

TCOO - 127

ORIGINAL

BEFORE THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

AUG 21 2000

In the of the Application of)
Tel West Communications, LLC)
For a Certificate of Authority to Provide)
Resold Local Exchange Services)

SOUTH DAKOTA PUBLIC
Docket No. UTILITIES COMMISSION

APPLICATION FOR AUTHORITY TO PROVIDE
LOCAL EXCHANGE RESALE SERVICES

I. INTRODUCTION

Pursuant to S.D.C.L. & 49-31.3 and the Federal Telecommunications Act of 1996 (Federal Act" of Act"), Pub.L. No. 104-104, 100 Stat. 56 (1996) Tel West Communications, LLC ("Applicant") respectfully seeks to receive award of a Certificate of Public Convenience and Necessity to permit it to provide resold local exchange services in the State of South Dakota.

The Telecommunication Act of 1996 presents this Commission with the opportunity to expand upon existing pro-competitive telecommunications polices to ensure that all consumers—residential and business—will have access to high quality, low-cost, and innovative telecommunications services. The Federal Act was adopted to promote competition and reduce regulation in order to secure lower prices and higher quality telecommunications services for the American populace.

In accordance with these goals, Congress included provisions in the Federal Act designed to facilitate increased competition in all aspects of the local exchange market. Section 253 of the Act prohibits states from imposing any requirements that would constitute any barriers to entry into the local exchange market. The Federal Act also imposes several requirements on the incumbent local exchange carriers ("LECs") to assist new entrants in the market. Specifically, the Federal Act prohibits all LECs from imposing unreasonable or discriminatory conditions or limitations on the resale of telecommunications services. 47 U.S.C. & 251(b)(1). Incumbent LECs also must enter reciprocal compensation arrangements for the origination and termination of telecommunications services. 47 U.S.C. && 251, 252. Finally, incumbent LECs are required to offer for resale at wholesale rates (based on retail prices minus avoided costs), any telecommunications services that the carrier provides to subscribers who are not telecommunications carriers. Id. Applicant seeks authority from the Commission to provide local exchange services under this resale scenario.

The Federal Acts prohibition against barriers to entry clearly contemplates that states will not impose any requirements that are more burdensome than necessary. In light of Applicants experience in providing telecommunications services in the other states and its intent to provide nonfacilities-based services only, Applicant request that a Certificate be granted without hearing or any other formal proceeding that would delay its expansion into the local resale market.

The approval of this Application will further the purpose of the Federal Telecommunications Act of 1996 as well as S.D.C.L. & 49-31.3 Accordingly, Applicant respectfully requests that the Commission grant it a Certificate of Public Convenience And Necessity to provide resold local exchange services.

In support thereof, Applicant provides the following information:

II. QUALIFICATIONS.

1. Applicant's legal name is Tel West Communications, LLC. Applicant maintains its principal place of business at:

Tel West Communication, LLC
Teresa A. Fuller
Vice President
16 N. Marengo Ave., Suite 302
Pasadena, CA 91101
PH: (626) 744-9311
FX: (626) ~~744~~2060
796

2. Correspondence or Communications pertaining to this application should be directed to:

Tel West Communication, LLC
Teresa A. Fuller
Vice President
16 N. Marengo Ave., Suite 302
Pasadena, CA 91101
PH: (626) 744-9311
FX: (626) ~~744~~2060
796

3. Questions concerning the ongoing operations of Applicant following certification should be directed to:

Tel West Communication, LLC
Teresa A. Fuller
Vice President
16 N. Marengo Ave., Suite 302
Pasadena, CA 91101
PH: (626) 744-9311
FX: (626) ~~744~~2060
796

4. Applicant is Arizona Limited Liability Company. Applicant is qualified to do business in the state of South Dakota. A copy of Applicant's Certificate of Good Standing in Arizona and Certificate of Authority to Transact Business within the state are attached hereto as Exhibit A.

