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6455 East Johns Crossing
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Also Admitted in New York
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Telephone: (770) 252-9200
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December 30, 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

JAN 13 2000

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Re: ezTel Network Services, LLC

Dear Mr. Bullard:

Enclosed please find one original and ten (10) copies of ezTel Network Services, LLC's Application for Registration of a Telecommunications Company.

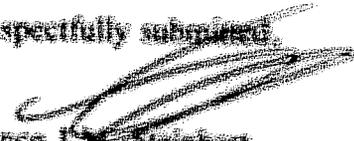
Please note that Exhibit A, the Certificate of Authority from the Secretary of State, is not attached. We have applied for the certificate and will forward a copy to the commission upon receipt.

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 ezTel Network Services, LLC

Enclosures

cc: Patric Boggs

APPLICATION FOR REGISTRATION
OF EZTEL NETWORK SERVICES, LLC
FILED WITH THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)
APPLICATION OF)
EZTEL NETWORK SERVICES, LLC)
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 ezTel Network Services, LLC ("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:

ezTel Network Services, LLC
667-D Highway 51 North
Ridgeland, MS 39157
Telephone: (800) 241-8067

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

3. Applicant's corporate information:

Applicant was organized in the State of Mississippi on December 10, 1999. A copy of the Applicant's Articles of Organization 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 will be filed upon issuance as Exhibit B.

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

National Corporate Research, LTD.
C/O Marilyn Person
819 West Third
Pierre, SD 57501

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 |
|---|--------------|--|
| ezTel, LLC 667-D Highway 51 North Ridgeland, MS 39157 | | 100% |

(Sole Member of LLC)

4. Partnership Information:

Not Applicable.

5. Description of Services Applicant intends to offer:

Applicant is a switch-based reseller, which intends to offer 1+, and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card service, and directory assistance 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 Qwest, MCI WorldCom, and Frontier/Global Crossing, 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 Balance Sheet as of December 29, 1999, which demonstrates that Applicant has the financial ability to provide the services that it proposes to offer. Since Applicant is a start-up company, pursuant to ARSD 20:10:32:03 (22), Applicant hereby requests a waiver of ARSD 20:10:32:03 (11), which requires balance sheet, income statement, and cash flow statements. In addition, Applicant will not require deposits or advance payments, nor will it provide debit card services, until it so notifies the Commission and obtains Commission approval.

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:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157
Telephone: (800) 241-8067
Facsimile: (804) 376-6880
E-Mail: patriceztel@hotoffice.net

All inquiries regarding complaints should be addressed to:

Mandy Boggs, Customer Service Manager
667-D Highway 51 North
Ridgeland, MS 39157
Telephone: (888) 350-2363
Facsimile: (804) 376-6880
E-Mail: mandyztel@hotoffice.net

The Applicant's customers will be direct billed utilizing "real-time" completed call detail information from Applicant's underlying carriers. 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 Iowa, Michigan, Montana, New Jersey, 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 residential customers and to small to mid-sized businesses. 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 at this time. Applicant's marketing materials are currently being developed and are not available at this time.

12. Cost Support:

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

13. Federal Tax Identification Number:

52-2206908

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 31st day of December, 1999.

EZTEL NETWORK SERVICES, LLC

By: 

Lance S.M. Steinhart, Its Counsel

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

STATE OF VIRGINIA

COUNTY OF Campbell

Patric Boggs, being first duly sworn, deposes and says that he is the Patric Boggs of ezTel Network Services, LLC, the Applicant in the proceeding entitled above, that he has read the foregoing application and knows the contents thereof; that the same are true of his knowledge, except as to matters which are therein stated on information or belief, and to those matters he believes them to be true.


Patric Boggs

Subscribed and sworn to before this 20th day of December, 1999.

Mary Ruth Davis
Notary Public

My Commission expires: Jan 31, 2003

LIST OF EXHIBITS

- A - CERTIFICATE OF ORGANIZATION
- B - CERTIFICATE OF AUTHORITY
- C - MARKETING MATERIAL
- D - FINANCIAL INFORMATION
- E - PROPOSED TARIFF

EXHIBIT A - CERTIFICATE OF ORGANIZATION

State of Mississippi

Secretary of State's Office

Eric Clark

Secretary of State
Jackson, Mississippi

CERTIFICATE

I, ERIC CLARK, Secretary of State of the State of Mississippi, and as such the legal custodian of the records as required by The Mississippi Limited Liability Company Act to be filed in my office do hereby certify that:

EZTEL NETWORK SERVICES, LLC

Formed December 10, 1999

A Mississippi Limited Liability Company has filed the necessary documents in this office and has obtained a certificate of formation under the provisions of The Mississippi Limited Liability Company Act as shown by the records in this office.

