

DATE	MEMORANDA
7/9 99	Survival Filing;
7/13 99	Forwarded Check and Deckled;
7/15 99	Weekly Filing;
11/22 99	Certificate of Authority from Sec. of State;
11/22 99	Forwarded Bill Pages;
1/12 00	Order Granting COA;
1/13 00	Recket Cash.

**Lance J.M. Steinhart**  
Attorney At Law  
6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097

Also Admitted in New York  
and Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

July 6, 1999

**VIA AIRBORNE EXPRESS**

Mr. William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
(605) 773-3201

**RECEIVED**

JUL 09 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Re: Ozark Telecom, Inc.

Dear Mr. Bullard:

Enclosed please find one original and ten (10) copies of Ozark Telecom, Inc.'s Application for Registration of a Telecommunications Company.

Please note that Exhibit A, the Certificate of Authority from the Secretary of State, is not attached. We have applied for the certificate and will forward a copy to the commission upon receipt.

In order to expedite the processing of this application, I would like to suggest that all requests for information by the analyst be made by either telephone or facsimile. I will make every effort to respond on the day of the request.

I have also enclosed a check in the amount of \$250.00 payable to the "South Dakota Public Utilities Commission" for the filing fee, and an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for Ozark Telecom, Inc.

Enclosures

cc: Ms. Linda Walters

*Called 7/9/99  
because check  
was not  
enclosed.*



APPLICATION FOR REGISTRATION  
OF OZARK TELECOM, INC.  
FILED WITH THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE )  
APPLICATION OF )  
OZARK TELECOM, INC. )  
FOR AN ORDER ) Docket No. \_\_\_\_\_  
AUTHORIZING THE REGISTRATION )  
OF APPLICANT AS A )  
TELECOMMUNICATIONS COMPANY )

APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission for an Order authorizing Ozark Telecom, Inc. ("Applicant") to register as a telecommunications company within the State of South Dakota. The following information is furnished in support thereof:

1. Name, Address and Telephone Number of Applicant:

Ozark Telecom, Inc.  
1115 Mill Street  
Camden, South Carolina 29020  
Telephone: (803) 425-4001

2. The name under which the Applicant will provide these services if different than in 1. above:

3. Applicant's corporate information:

Applicant was incorporated in the State of Arkansas on February 23, 1999. A copy of the Applicant's Articles of Incorporation is attached hereto as Exhibit A. A copy of Applicant's Certificate of Authority to transact business as a foreign corporation in the State of South Dakota is attached hereto as Exhibit B.

The Applicant has no principal office in South Dakota. The name and address of the Applicant's registered agent is:

National Registered Agents, Inc.  
300 South Phillips Avenue, Ste. 300  
Sioux Falls, SD 57102

The names and address of each corporation, association, partnership, cooperative, or individual holding a 20% or greater ownership or management interest in the Applicant corporation and the amount and character of the ownership or management interest are as follows:

Name and Address	Shares Owned	Percentage of all Shares Issued and Outstanding and Voting Control
National Bankcard Services, Inc. 1115 Mill Street Camden, SC 29020	100,000	100%



4. Partnership Information:

Not Applicable.

5. Description of Services Applicant intends to offer:

Applicant is a reseller which intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card and prepaid calling card service.

6. Means by which the Applicant intends to provide services:

Applicant does not own or maintain any transmission facilities or switching equipment in the State of South Dakota. The Applicant will provide services through Sprint and Primetech, its underlying carriers. As a reseller, Applicant has no points of presence in the State of South Dakota, thus Applicant neither owns, leases, nor operates any switching, transmission, or other physical facilities in the State of South Dakota, and no such facilities will be used by Applicant in providing service in the State of South Dakota. Rather, Applicant will be engaged in reselling services provided by facilities-based carriers within the State of South Dakota.

7. Geographic Areas in which services will be offered:

Applicant intends to provide services on a statewide basis.

8. Financial Qualifications:

Applicant is financially qualified to provide intrastate interexchange telecommunications services within South Dakota. In particular, Applicant has adequate access to the capital necessary to fulfill any obligations it may undertake with respect to the provision of intrastate telecommunications services in the State of South Dakota. See Exhibit C, which is

attached hereto, Applicant's parent company's Financial Statements for the three months ended March 31, 1999, which demonstrate that Applicant has the financial ability to provide the services that it proposes to offer.

9. Applicant's complaints and regulatory matters contact and how Applicant handles customer billings and customer service matters.

All inquiries regarding regulatory matters should be addressed to:

Linda Walters  
1115 Mill Street  
Camden, South Carolina 29020  
Telephone: (803) 425-4001  
Facsimile: (803) 424-0315  
E-Mail:

All inquiries regarding complaints should be addressed to:

Jennifer Brown  
1115 Mill Street  
Camden, South Carolina 29020  
Telephone: (803) 425-4001  
Facsimile: (803) 424-0315  
E-Mail:

The Applicant's customers will be direct billed utilizing "real-time" completed call detail information from Applicant's underlying carriers and its own switching equipment. Applicant's toll-free number will be on all invoices and customer service will be provided in-house by the Applicant.