5. Applicant's registered agent in South Dakota is:

National Registered Agents, Inc.
300 S. Phillips Ave.
Suite 300
Sioux Falls, South Dakota 57102

6. Tel West Communications LLC, proposes to provide basic local exchange telecommunications service on a non-facilities based resold basis, throughout all the exchanges currently served by the incumbent local exchange telecommunications company of US WEST. The specific US WEST exchanges within which Applicant proposes to offer service are listed in the incumbent providers' respective local exchange tariffs. Applicant's proposed service areas will follow the respective exchange boundaries of the stated incumbent local exchange company.

7 Applicant is financially qualified to provide resold telecommunications services in the State. In particular, Applicant has access to the financing and capital necessary to conduct its telecommunications operations as specified in this Application. In support of Applicant's financial ability to provide the proposed service Applicant attaches most recent statements as **Exhibit B**.

8. All complaints and billing inquiries should be made to Applicant's headquarters in Seattle, Washington. Applicant's customer service organization is available 12 hours per day, six days per week to receive questions and billing inquiries. Customers may contact a Customer Service Representative ("CSR") by Applicant's toll-free Customer Service Number or by writing to Applicant. When inquiry is received, a CSR will research the questions and obtain pertinent information about the customer's account. If needed, CSR will make adjustments to a customer's bill at the time of inquiry. In the event of a billing dispute, each CSR has the authority to make adjustments to a customer's bill up to a specified dollar amount. Any adjustments which exceed this amount are handled by a department supervisor. When an adjustment is made, the customer will see the credit on the subsequent invoice. The contact person responsible for customer complaints is Christopher Stergal. Mr. Stergal may be reached directly at (206) 903-8286. Applicant's toll-free number for customer complaints and inquiries is 1-877-4-NEW-FON (1877-463-9366).

9. Applicant is technically qualified to provide resold telecommunications services within the State. Applicant is authorized by registration or certification to provide resold local Exchange services in the states of Arizona, Oklahoma, Washington, Oregon, California, Nevada and Montana. Applications are pending in New Mexico, Utah, Idaho and Missouri. Descriptions of Applicant's key personnel are attached hereto as **Exhibit C**.

III. PROPOSED SERVICES

1 Applicant proposes to provide resold local exchange service to subscribers from all points within the State of South Dakota currently served by US WEST. Specifically, Applicant seeks authority to resell local exchange service in the existing service areas of US West and any other relevant carriers. Applicant intends to provide all forms of intrastate telecommunications services including: (1) Basic Residential Exchange Services (Local Exchange Falt Rate, Measured Rate Services, Operator access, etc.); (2) Residential Custom and Class Features (call waiting, Caller ID, call forwarding, etc.); (911, Toll Free Numbers)

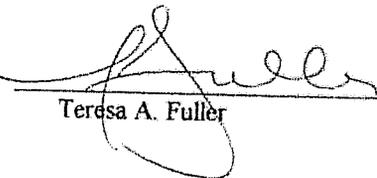
2 The Federal Act establishes the framework for incumbent LECs to provide resellers of local exchange service with unbundled service at wholesale rates. 47 U.S.C. §§ 251, 252. These rates must be based on current retail rates minus the avoided costs as prescribed by the Federal Act until such time as commercially viable wholesale rates are available from the incumbent LECs, Applicant is unable to file a proposed tariff. As soon as such rates are available, and prior to the commencement of service, Applicant shall file a proposed tariff (containing its rates, terms and conditions of service) with the Commission for its review.

IV. CONCLUSION

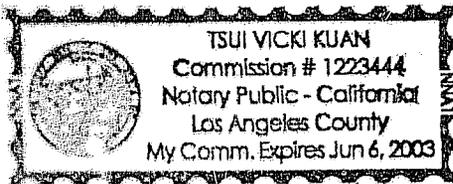
The telecommunications industry is growing and changing at an impressive pace. The entry of Applicant into the local exchange resale market will enhance competition in the provision of telecommunications services within the State of South Dakota as prescribed by the South Dakota Codified Laws and the Federal Act. Applicant will bring significant benefits to South Dakota State telecommunications users. Applicant's expertise in the telecommunications sector will permit it to select the most economic and efficient services, thereby providing customers with a better combination of price,

VERIFICATION

Teresa A. Fuller, Vice President of TEL WEST COMMUNICATIONS, LLC, first being duly sworn on oath, deposes and says that she has read the foregoing Application and verifies that the statements made therein are true and correct to the best of her knowledge, information, and belief.