That the registered office of said Limited Liability Company is located at:

248 E CAPITOL ST #840
JACKSON MS 39201

and that the registered agent at that address is:

NATIONAL CORPORATE RESEARCH, LTD.

I further certify that said Limited Liability Company has paid the fees for filing the above papers required by law as shown by the records of this office and that said Limited Liability Company is in good standing to do business in Mississippi at this time.

Given under my hand
and seal of office
December 10, 1999



Eric Clark

ERIC CLARK,
Secretary of State

BRUNINI, GRANTHAM, GROWER & HEWES, PLLC
ATTORNEYS AT LAW

SHARON H. CLARK

1400 TRUSTMARK BUILDING / 248 EAST CAPITOL STREET
JACKSON, MISSISSIPPI 39201

EDMOND L. BRUNINI
(1911-1961)

DIRECT: 601-973-8796
E-MAIL: sclark@brunini.com

POST OFFICE DRAWER 119
JACKSON, MISSISSIPPI 39205

R. GORDON GRANTHAM
(1912-1989)

TELEPHONE: 601-948-3181
FACSIMILE: 601-969-8902

JOHN M. GROWER
OF COUNSEL

December 10, 1999

Mississippi Secretary of State
Business Services Division
202 N. Congress Street
Jackson, Mississippi 39201

HAND DELIVER

Re: ezTel Network Services, LLC

Dear Sir:

In connection with the above referenced limited liability company, enclosed for filing please find the following:

1. Our firm's check in the sum of \$50.00 for filing fees.
2. Original and (one copy to be stamped "Filed" and returned) of Certificate of Formation.

Thank you for your assistance in this matter.

Sincerely,

Brunini, Grantham, Grower & Hewes, PLLC

Sharon H. Clark
Sharon H. Clark
Legal Assistant

SHC
Enclosures

This page contains sensitive information and should be kept confidential. If you are not the intended recipient, please do not disseminate this information. If you have received this page in error, please notify the sender immediately.

Sharon H. Clark

Certificate of Formation



12/10/99

The undersigned, pursuant to Senate Bill No. 2395, Chapter 402, Laws of 1994, hereby executes the following document and sets forth:

1. Name of the Limited Liability Company

ezTel Network Services, LLC

2. The future effective date is (Complete if applicable)

N/A

3. Federal Tax ID

Applied for



4. Name and Street Address of the Registered Agent and Registered Office is

Name National Corporate Research, Ltd.

Physical Address 248 E. Capitol Street, Suite 840

P.O. Box

City, State, ZIPS, ZIP4 Jackson MS 39201-

5. If the Limited Liability Company is to have a specific date of dissolution, the latest date upon which the Limited Liability Company is to dissolve

Perpetual

6. Is full or partial management of the Limited Liability Company vested in a manager or managers? (Mark appropriate box)

[X] Yes [] No

7. Other matters the managers or members elect to include

[]

[]

This page conforms with the applicable uniform with the Secretary of State. Eric Clark Secretary of State

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1113
Certificate of Nomination



By: Signature

Patric Boggs

(Please keep writing within these lines)

Printed Name

Patric Boggs

Title

President

Street and Mailing Address

⇒ Physical Address

667-D Highway 51 North

⇒ P.O. Box

⇒ City, State, ZIPS, ZIP4

Ridgeland

MS

39157-

By: Signature

(Please keep writing within these lines)

Printed Name

Title

Street and Mailing Address

⇒ Address

⇒ P.O. Box

⇒ City, State, ZIPS, ZIP4

With proper verification, signatures
on original ballot will allow Secretary of State
Eric Clark
Secretary of State

EXHIBIT B - CERTIFICATE OF AUTHORITY

EXHIBIT C - MARKETING MATERIAL
Not Available

EXHIBIT D - FINANCIAL INFORMATION

| SECTION 1 - INDIVIDUAL INFORMATION (Form 990) | SECTION 2 - OTHER INFORMATION (Form 990) |
|---|--|
| Name | Name |
| Residence Address | Residence Address |
| City, State & Zip | City, State & Zip |
| Principal Occupation | Principal Occupation |
| Business Name: RETAIL NETWORK SERVICES, INC. | Business Name |
| Business Address: 667 D HWY 51 N | Business Address |
| City, State & Zip: Ridgeland, MS 39157 | City, State & Zip |
| Tax Home | Tax Home |