**10. Regulatory Status:**

Applicant is currently in the process of obtaining all required authorizations from the state regulatory agencies. Applicant is currently authorized to provide service in: Colorado, Idaho, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Montana, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Texas, Utah, and Virginia. The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified. The Applicant has never been denied registration or certification nor withdrawn its request for registration or certification in any state.

**11. Description of Marketing**

Applicant intends to market its services to primarily to small to mid-sized businesses and residential customers. All sales personnel will have telecommunications service experience. Applicant will market through direct sales by employees and agents. Applicant does not intend to engage in multilevel marketing. Initially, Applicant will offer only prepaid calling cards, therefore, no marketing materials are available at this time.

**12. Cost Support:**

Applicant intends to provide services at a price above its cost.

**13. Federal Tax Identification Number:**

56-2127045

**14. The Number and Nature of Complaints filed against the Applicant with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered:**

None

**15. Tariff**

A copy of Applicant's proposed tariff is attached hereto as Exhibit E.



WHEREFORE, the undersigned Applicant requests that the South Dakota Public Utilities Commission enter an order granting this application.

DATED this 16 day of July, 1999.

Ozark Telecom, Inc.

By:   
Lance J.M. Steinhart, Its Counsel

6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097  
(770) 232-9200

STATE OF SOUTH CAROLINA  
COUNTY OF KERSHAW

Linda Walters, being first duly sworn, deposes and says that she is the President of Ozark Telecom, Inc., the Applicant in the proceeding entitled above, that she has read the foregoing application and knows the contents thereof; that the same are true of her knowledge, except as to matters which are therein stated on information or belief, and to those matters he believes them to be true.

Linda Walters  
Linda Walters

Subscribed and sworn to before this 25th day of March, 1999.

Paula J. Smith  
Notary Public

My Commission expires: 9/20/2000



**LIST OF EXHIBITS**

- A - ARTICLES OF INCORPORATION**
- B - CERTIFICATE OF AUTHORITY**
- C - MARKETING MATERIAL**
- D - FINANCIAL INFORMATION**
- E - PROPOSED TARIFF**

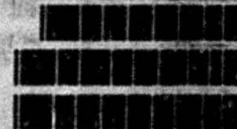
**EXHIBIT A - ARTICLES OF INCORPORATION**





Sharon Priest  
SECRETARY OF STATE

# State of Arkansas SECRETARY OF STATE



To All to Whom These Presents Shall Come, Greeting:

I, Sharon Priest, Secretary of State of the state of Arkansas, do hereby certify that the following and hereto attached instrument of writing is a true and perfect copy of

OZARK TELECOM, INC.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal. Done at my office in the City of Little Rock, Arkansas this 1st day of March 1999.

Sharon Priest, Secretary of State

by:

D E Morrow

CC-1/Rev. 1-27-95

01/25/95

11:47

UNISERV INC + 778 232 9288

NC 814 002

CERTIFIED COPY

Corporations and UCC Records - Elections - Capital Building - REGISTRATIONS DIVISION



Arkansas Secretary of State  
Sharon Priest

State Capitol • Little Rock, Arkansas 72201-1094 • 501.682.3030

99 FEB 23 PM 1:22

SHARON PRIEST  
SECRETARY OF STATE  
STATE OF ARKANSAS

BY: JS

Instructions: File in DUPLICATE with the Arkansas Secretary of State, State Capitol, Little Rock, Arkansas 72201-1094 with payment of fees. Duplicate copy will be returned to the Corporation at the listed address.

PLEASE TYPE OR CLEARLY PRINT IN INK

## ARTICLES OF INCORPORATION

Ozark Telecom, Inc.

The undersigned acting as incorporator of a corporation under the Arkansas Business Corporation Act (Act 608 of 1987), adopt the following Articles of Incorporation of such Corporation:

First: The name of the Corporation is:  
Ozark Telecom, Inc.

Must contain the words "Corporation," "Incorporated," "Company," "Limited," or the abbreviation "Corp., "Inc.," "Co." or Ltd. or words or abbreviations of like import in another language.

Second: The aggregate number of shares which the Corporation shall have the authority to issue is  
100,000 share(s).