By: 
Teresa A. Fuller

The foregoing instrument was acknowledged before me this 17 day of August, 2000 by Teresa A. Fuller.

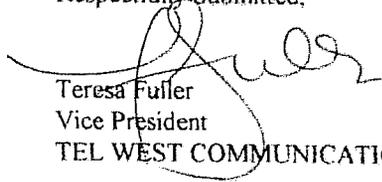



Notary Public:
For the County of: Los Angeles
My Commission Expires: June 6, 2003

quality, and customer service than other carries. Accordingly, Applicant anticipates its proposed service will provide subscribers with better quality services and will increase consumer choice of innovative, diversified, and reliable service offerings.

Wherefore, Tel West Communications, LLC, requests that the South Dakota Public Utilities Commission approve the requested authority to amend its certificate of public convenience and necessity to include resold local exchange services in South Dakota.

Respectfully Submitted,



Teresa Fuller
Vice President
TEL WEST COMMUNICATIONS, LLC

Date: 8/17/00

By: 
Teresa Fuller
Vice President
16 N. Marengo Ave., Suite 302
Pasadena, CA 91101

03/24/00

TEL WEST Communications L.L.C.
Profit and Loss
January through December 1999

Jan - Dec '99

Other Income/Expense	
Other Income	
Interest Income	1,082.10
Other Income	52,444.40
Total Other Income	<u>53,526.50</u>
Net Other Income	53,526.50
Net Income	<u>102,517.97</u>

EXHIBIT A
CERTIFICATE OF GOOD STANDING

STATE OF ARIZONA



Office of the
CORPORATION COMMISSION

To all to whom these presents shall come, greeting:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

*****TEL WEST COMMUNICATIONS L.L.C.*****

is a limited liability company organized under the laws of the State of Arizona which filed its Articles of Organization in this office on the 5th day of June 1998.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capitol, this 11th day of July, 2000, A. D.



[Signature]
Executive Secretary

BY: *[Signature]*

EXHIBIT B
FINANCIAL STATEMENTS

02/24/00

TEL WEST Communications L.L.C.

Balance Sheet

As of February 24, 2000

	Feb 24, '00
Total Current Liabilities	35,167.66
Total Liabilities	35,167.66
Equity	
Capital Contribution	-24,306.00
Retained Earnings	80,637.57
Net Income	57,919.84
Total Equity	114,251.41
TOTAL LIABILITIES & EQUITY	<u>149,419.07</u>