STATEMENT DATE December 31, 1999

| SECTION 3 - STATEMENT OF FINANCIAL CONDITION | | | |
|---|------------------|--------------------------------------|----------------|
| ASSETS | IN DOLLARS | LIABILITIES | IN DOLLARS |
| (Do not include Assets of another vessel) | (SEE FORM 990) | | (SEE FORM 990) |
| Cash on hand and in banks | | Notes payable & mortgages | |
| U.S. Gov't & Municipal Securities - see Schedule D | | Accounts payable | |
| Non-Mortgage Investment Real Estate | | Accounts payable & other liabilities | |
| Securities held for trading in market accounts | | Accounts payable & other liabilities | |
| Residuals or other assets | | Accounts payable & other liabilities | |
| Part of interest in Real Estate Equities - see Schedule C | | Accounts payable & other liabilities | |
| Real Estate Owned - see Schedule D | | Accounts payable & other liabilities | |
| Loans receivable | | Accounts payable & other liabilities | |
| Automobiles and other personal assets | | Accounts payable & other liabilities | |
| Cash value of life insurance - see Schedule E | | Accounts payable & other liabilities | |
| Other personal assets | | Accounts payable & other liabilities | |
| Paid in Capital (Form 990) | 250000.00 | | |
| | | | |
| | | | |
| TOTAL ASSETS | 250000.00 | | |

EXHIBIT E - PROPOSED TABLE

EZTEL NETWORK SERVICES, LLC

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 ezTel Network Services, LLC ("ezTel"), with principal offices at 667-D Highway 51 North, Ridgeland, MS 39157. 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: January 3, 2000
ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: . 2000

EZTEL NETWORK SERVICES, LLC

ORIGINAL SHEET 2

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

RESERVED FOR FUTURE USE

ISSUED: January 3, 2000

EFFECTIVE: * 2000

ISSUED BY:

Patric Dogge, CEO
667-D Highway 51 North
Ridgeland, MS 39157

TELECOMMUNICATIONS SERVICES TARIFFCHECK 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 |
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| 25 | Original |
| 26 | Original |
| 27 | Original |
| 28 | Original |
| 29 | Original |
| 30 | Original |
| 31 | Original |
| 32 | Original |

* New or Revised Sheet

ISSUED: January 3, 2000

ISSUED BY:

Patric Roggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: . 2000

TELECOMMUNICATIONS SERVICES TARIFF

TABLE OF CONTENTS

Title Sheet..... 1

Reserved for Future Use..... 1

Check Sheet..... 1

Table of Contents..... 1

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Section 1 - Technical Terms and Abbreviations..... 1

Section 2 - Rules and Regulations..... 1

 2.1 Undertaking of the Company..... 1

 2.2 Use of Services..... 1

 2.3 Liability of the Company..... 1

 2.4 Responsibilities of the Customer..... 1

 2.5 Cancellation or Interruption of Service..... 1

 2.6 Credit Allowance..... 1

 2.7 Restoration of Service..... 1

 2.8 Deposit..... 1

 2.9 Advance Payments..... 1

 2.10 Payment and Billing..... 1

 2.11 Collection Costs..... 1

 2.12 Taxes..... 1

 2.13 Late Charge..... 1

 2.14 Returned Check Charge..... 1

Section 3 - Description of Service..... 1

 3.1 Computation of Charges..... 1

 3.2 Customer Complaints and/or Billing Disputes..... 1

 3.3 Level of Service..... 1

 3.4 Billing Entity Conditions..... 1

 3.5 Service Offerings..... 1

Section 4 - Rates..... 1

ISSUED: January 3, 2000

EFFECTIVE: 1/3/2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

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.

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: January 3, 2000

EFFECTIVE: . 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

TELECOMMUNICATIONS SERVICES TARIFFSECTION 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 ezTel's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable ezTel 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 ezTel and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or ezTel - Used throughout this tariff to mean ezTel Network Services, LLC, a Mississippi Limited Liability Company.

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: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

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.

SOUTH DAKOTA PUC TARIFF NO. 1
TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by ezTel 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.

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF

- 2.1.1 The services provided by ezTel 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 ezTel 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 ezTel.
- 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 ezTel'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 ezTel'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: January 3, 2000
ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: . 2000

TELECOMMUNICATIONS SERVICES TARIFF

- 2.2.3 The use of ezTel'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 ezTel's services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 ezTel does not transmit messages, but the services may be used for that purpose.
- 2.2.6 ezTel'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: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

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: January 3, 2000
ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: . 2000

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 ezTel on the Customer's behalf.

2.4.3 If required for the provision of ezTel's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to ezTel.

2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to ezTel and the Customer when required for ezTel personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of ezTel'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 ezTel's equipment to be maintained within the range normally provided for the operation of microcomputers.