The designation of each class, the number of shares of each class, or a statement that the shares of any class are without par value, are as follow:

Number of Shares	Class	Series (if any)	Par Value Per Share Or Statement That Shares Are Without Par Value
100,000	Common		<u>\$ .01</u>

Third: The initial registered office of this Corporation shall be located at  
101 South Spring Street, Little Rock, AR 72201  
and the name of the initial registered agent of this Corporation at that address is  
National Registered Agents, Inc. of AR

Filing Fee \$50.00

Good exp. 3-1-98

CERTIFIED COPY





**EXHIBIT B - CERTIFICATE OF AUTHORITY**



**EXHIBIT C - MARKETING MATERIAL**

**Not Available**

**EXHIBIT D - FINANCIAL INFORMATION**



**WATERBEE BUSINESS & TAX SERVICE INC**

1071 HWY 1 SOUTH P O BOX 88

LUGOFF SC 29079

Tel: (803) 438-6781 Fax: (803) 438-4743

**NATIONAL BANKCARD SERVICES INC****BALANCE SHEET**

MARCH 31, 1999

**ASSETS****CURRENT ASSETS:**

Cash in Bank	\$ 71,500	
Accounts Receivable	477,402	
Merchandise Inventory	95,000	
Total Current Assets		<u>\$ 643,902</u>

**FIXED ASSETS:**

Machinery and Equipment	35,600	
Autos and Trucks	8,000	
Office Equipment	23,850	
Buildings	245,000	
Total Fixed Assets		<u>312,450</u>

**OTHER ASSETS:**

OSARK TRUCKS	150,000	
OSARK TELECOM EQUIPMENT	127,500	
Total Other Assets		<u>277,500</u>

**TOTAL ASSETS:**\$ 1,233,852**LIABILITIES****CURRENT LIABILITIES:**

Accounts Payable	\$ 335,000	
Taxes Accrued	2,650	
Loans Payable	63,000	
Federal Income Taxes	4,200	
LEGAL FEES OSARK TELE	48,000	
Total Current Liabilities		<u>\$ 452,850</u>

**LONG TERM LIABILITIES:**

Mortgage Payable	133,800	
Total Long Term Liabilities		<u>133,800</u>

**TOTAL LIABILITIES**586,650**EQUITY**

Common Stock	15,000	
Retained Earnings	390,049	
OSARK TRUCKS	13,421	
Year to Date Earnings	228,732	
Total Equity		<u>647,202</u>

**TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY**\$ 1,233,852

This information is the representation of management. This statement has not been audited or reviewed and we do not express an opinion or any other form of assurance on it.

**WATEREE BUSINESS & TAX SERVICE INC**

1871 HWY 1 SOUTH P O BOX 89

LUGOFF SC 29078

Tel: (803) 438-9161 Fax: (803) 438-4743

**NATIONAL BANKCARD SERVICES INC****STATEMENT OF INCOME****JANUARY 1 - MARCH 31, 1999**

<b>Income:</b>		
Gross Sales	\$ 449,113	\$ 449,113
Gross Income		
<b>Cost of Goods Sold:</b>		
Beginning Inventory	157,280	
Purchases	73,316	
Ending Inventory	<u>95,000</u>	
Cost of Goods Sold		<u>135,596</u>
Gross Profit		313,517
<b>Operating Expenses:</b>		
Advertising	6,883	
Bank Charges	100	
Commissions	5,995	
Delivery	1,214	
Insurance	3,646	
Office Expense	4,234	
Outside Services	2,790	
Rent	1,200	
Salaries	38,185	
Taxes-Payroll	3,999	
Telephone	2,908	
Travel	12,601	
Utilities	<u>1,030</u>	
Total Operating Expenses		<u>84,785</u>
Net Income (Loss)		<u>228,732</u>

This information is the representation of management.  
 Statements have not been audited or reviewed and we do not  
 express an opinion or any other form of assurance on them.



**EXHIBIT E - PROPOSED TARIFF**

OZARK TELECOM, INC.

ORIGINAL SHEET 1

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

SOUTH DAKOTA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by Ozark Telecom, Inc. ("Ozark"), with principal offices at 1115 Mill Street, Camden, South Carolina 29020. This tariff applies for services furnished within the State of South Dakota. 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: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



OZARK TELECOM, INC.

ORIGINAL SHEET 2

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

RESERVED FOR FUTURE USE

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

OZARK TELECOM, INC.

ORIGINAL SHEET 3

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

CHECK SHEET

The Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). 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 sheet.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
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22	Original
23	Original
24	Original
25	Original
26	Original
27	Original
28	Original
29	Original
30	Original
31	Original
32	Original

\* New or Revised Sheet

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



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ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFFTARIFF 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 pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets currently in effect.

C. Paragraph Numbering Sequence: There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 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 filed with the Commission.

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ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

SYMBOLS

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

- (C) to signify change in regulation
- (D) to signify a deletion
- (I) to signify a rate increase
- (L) to signify material relocated in the tariff
- (N) to signify a new rate or regulation
- (R) to signify a rate reduction
- (T) to signify a change in text, but no change in rate or regulation

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to Ozark's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable Ozark to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the South Dakota Public Utilities Commission.

Customer - The person, firm, corporation or other legal entity which orders the services of Ozark and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or Ozark - Used throughout this tariff to mean Ozark Telecom, Inc., an Arkansas corporation.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the Customer's location to the Company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

Prepaid Account - An inventory of Telecom Units purchased in advance by the Customer, and associated with one and only one Authorization Code as contained in a specific Prepaid Calling Card.

Prepaid Calling Card - A card issued by the Company, containing an Authorization Code which identifies a specific Prepaid Account of Telecom Units, which enables calls to be processed, account activity to be logged, and balances to be maintained, on a prepayment basis.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

Resp. Org - Responsible Organization or entity identified by an 800 service Customer that manages and administers records in the 800 database and management system.