Balance Sheet

As of February 24, 2000

Feb 24, '00

ASSETS

Current Assets

Checking/Savings

Bank One Checking 3,841.90

Bank One Savings 96,386.63

Wells Fargo Checking 255.86

Total Checking/Savings 100,484.39

Accounts Receivable

Accounts Receivable 9,861.14

Total Accounts Receivable 9,861.14

Other Current Assets

Other Current Assets 2,779.48

Total Other Current Assets 2,779.48

Total Current Assets 113,125.01

Fixed Assets

Total Fixed Assets 23,666.99

Total Fixed Assets 23,666.99

Other Assets

Other Assets 12,627.07

Total Other Assets 12,627.07

TOTAL ASSETS 149,419.07

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

Accounts Payable 2,000.00

Total Accounts Payable 2,000.00

Other Current Liabilities

Payroll Liabilities 4,817.51

Arizona Liabilities 85.75

Washington Liabilities 672.40

Loans Payable 2,422.16

Shareholders Payable 25,169.84

Total Other Current Liabilities 33,167.66

TEL WEST Communications L.L.C.
Profit and Loss
January through December 1999

Jan - Dec '99

Ordinary Income/Expense

Income

Gross Sales
Gross

903,570.89
-2,464.58

Total Income

901,106.31

Cost of Goods Sold

Cost of Goods Sold

442,589.93

Total COGS

442,589.93

Gross Profit

458,516.38

Expense

Automobile Expense

3,040.14

Bank Service Charges

1,493.17

Cash Discounts

470.22

Dues and Subscriptions

80.25

Fees & Licenses

17.00

Insurance

5,044.01

Leased Equipment

5,102.08

Legal Fees

2,283.28

Long Distance

33,917.85

Marketing Expense

92,904.22

Office Expense

21,595.54

Outside Labor

43,309.15

Payroll Expenses

121,525.25

Phone Charges - Local

2,800.67

Printing and Reproduction

2,182.95

Professional Development

54.42

Professional Fees

7,047.79

Promotional Expense

928.49

Refunds

5,755.95

Regulatory Fees

3,370.22

Rent

17,344.00

Repairs & Maintenance

871.01

Taxes

3,451.04

Tel Star Customer List

25,064.36

Total Internal Telecom

3,239.51

Total Travel & Ent

6,840.78

Uncategorized Expenses

0.00

Total Expense

409,524.73

Net Ordinary Income

48,991.47

TEL WEST Communications, Inc.
Profit and Loss
 January 1 through February 24, 2000

Jan 1 - Feb 24, '00

Ordinary Income/Expense	
Income	
Gross Sales	263,219.58
Total Income	263,219.58
Cost of Goods Sold	
Cost of Goods Sold	124,179.94
Total COGS	124,179.94
Gross Profit	139,039.64
Expense	
Automobile Expense	325.19
Bank Service Charges	160.80
Fees & Licenses	45.00
Hardware Supplies	122.78
Insurance	1,606.39
Leased Vehicle	1,052.48
Long Distance	7,195.21
Marketing Expense	13,810.33
Office Expense	1,717.02
Outside Labor	11,071.27
Payroll Expenses	30,987.74
Printing and Reproduction	15.37
Professional Fees	253.76
Promotional Expense	96.00
Refunds	2,676.06
Rent	3,320.00
Repairs & Maintenance	1,162.14
Total Internal Telcom	774.97
Total Travel & Ent	2,380.42
Uncategorized Expenses	0.00
Total Expense	78,772.93
Net Ordinary Income	60,266.71
Other Income/Expense	
Other Income	
Interest Income	42.82
Total Other Income	42.82
Other Expense	
Other Expenses	0.00

TEL WEST Communications L.L.C.
Profit and Loss
January 1 through February 24, 2000

02/24/00

Jan 1 - Feb 24, '00

Total Other Expense	0.00
Net Other Income	42.82
Net Income	<u>60,309.53</u>

Balance Sheet

As of February 24, 2000

Feb 24, '00

ASSETS

Current Assets

Checking/Savings

Bank One Checking 3,841.90

Bank One Savings 96,386.63

Wells Fargo Checking 255.86

Total Checking/Savings 100,484.39

Accounts Receivable

Accounts Receivable 9,861.14

Total Accounts Receivable 9,861.14

Other Current Assets

Other Current Assets 2,779.48

Total Other Current Assets 2,779.48

Total Current Assets 113,125.01

Fixed Assets

Total Fixed Assets 23,666.99

Total Fixed Assets 23,666.99

Other Assets

Other Assets 12,627.07

Total Other Assets 12,627.07

TOTAL ASSETS 149,419.07

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

Accounts Payable 2,000.00

Total Accounts Payable 2,000.00

Other Current Liabilities

Payroll Liabilities 4,817.51

Arizona Liabilities 85.75

Washington Liabilities 672.40

Loans Payable 2,422.16

Shareholders Payable 25,169.84

Total Other Current Liabilities 33,167.66

02/24/00

TEL WEST Communications L.L.C.

Balance Sheet

As of February 24, 2000

	Feb 24, '00
Total Current Liabilities	35,167.66
Total Liabilities	35,167.66
Equity	
Capital Contribution	-24,306.00
Retained Earnings	80,637.57
Net Income	57,919.84
Total Equity	114,251.41
TOTAL LIABILITIES & EQUITY	<u>149,419.07</u>

EXHIBIT C
KEY PERSONELL

KEY PERSONELL

Tel West principals, Jeff Swickard and Teresa Fuller, together represent more than twenty years of corporate management experience in the telecommunications industry for US WEST, AT&T, GTE, MCI and FRONTIER Corporation. Mr. Swickard earned a degree in Business Administration from University of Oregon. Ms. Fuller holds a bachelors degree in communications from Mills College and a masters degree in communications management from the Annenberg School of Communications at University of Southern California. Mr. Swickard and Ms. Fuller left thriving management careers to found Tel West Communications, LLC in 1998.