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with ezTel's facilities or services, that the signals emitted into ezTel'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, ezTel 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 ezTel equipment, personnel or the quality of service to other Customers, ezTel may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, ezTel may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay ezTel for replacement or repair of damage to the equipment or facilities of ezTel 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 ezTel equipment installed at Customer's premises.
- 2.4.9 If ezTel installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

ISSUED: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

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, ezTel 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 ezTel 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 ezTel'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 ezTel from furnishing its services.

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF

- 2.5.2 Without incurring liability, ezTel 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 ezTel'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 ezTel 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 ezTel deems it necessary to take such action to prevent unlawful use of its service. ezTel 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.

TELECOMMUNICATIONS SERVICES TARIFF

2.6 Credit Allowance

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

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

ezTel does not require advance payments.

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF2.10 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: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: . 2000

TELECOMMUNICATIONS SERVICES TARIFF**2.11 Collection Costs**

In the event Company is required to initiate legal proceedings to collect any amounts due to Company, 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.

2.15 Reconnection Charge

A reconnection fee of \$25.00 per occurrence will be charged when service is reestablished for Customers which have been disconnected due to non-payment. Payment of the reconnection fee and any other outstanding amounts will be due in full prior to reconnection of service.

ISSUED: January 3, 2000

EFFECTIVE: 1000

ISSUED BY:

Patric Hoggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

TELECOMMUNICATIONS SERVICES TARIFFSECTION 3 - DESCRIPTION OF SERVICE3.1 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.

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. ezTel 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:

667-D Highway 51 North
Ridgeland, MS 39157
(888) 350-2363

An objection to billed charges should be reported promptly to ezTel. 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: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

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 ezTel 800 Service charges, the ezTel 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 ezTel 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. ezTel's name and toll-free telephone number will appear on the Customer's bill.

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF3.5 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.

EZTEL NETWORK SERVICES, LLC

ORIGINAL SHEET 25

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

3.5.4 Reserved for Future Use

ISSUED: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EZTEL NETWORK SERVICES, LLC

ORIGINAL SHEET 26

SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

Reserved for Future Use

ISSUED: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

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: January 3, 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

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.

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES

4.1 1+ Dialing

\$0.15 per minute

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

4.2 Travel Cards

\$.199 per minute

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

ISSUED: January 3, 2000
ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

EFFECTIVE: , 2000

TELECOMMUNICATIONS SERVICES TARIFF

4.3 Toll Free

\$0.15 per minute

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

4.4 Reserved For Future Use

TELECOMMUNICATIONS SERVICES TARIFF

4.5 Directory Assistance

\$.95

4.6 Returned Check Charge

\$20.00

ISSUED: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

TELECOMMUNICATIONS SERVICES TARIFF**4.7 Rate Periods**

| | Monday - Friday | Sat. | Sun. |
|--------------------------|---------------------------|------|---------------------------|
| 8 a.m. to 5 p.m.* | Daytime Rate Period | | |
| 5 p.m. to 11 p.m.* | Evening Rate Period | | 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: January 3, 2000

EFFECTIVE: , 2000

ISSUED BY:

Patric Boggs, CEO
667-D Highway 51 North
Ridgeland, MS 39157

1065

EZTEL COMMUNICATIONS, LLC

P.O. BOX 1995
MADISON, MS 39130

45-219/853

DATE 12-22-99

PAY TO THE ORDER OF South Dakota Public Utilities Commission

\$ 250.00

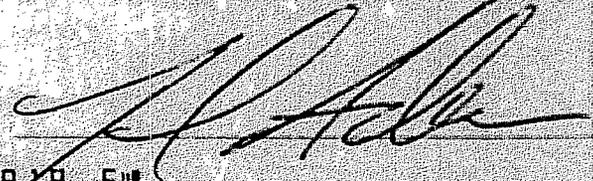
Two Hundred Fifty & no/100

DOLLARS

COMMUNITY BANK
JACKSON, MISSISSIPPI
MEMBER FDIC

FOR

PSC FEE



⑈001065⑈ ⑆065302196⑆ 523 818 5⑈

EZTEL COMMUNICATIONS, LLC

P.O. BOX 1065
MADISON, MS 38130

1065

DATE 12-22-99

88-211/653

PAY TO THE ORDER OF South Dakota Public Utilities Commission

\$ 250.00

DOLLARS

FOR 13c Fee
COMMUNITY BANK
MADISON, MISSISSIPPI

⑆001065⑆ ⑆065302196⑆ 523 8XB 5⑆



South Dakota Public Utilities Commission

WEEKLY FILINGS

For the Period of December 30, 1999 through January 5, 2000

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

CT00-001 In the Matter of the Complaint filed by Jeanette Moes, Watertown, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Tactics.