Switched Access - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

Telecom Unit - A measurement of telecommunications service equivalent to one minute of usage between any two points within the State of South Dakota.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

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

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

TELECOMMUNICATIONS SERVICES TARIFFSECTION 2 - RULES AND REGULATIONS2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by Ozark for telecommunications between points within the State of South Dakota. Resale services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company reserves the right to examine the credit record and check the references of all applicants and Customers. The Company may examine the credit profile/record of any applicant prior to accepting the service order. The service application shall not in itself obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record is, in the opinion of the Company, contrary to the best interest of the Company. 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 a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

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ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

- 2.1.1 The services provided by Ozark are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers which may be subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the resale services furnished by Ozark and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of Ozark.
- 2.1.3 The Company reserves the right to limit the length of communications, to discontinue furnishing services, or limit the use of service necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

2.2 Use of Services

- 2.2.1 Ozark's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services, subject to any limitations set forth in this Section 2.2.
- 2.2.2 The use of Ozark's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

- 2.2.3 The use of Ozark's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 Ozark's services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 Ozark does not transmit messages, but the services may be used for that purpose.
- 2.2.6 Ozark's services may be denied for nonpayment of charges or for other violations of this tariff.
- 2.2.7 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.2.8 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

**2.3 Liability of the Company**

- 2.3.1 The Company shall not be liable for any claim, loss, expense or damage for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by the Underlying Carrier, an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control.
- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF

- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.3.4 Reserved for Future Use
- 2.3.5 Reserved for Future Use
- 2.3.6 Reserved for Future Use

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

- 2.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

**2.4 Responsibilities of the Customer**

- 2.4.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by Ozark on the Customer's behalf.
- 2.4.3 If required for the provision of Ozark's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to Ozark.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to Ozark and the Customer when required for Ozark personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of Ozark's services.
- 2.4.5 The Customer shall cause the temperature and relative humidity in the equipment space provided by Customer for the installation of Ozark's equipment to be maintained within the range normally provided for the operation of microcomputers.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with Ozark's facilities or services, that the signals emitted into Ozark's network are of the proper mode, bandwidth, power and signal level for the intended use of the subscriber and in compliance with criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, Ozark will permit such equipment to be connected with its channels without the use of protective interface devices. If the Customer fails to maintain the equipment and/or the system properly, with resulting imminent harm to Ozark equipment, personnel or the quality of service to other Customers, Ozark may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, Ozark may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay Ozark for replacement or repair of damage to the equipment or facilities of Ozark caused by negligence or willful act of the Customer or others, by improper use of the services, or by use of equipment provided by Customer or others.
- 2.4.8 The Customer must pay for the loss through theft of any Ozark equipment installed at Customer's premises.
- 2.4.9 If Ozark installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.10 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.

**2.5 Cancellation or Interruption of Services**

- 2.5.1 Without incurring liability, upon five (5) working days' (defined as any day on which the company's business office is open and the U.S. Mail is delivered) written notice to the Customer, Ozark may immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:
- 2.5.1.A For nonpayment of any sum due Ozark for more than thirty (30) days after issuance of the bill for the amount due, unless the charge is in dispute;
- 2.5.1.B For violation of any of the provisions of this tariff,
- 2.5.1.C For violation of any law, rule, regulation, policy of any governing authority having jurisdiction over Ozark's services, or
- 2.5.1.D By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Ozark from furnishing its services.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF

- 2.5.2 Without incurring liability, Ozark may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and Ozark's equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.
- 2.5.3 Service may be discontinued by Ozark without notice to the Customer, by blocking traffic to certain countries, cities or NXX exchanges, or by blocking calls using certain Customer authorization codes, when Ozark deems it necessary to take such action to prevent unlawful use of its service. Ozark will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.
- 2.5.4 The Customer may terminate service upon thirty (30) days written notice for the Company's standard month to month contract. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

OZARK TELECOM, INC.

ORIGINAL SHEET 17

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

2.6 Credit Allowance

2.6.1 Credit may be given for disputed calls, on a per call basis.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

2.7 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.8 Deposit

The Company does not require deposits.

2.9 Advance Payments

Ozark does not require advance payments.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

2.10 Payment and Billing

- 2.10.1 Service is provided and billed on a billing cycle basis, beginning on the date that service becomes effective. Billing is payable upon receipt. A late fee will be assessed on unpaid amounts 30 days after rendition of bills.
- 2.10.2 The customer is responsible for payment of all charges for services furnished to the Customer, as well as to all persons using the Customer's codes, exchange lines, facilities, or equipment, with or without the knowledge or consent of the Customer. The security of the Customer's Authorization Codes, subscribed exchange lines, and direct connect facilities is the responsibility of the Customer. All calls placed using direct connect facilities, subscribed exchange lines, or Authorization Codes will be billed to and must be paid by the Customer. Charges based on actual usage during a month and any accrued interest will be billed monthly in arrears.
- 2.10.3 All bills are presumed accurate, and shall be binding on the customer unless objection is received by the Company in writing within 180 days after such bills are rendered. No credits, refunds, or adjustments shall be granted if demand therefore is not received by the Company in writing within such 180 day period.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF**2.11 Collection Costs**