Jeffrey K. Swickard, President, 1903 4th Ave., #711, Seattle, WA 98101

USWEST	1996-1998	Sales Management, Operations Management
AT&T	1994-1996	Sales Management, Operations Management
MCI	1993	Sales, Customer Service Management
AT&T	1991-1993	Specialized Marketing

Teresa Fuller, Vice President, 16 N. Marengo Ave., #302, Pasadena, CA 91101

FRONTIER	1996-97	Corporate Partnerships
AT&T	1990-96	Sales Management, Operations Management, Market Management
GTE	1987-89	Internal Consultant, Operations Processes

Larry Willis, Manager Customer Service

18 years USWEST
field technician, customer service

Christopher Stergal, Manager Operations

5 years operations management with high technology firm in Tucson, AZ

Diane Untermeyer, Manager Retail Channel

15 years retail channel buying and management with Circle K Corporation

Audrey Walker, Lead Representative, Customer Service

1 year customer service USWEST

Jordan Diaz, Lead, Provisioning Staff

2 years US WEST small business provisioning

South Dakota Public Utilities Commission

WEEKLY FILINGS

For the Period of August 17, 2000 through August 23, 2000

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

CONSUMER COMPLAINTS

CT00-096 In the Matter of the Complaint filed by Thermo Bond Buildings Int'l, Inc., Elk Point, South Dakota, against Qwest Corporation, formerly known as U S WEST Communications, Inc., MCI WorldCom and USBI Regarding Unauthorized Charges and Exorbitant Rates after Switching its Long Distance Services to MCI.

Complainant alleges that USBI and WorldCom Network Services billed for unauthorized long distance services at excessive rates after the complainant had switched all of the business lines over to MCI for long distance services. The complainant alleges that SDCL 49-31-93 was broken and it is requesting that a \$1000.00 be paid by the telecommunications company that initiated the unauthorized charges.

Staff Analyst: Charlene Lund
Staff Attorney: Karen E. Cremer
Date Docketed: 08/18/00
Intervention Deadline: N/A

CT00-097 In the Matter of the Complaint filed by John M. Lynch, Sioux Falls, South Dakota, against MCI WorldCom Regarding Unauthorized Switching of Services.

The Complainant claims that his telecommunications service was switched without authorization. He is requesting \$1000 for his inconvenience.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Dated Docketed: 08/22/00
Intervention Deadline: NA

CT00-098 In the Matter of the Complaint filed by Bert Flaten, Sioux Falls, South Dakota, against AT&T Communications of the Midwest, Inc. Regarding Unauthorized Switching of Services.

The Complainant alleges that his telecommunications service was switched without authorization. He is requesting credit for all charges.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer

Date Docketed: 08/22/00
Intervention Deadline: NA

ELECTRIC

EL00-023 In the Matter of the Application of the City of Pierre for a Construction Permit for 4.83 Miles of 115kV Electric Transmission Line in Hughes County, South Dakota.

The City of Pierre has submitted an application for a permit to construct transmission facilities as defined at SDCL 49-41B-2(9)(b). These facilities consist of approximately 4.03 miles of new 115 kilovolt (kV) electric transmission line and associated terminal facilities between the City's Ash Substation and the Western Area Power Administration Oahe-Pierre 115kV line. In addition, a 0.80 mile segment of the City's Ash to Evans 115kV transmission line would be relocated to a new route and constructed on new structures. Both transmission lines are located in Hughes County, South Dakota.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 08/21/00
Intervention Deadline: 09/08/00

EL00-024 In the Matter of the Application of Black Hills Corporation to Effect a Share Exchange with Black Hills Holding Corporation.

Application by Black Hills Corporation to exchange all of its outstanding shares of Black Hills Corporation stock for shares of Black Hills Holding Corporation stock and establishment of Black Hills Holding Corporation as a holding company as defined in the Public Utility Holding Company Act.