The Complainant indicates through a telephone call a man lead her to believe he was with U S WEST offering 10 cents per minute long distance rates, 100 free minutes of long distance and no monthly fees. The Complainant is requesting that the state laws on slamming be enforced, that she be compensated for her inconvenience, and all assessed fees be removed.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 12/27/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-002 In the Matter of the Complaint filed by Dan Grider, Baltic, South Dakota, against Qwest Communications, Inc. Regarding Unauthorized Switching of Services.

On December 28, 1999, the Commission received a complaint from Dan Grider of Baltic, South Dakota, against Qwest regarding unauthorized switching of services. The complainant alleges that his long distance provider was switched to Qwest without his authorization.

Staff Analyst: Keith Senger
Staff Attorney: Camron Hoseck
Date Received: 12/28/99
Date Filed: 01/03/00
Intervention Date: N/A

CT00-003 In the Matter of the Complaint filed by Elaine M. Ingalls, Watertown, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Tactics.

The Complainant claims she received a telephone call from U S WEST indicating a change in her billing. As a result, her long distance service was switched from AT&T to OLS. She is requesting that all OLS charges be removed from her billing.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 12/28/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-004 In the Matter of the Complaint filed by Jeanne Stich, McCook Lake, South Dakota, against OLS, Inc. Regarding Promised Rates Which Were Not Assessed.

The Complainant alleges that OLS promised a rate of 10 cents per minute for all long distance calls, 100 free minutes of service, and no switching fees. When the Complainant received her billing, she was not assessed the promised rates or terms. The Complainant is requesting that all charges paid to this company be removed.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 12/30/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-005 In the Matter of the Complaint filed by William L. Frost, Watertown, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Tactics.

The Complainant indicates that his long distance service was switched through deceptive tactics. The Complainant requests that the Commission revoke the company's license, assess fines, award compensation, and remove all charges assessed by this company.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 12/30/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-006 In the Matter of the Complaint filed by Earl and Pauline DeHoogh, Sioux Falls, South Dakota, against OLS, Inc. Regarding Switching Telecommunications Services Through Deceptive Tactics.

The Complainants indicate that through a deceptive telephone call, their long distance was switched to OLS. They are requesting that the Commission assess a large fine.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 12/30/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-007 In the Matter of the Complaint filed by Robert Fogg, Jr., Martin, South Dakota, against AT&T Communications of the Midwest, Inc. Regarding Promised Rates Which Were Not Assessed.

On December 30, 1999, the Commission received a complaint from Robert Fogg, Jr. of Martin, South Dakota, against AT&T regarding deceptive business practices and advertising. The complainant alleges that he was offered 7 cents per minute for all long distance interstate calls during the hours of 7 AM to 7 PM Monday through Friday, and 5 cents per minute for the balance of the week. In addition, he was offered 120 free minutes each month for the next six months. The complainant further alleges that once AT&T became aware that he lives in South Dakota, the offer was withdrawn. Mr. Fogg is requesting a full refund of all charges in excess of the 7 cents per minute, the rates that he was offered, 120 free minutes of interstate long distance for 6 months, and a fine imposed against AT&T in the amount of \$10,000/day.

Staff Analyst: Heather Forney
Staff Attorney: Camron Hoseck
Date Received: 12/30/99
Date Filed: 01/03/99
Intervention Date: N/A

CT00-008 In the Matter of the Complaint filed by Banner Associates, Inc., Brookings, South Dakota, against NOS Communications, Inc. Regarding Billing Issues.

The Complainant alleges that a salesperson offered a rate of 7.9 cents per minute for interstate calls and 14.9 cents per minute for intrastate calls. When questioned the salesperson verified the rate and stated there would be no other charges. The first two months the rates were honored, but the subsequent months were billed at a higher rate. The complainant was told they were being billed those rates per call unit and a call unit was not equivalent to a minute. Complainant entered an agreement contingent on a per minute rate and not a call unit rate. The Complainant is requesting restitution for the amount they were billed over and above the agreed upon rate of 7.9 cents per minute and 14.9 cents per minute for interstate and intrastate calls respectively. They are also requesting that NOS Communications be required to inform their prospective customers verbally and in writing of their billing method so as not to mislead future customers.

Staff Analyst: Michele Farris
Staff Attorney: Camron Hoseck
Date Received: 12/30/99
Date Filed: 01/03/00
Intervention Deadline: NA

CT00-009 In the Matter of the Complaint filed by Elizabeth A. Ewald, Watertown, South Dakota, against OLS, Inc. Regarding Switching of Services Through Deceptive Practices.

The Complainant alleges that a representative claiming to be from U S WEST contacted her concerning recent legislation which would require changes on her billing. As a result of this conversation her telecommunications service was switched to OLS. The Complainant asks that the Commission assess fines and penalties against OLS for this action.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Received: 01/03/00
Date Filed: 01/05/00
Intervention Deadline: NA

TELECOMMUNICATIONS

TC99-126 In the Matter of A C S Tel Com Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

A C S Tel Com Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-127 In the Matter of Accutel Communications, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Accutel Communications, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-128 In the Matter of Affinity Marketing Strategies LLC d/b/a Funding Our Future's Failure to Submit a Report and Pay the Gross Receipts Tax.

Affinity Marketing Strategies LLC d/b/a Funding Our Future shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show

cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos

Staff Attorney: Camron Hoseck

Date Opened: 12/30/99

Hearing Date: 02/03/00

TC99-129 In the Matter of AmeriTel Pay Phones, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

AmeriTel Pay Phones, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos

Staff Attorney: Camron Hoseck

Date Opened: 12/30/99

Hearing Date: 02/03/00

TC99-130 In the Matter of AMNEX's Failure to Submit a Report and Pay the Gross Receipts Tax.

AMNEX shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos

Staff Attorney: Camron Hoseck

Date Opened: 12/30/99

Hearing Date: 02/03/00

TC99-131 In the Matter of Atlas Equity, Inc. d/b/a Performance Telecom's Failure to Submit a Report and Pay the Gross Receipts Tax.

Atlas Equity Inc, d/b/a Performance Telecom shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos

Staff Attorney: Camron Hoseck

Date Opened: 12/30/99

Hearing Date: 02/03/00

TC99-132 In the Matter of Business Options, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Business Options, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-133 In the Matter of Call Plus Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Call Plus Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-134 In the Matter of Colorado River Communications Corp. d/b/a CRC Long Distance's Failure to Submit a Report and Pay the Gross Receipts Tax.

Colorado River Communications Corp. d/b/a CRC Long Distance shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-135 In the Matter of Eagle Telecom, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Eagle Telecom, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-136 In the Matter of Elias Ventures, Inc. d/b/a American Freeway100's Failure to Submit a Report and Pay the Gross Receipts Tax.

Elias Ventures, Inc. d/b/a American Freeway100 shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-137 In the Matter of First Call USA, Incorporated's Failure to Submit a Report and Pay the Gross Receipts Tax.

First Call USA, Incorporated shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-138 In the Matter of Intelicom International Corporation's Failure to Submit a Report and Pay the Gross Receipts Tax.

Intelicom International Corporation shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-139 In the Matter of International Telcom LTD's Failure to Submit a Report and Pay the Gross Receipts Tax.

International Telcom LTD shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck

Date Opened 12/30/99
Hearing Date 02/03/00

TC99-140 In the Matter of Journey Telecom International, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Journey Telecom International, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-141 In the Matter of London Telecom aka Strategic Alliances' Failure to Submit a Report and Pay the Gross Receipts Tax.

London Telecom aka Strategic Alliances shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-142 In the Matter of Matrix Telecom, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Matrix Telecom, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-143 In the Matter of New Concept Communications, LLC's Failure to Submit a Report and Pay the Gross Receipts Tax.

New Concept Communications, LLC shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-144 In the Matter of Nova Telecom, Inc. d/b/a B.E.L. EZ Pay's Failure to Submit a Report and Pay the Gross Receipts Tax.

Nova Telecom, Inc. d/b/a B.E.L. EZ Pay shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-145 In the Matter of NTI Telecom, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

NTI Telecom, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-146 In the Matter of Pride America, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Pride America, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-147 In the Matter of PrimeCall, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

PrimeCall, Inc shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-148 In the Matter of 1-800-Reconex, Inc. fka Sterling International Funding, Inc. d/b/a Reconex's Failure to Submit a Report and Pay the Gross Receipts Tax.

1-800-Reconex, Inc. fka Sterling International Funding, Inc. d/b/a Reconex shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-149 In the Matter of TelSave Corporation d/b/a Independent Network Service's Failure to Submit a Report and Pay the Gross Receipts Tax.

TelSave Corporation d/b/a Independent Network Service shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-150 In the Matter of Teltrust Communications Services, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

Teltrust Communications Services, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck

Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-151 In the Matter of U.S. Network Services, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

U.S. Network Services, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-152 In the Matter of USA Tele Corp.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

USA Tele Corp. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-153 In the Matter of UStel, Inc.'s Failure to Submit a Report and Pay the Gross Receipts Tax.

UStel, Inc. shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building, Pierre, SD, to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Hoseck
Date Opened: 12/30/99
Hearing Date: 02/03/00

TC99-154 In the Matter of Western Tele-Communications, Inc./Retail Sales Group d/b/a People Link by TCI's Failure to Submit a Report and Pay the Gross Receipts Tax.

Western Tele-Communications, Inc./Retail Sales Group d/b/a People Link by TCI shall appear on February 3, 2000, at 1:30 p.m. in the Cactus Conference Room, State Capitol Building

Plans SD to show cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos

Staff Attorney: Cannon Heseck

Date Opened: 12/30/99

Hearing Date: 02/03/00

12/30/99 In the Matter of the Application of ezTel Network Services, LLC for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

ezTel Network Services, LLC seeks a Certificate of Authority to provide resold intrastate long distance telecommunications services in South Dakota. ezTel intends to offer 1+ and 800 direct outbond dialing, toll-free inbound dialing, travel card and directory assistance services.

Staff Attorney: Faith Senger

Staff Attorney: Cannon Heseck

Date Filed: 01/23/00

Re-hearing Deadline: 01/21/00

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/>

TC00-001
RECEIVED

FEB 3 2000

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

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

Also Admitted in New York
and Maryland

February 3, 2000

VIA OVERNIGHT DELIVERY

FAX Received FEB 03 2000

Mr. Keith Senger
Utility Analyst
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

Re. ezTel Network Services, LLC
SD PUC Docket No. TC00-001

Dear Keith:

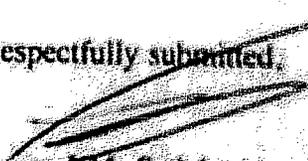
Pursuant to your letter dated January 5, 2000, Applicant requests a waiver of ARSD 20:10:24:02 (8) pursuant to ARSD 20:10:24:02 (15).

I have also enclosed a copy of Applicant's Certificate of Authority from the Secretary of State.

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 ezTel Network Services, LLC

Enclosures
cc: Patric Boggs

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

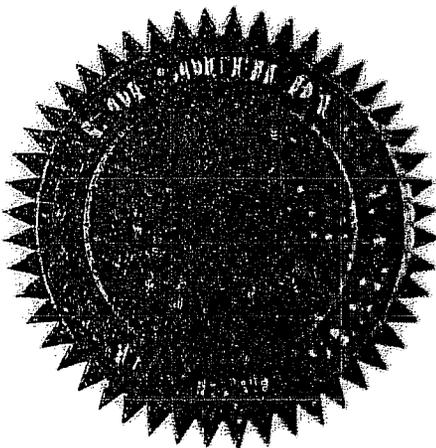
Certificate of Authority

Limited Liability Company

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 **EZTEL NETWORK SERVICES, LLC (MS)** to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Limited Liability Company Act, 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 for certificate of authority.

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 January 26, 2000.



Handwritten signature of Joyce Hazeltine in cursive script.

Joyce Hazeltine
Secretary of State

Facsimile Transmission**LANCE J.M. STEINHART**

ATTORNEY AT LAW

6455 EAST JOHNS CROSSING

SUITE 285

DULUTH, GEORGIA 30097

TELEPHONE: (770) 232-9200

FACSIMILE: (770) 232-9208

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE RECIPIENT OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

NAME: Keith Singer
FIRM: South Dakota PUC
TELEPHONE: 605-773-3201
FAX NUMBER: 605-773-3809
FROM: Ginger for Lance J.M. Steinhart
DATE: February 3, 2000

TOTAL NUMBER OF PAGES INCLUDING THIS COVER LETTER: 1

MESSAGE: Please see attached information regarding eTel Network Services qualification from the Secretary of State. A copy will be mailed to you as well. Thank you.

State SD is given cause why action should not be taken against the company for failure to comply with SDCL Chapter 49-1A.

Deputy Executive Director: Sue Cichos
Staff Attorney: Camron Heseck
Date Created: 12/20/00
Revising Date: 02/03/01

12/20/00 In the Matter of the Application of ezTel Network Services, LLC for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

ezTel Network Services, LLC seeks a Certificate of Authority to provide resold intrastate non-exchange telecommunications services in South Dakota. ezTel intends to offer 1+ and 10+ local area outbound dialing, toll-free inbound dialing, travel card and directory assistance services.

Staff Analyst: Keith Senger
Staff Attorney: Camron Heseck
Date Filed: 01/23/01
Hearing/Decision Deadline: 01/21/01

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TC00-001
RECEIVED

FEB 3 2000

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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

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

Also Admitted in New York
and Maryland

February 3, 2000

VIA OVERNIGHT DELIVERY

FAX Received FEB 03 2000

Mr. Keith Senger
Utility Analyst
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

Re: ezTel Network Services, LLC
SD PUC Docket No. TC00-001

Dear Keith:

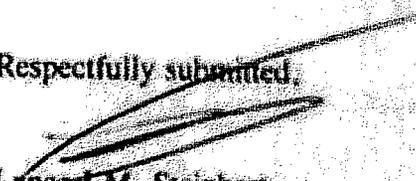
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I have also enclosed an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

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Respectfully submitted,


Lance J.M. Steinhart
Attorney for ezTel Network Services, LLC

Enclosures

cc: Patric Boggs

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

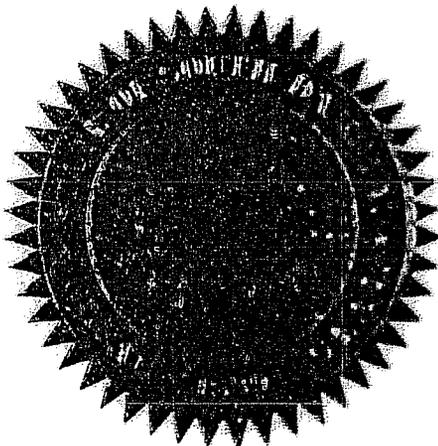
Certificate of Authority

Limited Liability Company

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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 for certificate of authority.

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 January 26, 2000.



A handwritten signature in cursive script, reading "Joyce Hazeltine".

Joyce Hazeltine
Secretary of State

Facsimile Transmission**LANCE J.M. STEINHART****ATTORNEY AT LAW****6455 EAST JOHNS CROSSING****SUITE 285****DULUTH, GEORGIA 30097****TELEPHONE: (770) 232-9200****FACSIMILE: (770) 232-9208**

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE RECIPIENT OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

NAME: Keith Singer
FIRM: South Dakota PUC
TELEPHONE: 605-773-3201
FAX NUMBER: 605-773-3809
FROM: Ginger for Lance J.M. Steinhart
DATE: February 3, 2000

TOTAL NUMBER OF PAGES INCLUDING THIS COVER LETTER: 1

MESSAGE: Please see attached information regarding eTel Network Services qualification from the Secretary of State. A copy will be mailed to you as well. Thank you.

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

February 3, 2000

VIA OVERNIGHT DELIVERY

Mr. Keith Senger
Utility Analyst
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

Re: ezTel Network Services, LLC
SD PUC Docket No. TC00-001

Dear Keith:

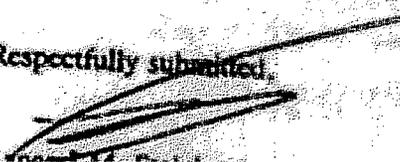
Pursuant to your letter dated January 5, 2000, Applicant requests a waiver of ARSD 20:10:24:02 (8) pursuant to ARSD 20:10:24:02 (15).

I have also enclosed a copy of Applicant's Certificate of Authority from the Secretary of State.

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 ezTel Network Services, LLC

Enclosures

cc: Patric Boggs

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

IN THE MATTER OF THE APPLICATION OF)
EZTEL NETWORK SERVICES, LLC FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC00-001

On January 3, 2000, 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 ezTel Network Services, LLC (ezTel).

ezTel is a switch-based reseller which intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing, travel card service, and directory assistance service. A proposed tariff was filed by ezTel. The Commission has classified long distance service as fully competitive.

On January 6, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of January 21, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its February 15, 2000 meeting, the Commission considered ezTel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that ezTel 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 ezTel has met the legal requirements established for the granting of a certificate of authority. ezTel 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 ezTel's application for a certificate of authority, subject to the condition that ezTel 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 ezTel's application for a certificate of authority is hereby granted effective March 3, 2000, subject to the condition that ezTel 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 ezTel shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 23rd day of February, 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: *Debbie Kelso*

Date: 2/23/00

(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

CERTIFICATE OF AUTHORITY

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

Authority was Granted February 15, 2000, effective March 3, 2000
Docket No. TC00-001

This is to certify that

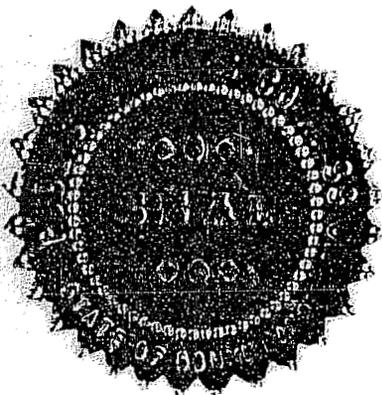
EZTEL NETWORK SERVICES, LLC

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 23rd day of February, 2000

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION:**




JAMES A. BURG, Chairman


PAM NELSON, Commissioner


LASKA SCHOENFELDER, Commissioner