In the event Company is required to initiate legal proceedings to collect any amounts due to Company for regulated or non-regulated services, equipment or facilities, or to enforce any judgment obtained against a Customer, or for the enforcement of any other provision of this tariff or applicable law, Customer shall, in addition to all amounts due, be liable to Company for all reasonable costs incurred by Company in such proceedings and enforcement actions, including reasonable attorneys' fees, collection agency fees or payments, and court costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined by a court of competent jurisdiction or by the Commission.

**2.12 Taxes**

All federal, state and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein.

**2.13 Late Charge**

A late fee of 1.5% per month or the amount otherwise authorized by law, whichever is lower, will be charged on any past due balances.

**2.14 Returned Check Charge**

A fee of \$20.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written.

---

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 3 - DESCRIPTION OF SERVICE

3.1 Computation of Charges

- 3.1.1 The total charge for each completed call may be a variable measured charge dependent on the duration, distance and time of day of the call. The total charge for each completed call may also be dependent only on the duration of the call, i.e. a statewide flat rate per minute charge. The variable measured charge is specified as a rate per minute which is applied to each minute. All calls are measured in increments as set forth in the Rates Section of this tariff. All calls are rounded up to the next whole increment.
- 3.1.2 Where mileage bands appear in a rate table, rates for all calls are based upon the airline distance between the originating and terminating points of the call, as determined by the vertical and horizontal coordinates associated with the exchange (the area code and three digit central office code) associated with the originating and terminating telephone numbers. If the Customer obtains access to the Company's network by a dedicated access circuit, that circuit will be assigned an exchange for rating purposes based upon the Customer's main telephone number at the location where the dedicated access circuit terminates. The vertical and horizontal (V & H) coordinates for each exchange and the airline distance between them will be determined according to industry standards.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF

- 3.1.3 Timing begins when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Recognition of answer supervision is the responsibility of the Underlying Carrier. Timing for each call ends when either party hangs up. Ozark will not bill for uncompleted calls.

3.2 Customer Complaints and/or Billing Disputes

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

1115 Mill Street  
Camden, South Carolina 29020  
(888) 498-7187

Any objection to billed charges should be reported promptly to Ozark. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

TELECOMMUNICATIONS SERVICES TARIFF

The Company will respond within seventy two (72) hours of receipt of an inquiry. If the Customer is dissatisfied with the Company's response to a complaint or inquiry, the Customer may file a complaint with the Commission for resolution of the conflict. The South Dakota Public Utilities Commission can be reached at:

500 East Capitol  
Pierre, SD 57501-5070  
(605) 773-3201  
(800) 332-1782  
TTY through Relay Service South Dakota-  
(800) 877-1113

If a Customer accumulates more than One Dollar of undisputed delinquent Ozark 800 Service charges, the Ozark Resp. Org. reserves the right not to honor that Customer's request for a Resp. Org. change until such undisputed charges are paid in full.

**3.3 Level of Service**

A Customer can expect end to end network availability of not less than 99% at all times for all services.

**3.4 Billing Entity Conditions**

When billing functions on behalf of Ozark or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. Ozark's name and toll-free telephone number will appear on the Customer's bill.

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**ISSUED: July 7, 1999****EFFECTIVE: , 1999****ISSUED BY:**

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF**3.5 Service Offerings****3.5.1 1+ Dialing**

This service permits Customers to originate calls via switched or dedicated access lines, and to terminate intrastate calls. The customer dials "1+" followed by "ten digits" or dials "101XXXX" followed by "1+ ten digits".

**3.5.2 Travel Cards**

The Customer utilizes an 11 digit "toll-free" access number established by the Company to access a terminal. Upon receiving a voice prompt, the Customer uses push button dialing to enter an identification code assigned by the Company, and the ten digit number of the called party.

**3.5.3 800 Service (Toll-Free)**

This service is inbound calling only where an 800, 888 or other toll-free prefix number rings into a Customer's premise routed to a specific telephone number or terminated over a dedicated facility.

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**ISSUED: July 7, 1999****ISSUED BY:**

**Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020**

**EFFECTIVE: , 1999**

TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.4 Ozark Prepaid Calling Cards

This service permits use of Prepaid Calling Cards for placing long distance calls. Customers may purchase Ozark Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. Ozark Prepaid Calling Cards are available at a variety of face values. Ozark Prepaid Calling Card service is accessed using the Ozark toll-free number printed on the card. The caller is prompted by an automated voice response system to enter his/her Authorization Code, and then to enter the terminating telephone number. Ozark's processor tracks the call duration on a real time basis to determine the number of Telecom Units consumed. The total consumed Telecom Units for each call is deducted from the remaining Telecom Unit balance on the Customer's Ozark Prepaid Calling Card.

All calls must be charged against Prepaid Calling Card that has a sufficient Telecom Unit balance. A Customer's call will be interrupted with an announcement when the balance is about to be depleted.

In order to continue the call, the Customer can either call the toll-free number on the back of the Ozark Prepaid Calling Card and "recharge" the balance on the card using a nationally recognized credit card, or the Customer can throw the card away and purchase a new one. Calls in progress will be terminated by the Company if the balance on the Ozark Prepaid Calling Card is insufficient to continue the call and the Customer fails to enter the number of another valid Ozark Prepaid Calling Card prior to termination.

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ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

A card will expire 12 months from the date of purchase, or the date of last recharge, whichever is later. The expiration date will be printed on all cards. The Company will not refund unused balances.

A credit allowance for Ozark Prepaid Calling Card Service is applicable to calls that are interrupted due to poor transmission, one-way transmission, or involuntary disconnection of a call. To receive the proper credit, the Customer must notify the Company at the designated toll-free customer service number printed on the Ozark Prepaid Calling Card and furnish the called number, the trouble experienced (e.g. cut-off, noisy circuit, etc.), and the approximate time that the call was placed.

When a call charged to an Ozark Prepaid Calling Card is interrupted due to cut-off, one-way transmission, or poor transmission conditions, the Customer will receive a credit equivalent of one Telecom Unit.

Credit allowances for calls pursuant to Ozark Prepaid Card Service do not apply for interruptions not reported promptly to the Company or interruptions that are due to the failure of power, equipment or systems not provided by the Company.

Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of the Company.

The Company will block all calls beginning with the NPA "900" and NXX "976" calls, therefore such calls can not be completed.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

TELECOMMUNICATIONS SERVICES TARIFF

3.5.5 Directory Assistance.

Access to long distance directory assistance is obtained by dialing 1 + 555-1212 for listings within the originating area code and 1 + (area code) + 555-1212 for other listings. When more than one number is requested in a single call, a charge will apply for each number requested. A charge will be applicable for each number requested, whether or not the number is listed or published.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



TELECOMMUNICATIONS SERVICES TARIFF

## 3.5.6 Specialized Pricing Arrangements.

Customized service packages and competitive pricing packages at negotiated rates may be furnished on a case-by-case basis in response to requests by Customers to the Company for proposals or for competitive bids. Service offered under this tariff provision will be filed with the Commission. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis. The Company will notify the Commission of such arrangements as required by Commission rules and regulations.

## 3.5.7 Emergency Call Handling Procedures

Emergency "911" calls are not routed to company, but are completed through the local network at no charge.

## 3.5.8 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations. The Company will notify the Commission of such offerings as required by Commission rules and regulations.

---

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

OZARK TELECOM, INC.

ORIGINAL SHEET 29

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES

4.1 1+ Dialing

\$0.249 per minute

A \$4.95 per month service charge applies.  
Billed in one minute increments.

4.2 Travel Cards

\$.149 per minute

A \$.25 per call service charge applies.  
Billed in one minute increments.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF**4.3 Toll Free**

\$0.199 per minute

A \$10 per month per number service charge applies.  
Billed in one minute increments.

**4.4 Prepaid Calling Cards**

<u>Card</u>	<u>Price Per Telecom Unit</u>	<u>Per call charge</u>
A	\$.05 Per Telecom Unit	\$.99
B	\$.06 Per Telecom Unit	\$.99
C	\$.07 Per Telecom Unit	\$.99
D	\$.08 Per Telecom Unit	\$.99
E	\$.09 Per Telecom Unit	\$.99
F	\$.10 Per Telecom Unit	\$.89
G	\$.11 Per Telecom Unit	\$.89
H	\$.12 Per Telecom Unit	\$.89
I	\$.13 Per Telecom Unit	\$.89
J	\$.14 Per Telecom Unit	\$.89
K	\$.15 Per Telecom Unit	\$.69
L	\$.19 Per Telecom Unit	\$.59
M	\$.20 Per Telecom Unit	\$.59
N	\$.25 Per Telecom Unit	\$.49
O	\$.29 Per Telecom Unit	\$.39
P	\$.30 Per Telecom Unit	\$.30
Q	\$.33 Per Telecom Unit	\$.00
R	\$.35 Per Telecom Unit	\$.00
S	\$.39 Per Telecom Unit	\$.00
T	\$.40 Per Telecom Unit	\$.00
U	\$.50 Per Telecom Unit	\$.00

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**ISSUED: July 7, 1999****EFFECTIVE: , 1999****ISSUED BY:**

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

OZARK TELECOM, INC.

ORIGINAL SHEET 31

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

4.5 Directory Assistance

\$.95

4.6 Returned Check Charge

\$20.00

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF**4.7 Rate Periods**

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		Evening Rate Period
5 p.m. to 11 p.m.*	Evening Rate Period		
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

\* To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

**4.8 Payphone Dial Around Surcharge**

A dial around surcharge of \$.35 per call will be added to any completed INTRastate toll access code and subscriber 800/888 type calls placed from a public or semi-public payphone.

**4.9 Universal Service Fund Assessment & Presubscribed Interexchange Carrier Charge**

The Customer will be assessed a monthly federal Universal Service Fund Contribution charge on all telecommunications services, which in no event shall be less than the prevailing contribution percentage rate charged the Company on intrastate traffic by the Universal Service Administrative Company (or any successor). A Presubscribed Interexchange Carrier Charge ("PICC") applies on a monthly basis to all Customer monthly bills at the prevailing rate.

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

**Lance J.M. Steinhart**  
Attorney At Law  
6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097

Also Admitted in New York  
and Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

July 12, 1999

**VIA OVERNIGHT DELIVERY**

Mr. William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
(605) 773-3201

**RECEIVED**

JUL 13 1999

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

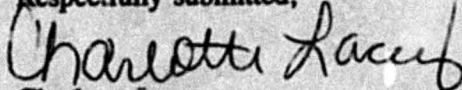
Re: Ozark Telecom, Inc.

Dear Mr. Bullard:

Enclosed please find a check in the amount of \$250.00 payable to the "South Dakota Public Utilities Commission" for the filing fee that was left out of the original filing for Ozark Telecom, Inc.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,



Charlotte Lacey  
Legal Assistant to Lance J.M. Steinhart

Attorney for Ozark Telecom, Inc.

Enclosures



NATIONAL BANKCARD SERVICES INC.  
GENERAL ACCOUNT

10000  
WASH DC 20024

DATE 7/9/99

6250

67-804538  
BRANCH 117

SOUTH CAROLINA PUBLIC UTILITIES COMMISSION

\$ 250.00XXX

ONE HUNDRED FIFTY DOLLARS AND 00/100

Dollars 100

First Citizens Bank

First Citizens Bank of South Carolina

MEMBER FDIC

*John H. Brown*

67806041008004 1412001- 6250

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
**For the Period of July 8, 1999 through July 14, 1999**

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact  
Delaine Kolbo within five business days of this filing.  
Phone: 605-773-3705 Fax: 605-773-3809

**CONSUMER COMPLAINTS**

**CT99-009**    **In the Matter of the Complaint filed by Thelma "Sally" Fox, Huron, South Dakota, against Touchtone Communications Regarding Unauthorized Billing for Services and Lack of a Certificate of Authority.**

The Complainant alleges that she was contacted by a telemarketer wishing to switch her long distance service. The Complainant claims she declined the offer but requested that information be sent to her. She later received a billing from Touchtone Communications. Touchtone Communications is not listed as a company holding a Certificate of Authority from the Public Utilities Commission. The Complainant seeks the following relief: "I'd like these charges removed from my telephone bill."

Staff Analyst: Leni Healy  
Staff Attorney: Camron Hoseck  
Date Filed: 07/08/99  
Intervention Deadline: NA

**TELECOMMUNICATIONS**

**TC99-004**    **In the Matter of the Application of Ozark Telecom, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.**

Ozark Telecom, Inc. has filed a request for a Certificate of Authority to operate as a reseller of interexchange telecommunications services throughout South Dakota. Ozark Telecom intends to offer 1+ and 101XXXX direct outbound dialing, toll-free inbound dialing, travel card and prepaid calling card service.

Staff Analyst: Michele Farris  
Staff Attorney: Jeff Koerselman  
Date Filed: 07/09/99  
Intervention Date: 07/30/99

You may receive this listing and other PUC publications via our website or via internet e-mail. You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>



**Lance J.M. Steinhart**

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6455 East Johns Crossing  
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Also Admitted in New York  
and Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

November 19, 1999

**VIA AIRBORNE EXPRESS**

Ms. Michele Farris  
Utility Analyst  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
(605) 773-3201

**RECEIVED**

NOV 22 1999

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Re: Ozark Telecom, Inc.; SD PUC Docket TC99-084

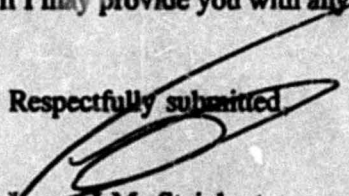
Dear Ms. Farris:

Pursuant to your letter dated November 16, 1999, please be advised that the Applicant agrees to the restrictions regarding prepaid calling cards, customer deposits and advance payments. The company's compliance tariff will have removed all references to prepaid calling cards, deposits and advance payments. Enclosed please find for filing two (2) copies of Ozark Telecom, Inc.'s Certificate of Authority issued by the Secretary of State, along with revised tariff sheets.

I have also enclosed an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for Ozark Telecom, Inc.

Enclosures

cc: Ms. Linda Walters

# State of South Dakota

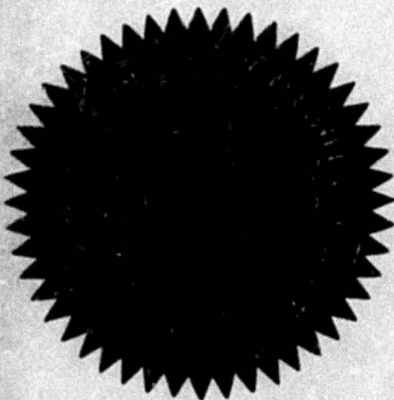


## OFFICE OF THE SECRETARY OF STATE

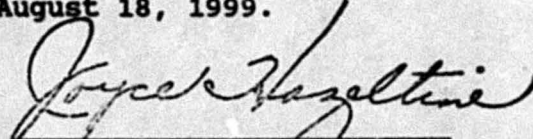
### CERTIFICATE OF AUTHORITY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of OZARK TELECOM, INC. (AR) 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.



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 August 18, 1999.

  
JOYCE HAZELTINE  
Secretary of State



TELECOMMUNICATIONS SERVICES TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to Ozark's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable Ozark to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the South Dakota Public Utilities Commission.

Customer - The person, firm, corporation or other legal entity which orders the services of Ozark and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or Ozark - Used throughout this tariff to mean Ozark Telecom, Inc., an Arkansas corporation.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the Customer's location to the Company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

TELECOMMUNICATIONS SERVICES TARIFF

Resp. Org - Responsible Organization or entity identified by an 800 service Customer that manages and administers records in the 800 database and management system.

Switched Access - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

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

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020



OZARK TELECOM, INC.

ORIGINAL SHEET 25

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

3.5.4 Reserved for Future Use

ISSUED: July 7, 1999

EFFECTIVE: , 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

OZARK TELECOM, INC.

ORIGINAL SHEET 26

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

Reserved for Future Use

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



OZARK TELECOM, INC.

ORIGINAL SHEET 30  
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

4.3 Toll Free

\$0.199 per minute

A \$10 per month per number service charge applies.  
Billed in one minute increments.

4.4 Reserved for Future Use

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

TELECOMMUNICATIONS SERVICES TARIFF**4.7 Rate Periods**

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		Evening Rate Period
5 p.m. to 11 p.m.*	Evening Rate Period		
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

\* To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

**4.8 Payphone Dial Around Surcharge**

A dial around surcharge of \$.35 per call will be added to any completed INTRASTATE toll access code and subscriber 800/888 type calls placed from a public or semi-public payphone.

ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999



TELECOMMUNICATIONS SERVICES TARIFF**4.7 Rate Periods**

	Monday - Friday	Sat.	Sun.
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ISSUED: July 7, 1999

ISSUED BY:

Linda Walters, President  
1115 Mill Street  
Camden, South Carolina 29020

EFFECTIVE: , 1999

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>OZARK TELECOM, INC. FOR A CERTIFICATE )</b>	<b>CERTIFICATE OF</b>
<b>OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>TELECOMMUNICATIONS SERVICES IN )</b>	
<b>SOUTH DAKOTA )</b>	<b>TC99-084</b>

On July 13, 1999, 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 Ozark Telecom, Inc. (Ozark).

Ozark is a reseller of telecommunications services and it intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing and travel card service. A proposed tariff was filed by Ozark. The Commission has classified long distance service as fully competitive.

On July 15, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of July 30, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its December 28, 1999, meeting, the Commission considered Ozark's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Ozark not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Ozark has met the legal requirements established for the granting of a certificate of authority. Ozark has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves Ozark's application for a certificate of authority, subject to the condition that Ozark 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 Ozark's application for a certificate of authority is hereby granted, subject to the condition that Ozark not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

**FURTHER ORDERED**, that the Commission finds good cause to waive ARSD 20:10:24:02(8). It is



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

Dated at Pierre, South Dakota, this 12<sup>th</sup> day of January, 2000.

**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: Delaine Kelbo

Date: 1/13/00

(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**

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## **CERTIFICATE OF AUTHORITY**

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

Authority was Granted December 28, 1999  
Docket No. TC99-084

*This is to certify that*

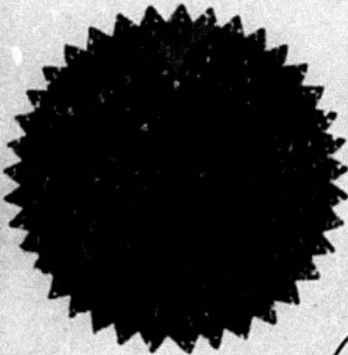
**OZARK TELECOM, INC.**

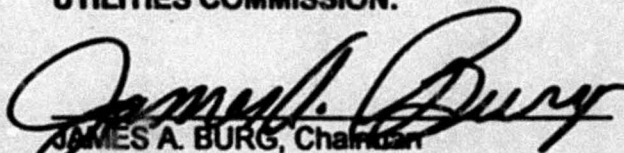
*is authorized to provide telecommunications services in South Dakota.*

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 12<sup>th</sup> day of January, 2000.

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION:**



  
JAMES A. BURG, Chairman

  
PAM NELSON, Commissioner

  
LASKA SCHOENFELDER, Commissioner