Staff Analyst: Dave Jacobson
Staff Attorney: Karen Cremer
Date Docketed: 08/23/00
Intervention Deadline: NA

TELECOMMUNICATIONS

TC00-125 In the Matter of the Application of Telera Communications, Inc. for a Certificate of Authority to Provide Telecommunications Services, Including Local Exchange Services, in South Dakota.

Telera Communications, Inc. is seeking a Certificate of Authority to provide interexchange and local exchange telecommunication services in South Dakota. The applicant intends to provide specific forms of intrastate local exchange and interexchange telecommunications services targeted primarily at business customers. Services include: 1) switched local exchange services including carrier access and 2) interexchange (switched and dedicated) services including 1+ and 101XXXX outbound dialing, toll-free inbound dialing and data services. The applicant does not seek to provide resold or facilities-based local exchange

service in the territory of rural telephone companies.

Staff Analyst: Keith Senger
Date Docketed: 08/18/00
Intervention Deadline: 09/08/00

TC00-126 In the Matter of the Filing for Approval of a Second Amendment to an Interconnection Agreement between Midco Communications, Inc. d.b.a. Midcontinent Communications, Inc. and Qwest Corporation.

A second amendment to an interconnection agreement between Qwest Corporation fka U S WEST Communications, Inc. (Qwest) and MIDCO Communications, Inc. dba MidContinent Communications, Inc. has been filed with the Commission for approval. The original agreement was approved by the Commission in Docket TC99-023 and was effective May 5, 1999. The first amendment to the agreement was approved by the Commission in Docket TC99-023 and was effective June 6, 2000. The Second Amendment will add the terms and conditions for Unbundled Dedicated Interoffice Transport (UDIT). Any party wishing to comment on the Second Amendment may do so by filing written comments with the Commission and the parties to the amendment no later than September 7, 2000. Parties to the amendment may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Karen Cremer
Date Docketed: 08/18/00
Initial Comments Due: 09/07/00

TC00-127 In the Matter of the Application of Tel West Communications, LLC for a Certificate of Authority to Provide Local Exchange Services in South Dakota.

Tel West Communications, LLC is seeking a Certificate of Authority to provide resold local exchange telecommunication services in South Dakota. The applicant intends to provide all forms of intrastate telecommunications services including basic residential exchange services, call waiting, caller ID, and call forwarding.

Staff Analyst: Heather Forney
Date Docketed: 08/21/00
Intervention Deadline: 09/08/00

TC00-128 In the Matter of the Application of Pac-West Telecomm, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Pac-West Telecomm, Inc. is seeking a Certificate of Authority to provide resold interexchange telecommunication services in South Dakota. The applicant intends to provide presubscribed message toll calling and a full range of other inbound and outbound voice and data services.

Staff Analyst: Keith Senger
Date Docketed: 08/22/00
Intervention Deadline: 09/08/00

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.ak.us/puc>

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF)
TEL WEST COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
LOCAL EXCHANGE SERVICES IN SOUTH)
DAKOTA)

ORDER DENYING
CERTIFICATE OF
AUTHORITY

TC00-127

On August 21, 2000, the Public Utilities Commission (Commission), in accordance with SDCL 49-3, specifically 49-31-69 and ARSD 20:10:32:03, received an application for a certificate of authority from Tel West Communications, LLC (Tel West).

Tel West proposes to provide basic local exchange telecommunications service on a non-facilities based resold basis, throughout all of the exchanges currently served by incumbent local exchange telecommunications company of Qwest Corporation (Qwest), f/k/a U S WEST Communications, Inc. The company intends to provide all forms of intrastate telecommunications services, including basic residential exchange services, call waiting, caller ID and call forwarding.

On August 24, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of September 8, 2000, to interested individuals and entities. No petitions to intervene or comments were filed. At its regularly scheduled February 6, 2001, meeting, the Commission considered Tel West's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Tel West was non-responsive to data requests from Staff and had filed an incomplete application.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Tel West has not met the legal requirements established for the granting of a certificate of authority. Tel West has not, in accordance with SDCL 49-31-69, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Pursuant to ARSD 20:10:32:06 the Commission voted to deny Tel West's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Tel West's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 13th day of February, 2001.

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	<u>Melanie Kalbo</u>
Date	<u>2/14/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner