be disconnected for nonpayment of the disputed portion of the bill for 30 days after rendition of the disputed bill.

2.7.1 Credit Upon Cancellation

Where Carrier cancels a service and the final service period is less than the month's billing period, a credit will be issued for any amounts billed in advance, prorated at 1/30th of the monthly recurring charge for each day the service was not rendered. This credit will be issued to the customer or applied against the balance remaining on the customer's account.

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2.7.2 Disconnection of Service by Carrier

Five (5) days prior notice of pending disconnection shall be rendered to customers setting forth the reason(s) for the notice and the final date by which the account is to be settled or specific action taken. Such notice shall be forwarded to the customer via U.S. mail and will be considered rendered when delivered to the last known address of the responsible party.

Transmission service will be refused or disconnected, after notice as set forth below, for any of the following reasons:

- A. Without notice in the event of a condition on the customer's premises determined by the Carrier to be hazardous.
- B. Without notice in the event of customer's use in a manner which may adversely affect the Carrier's equipment or service to others.
- C. Without notice in the event of tampering with equipment furnished and owned by the Carrier.
- D. Without notice in the event of unauthorized use.
- E. After five (5) days written notice, for violation of or noncompliance with the Carrier's rules on file with the Commission, the requirements of municipal ordinances or law pertaining to the services.
- F. After five (5) days written notice for failure of the customer to permit Carrier reasonable access to its equipment.
- G. Upon five (5) days prior written notice for nonpayment of any regulated sum due to Carrier.

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2.7.2 Disconnection of Service by Carrier

H. After five (5) days written notice, for failure of the customer or prospective customer to furnish any service equipment, permits, certificates or rights of way specified by Carrier to be furnished as a condition for obtaining service, or for the withdrawal of that same equipment or the termination of those permissions or rights, or for the failure of the customer or prospective customer to fulfill the contractual obligations imposed upon the customer as conditions of obtaining service.

2.7.3 Fractional Credits for Monthly Billed Services

Credits for a fractional part of a month are calculated by counting the number of days remaining in the billing period after service was discontinued. The number of days remaining in the billing period is divided by thirty and the resultant fraction is then multiplied by the monthly charge to arrive at the credit amount.

2.7.4 Advance Payments

The company does not collect advance payments, but reserves the right to collect up to one () month's estimated charges as advance payment for service when the financial circumstances of the customer warrants. Any advance payment required will be applied towards the next month's charges and a new advance payment, if necessary, may be collected for the following month.

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 3 - DESCRIPTION OF SERVICE AND RATES

3.1 Timing of Calls

The customer's monthly usage charges for Carrier service are based upon the total number of minutes the customer uses and service options subscribed to. Chargeable time begins when the connection is established between the calling station and the called station or PBX. Chargeable time ends when either party "hangs up."

3.2 Service Period

For billing purposes, the start of service is the first day on which service is available for use by the customer. The end of service date is the last day or any portion of the last day for which service was provided by Carrier.

3.3 Interconnection

Service furnished by Carrier may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Carrier. Service furnished by Carrier is not part of a joint undertaking with such other carriers. Any special interface equipment shall be provided at the customer's expense.

Interconnection with the facilities or services of other carriers shall be under the applicable terms and conditions of this tariff. The customer is responsible for taking all necessary legal steps for interconnecting his customer-provided terminal equipment or communications systems with Carrier's. The customer shall secure all licenses, permits, right-of-ways, and other arrangements necessary for such interconnection.

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3.4 Terminal Equipment

- 3.4.1 Carrier's service may be used with or terminated in customer provided terminal equipment or customer provided communication systems, such as teleprinters, handsets, or data sets. Such terminal equipment shall be furnished and maintained at the expense of the customer. The customer is responsible for all costs at his premises, including customer personnel, wiring, electrical power, and the like incurred in his use of Carrier's service.
- 3.4.2 When terminal equipment is used, the equipment shall not interfere with service furnished to other customers. Additional protective equipment, if needed, shall be employed at the customer's expense.
- 3.4.3 If the customer fails to maintain and operate his terminal equipment properly, resulting in the occurrence or possibility of harm to Carrier's equipment or personnel, or impairment to the quality of service to other customers, Carrier may, upon written notice, require the use of protective equipment at the customer's expense. If this fails to produce satisfactory quality and safety of service, Carrier may, upon written notice, terminate the customer's service.

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TELECOMMUNICATIONS SERVICES TARIFF

3.5 Calculation of Distance

Usage charges for any mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The company uses the rate centers and associated vertical and horizontal coordinates generally used within the industry.

Formula:
$$\sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

3.6 Minimum Call Completion Rate

The customer can expect a call completion rate of 99% per 100 calls attempted during peak use periods for Feature Group D (1+) services.

3.7 Special Services

For purposes of this tariff, a Special Service is deemed to be any service requested by the customer for which there is no prescribed rate in this tariff. Special Services charges will be developed on an individual case basis and filed in this tariff.

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3.8 Services Offerings

The company will provide the following services:

3.8.1 Message Toll Service (MTS)

"1+" Dialing is achieved by customer's telephone lines being programmed by the local telephone company (LEC) to automatically route 1+ calls to the Company's network.

3.8.2 800 Service

800 Service is virtual banded inbound toll service which permits calls to be completed at the subscriber's location without charge to the calling party. Access to the service is gained by dialing a ten digit telephone number which terminates at the customer's location. 800 services originate via normal shared use facilities and are terminated via the customers' local exchange service access line. The 800 service offered by Carrier is available to customers as a stand-alone offering.

Carrier will accept a prospective 800 service customer's request for up to ten (10) 800 telephone numbers and will reserve such number(s) on a first come first serve basis. All requests for 800 number reservations must be made in writing, dated and signed by a responsible representative of the customer. Carrier does not guarantee the availability of number(s) until assigned. The 800 services telephone number(s) so requested, if found to be available, will be reserved for and furnished to the eligible customer.

If a customer who has received an 800 number does not subscribe to 800 service within 90 days, the company reserves the right to make the assigned number available for use by another customer.

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3.8.3 Travel Card Service

Allows subscribers who are away from home or office to place calls by gaining access to the network via an 800 number and personal identification number issued by the Company.

3.8.4 Directory Assistance

Directory Assistance will be provided by the Carrier at per call charge as set forth in this tariff.

3.8.5 Operator Services

The Company does not provide operator services. Operator assisted calls are defaulted to and billed directly by the underlying carrier.

All 0- and 911 calls are immediately defaulted to and handled by the underlying carrier.

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TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES AND CHARGES

4.1. Usage Charges and Billing Increments

4.1.1 Usage Charges

Unless flat rated, usage charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call origination at the customer's location.

4.1.2 Billing Increments

Usage is billed in accordance with the billing increments set forth in the individual product rate sections of this tariff. All partial usage will be rounded up to the next highest applicable billing increment.

4.1.3 Rounding

All calls are rounded to the next highest billing interval. Any partial cents per call will be rounded up to the next highest whole cent.

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TELECOMMUNICATIONS SERVICES TARIFF

4.2 Outbound MTS Rates

A. Rates:

<u>Day</u>	<u>Evening</u>	<u>N/WE</u>
\$0.315/min.	\$0.275/min.	\$0.275/min.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$2.96

4.3 Inbound 800 Service Rates

A. Rates: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. Monthly Recurring Charge: \$3.05

D. Minimum Monthly Usage Charge: \$5.00 per month.

4.4 Travel Card Service Rates

A. Rate: \$0.25 per minute.

B. Billed in one (1) minute increments.

C. One time installation Charge: \$4.96

D. Minimum Monthly Usage Charge: \$6.00

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4.5 Directory Assistance

Directory assistance will be provided at a charge of \$0.85 per call.

4.6 Late Payment Penalty

Customers will be charged 1.5% of any amounts owed to the Company beyond the due date as set forth within this tariff.

4.7 Dishonored Check Charge

All customers issuing dishonored check(s) will be charged a fee of \$20.00 per check.

4.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance marketing of services. These promotional offerings will be subject to Commission approval prior to implementation.

ISSUED: May 7, 1997

EFFECTIVE:

ISSUED BY: Scott Moster, President
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5120 Woodway, Suite 7007
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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF) ORDER GRANTING
RRV ENTERPRISES, INC. D/B/A CONSUMER) CERTIFICATE OF
ACCESS FOR A CERTIFICATE OF AUTHORITY) AUTHORITY
TO PROVIDE TELECOMMUNICATIONS)
SERVICES IN SOUTH DAKOTA) TC97-052

On May 9, 1997, 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 from RRV Enterprises, Inc. d/b/a Consumer Access (Consumer Access)

Consumer Access proposes to offer resold intrastate long distance services such as MTS, incoming 800, and travel card services. A proposed tariff was filed by Consumer Access. The Commission has classified long distance service as fully competitive.

On May 15, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 30, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 25, 1997, meeting, the Commission considered Consumer Access' request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Consumer Access not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20 10 24 02 and 20 10 24 03. The Commission finds that Consumer Access has met the legal requirements established for the granting of a certificate of authority. Consumer Access 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 Consumer Access' application for a certificate of authority, subject to the condition that Consumer Access not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Consumer Access' application for a certificate of authority is hereby granted, subject to the condition that Consumer Access not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that Consumer Access shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 31st day of October, 1997.

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, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By *Michelle Karbe*

Date 10/8/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

CERTIFICATE OF AUTHORITY

To Conduct Business As A Telecommunications Company
Within The State Of South Dakota

Authority was Granted September 25, 1997
Docket No. TC97-052

This is to certify that

RRV ENTERPRISES, INC. D/B/A CONSUMER ACCESS

is authorized to provide telecommunications services in South Dakota.

This certificate is issued in accordance with SDCL 49-31-3 and ARSD 20:10:24.02, and is subject to all of the conditions and limitations contained in the rules and statutes governing its conduct of offering telecommunications services.

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION:



James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner