

TCOO-142

TC 00-142

DECLARATION

In the Matter of _____

IN THE MATTER OF THE FILING BY
NETWORK COMMUNICATIONS
INTERNATIONAL CORP. FOR AN
AMENDED CERTIFICATE OF
AUTHORITY TO PROVIDE
TELECOMMUNICATIONS SERVICES IN
SOUTH DAKOTA

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDUM
8/3 00	Received;
10/2 00	Pocketed;
10/5 00	Weekly Filing;
11/16 00	Cyber Granting needed COB;
11/16 00	Rocket Closed



TC00-142

August 2, 2000
Via Overnight Delivery

RECEIVED

AUG 03 2000

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Mr. William Bullard, Jr.
Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, South Dakota 57501

Re: Tariff Revision of Network Communications International Corp.

Dear Mr. Bullard:

Enclosed is the original of a tariff revision of Network Communications International Corp. The purpose of this revision is to remove Debit Card as a service offering in the State of South Dakota. The Company has no Debit Cards issued to customers in South Dakota.

Because of the Company's decision to withdraw Debit Card from their service offerings in South Dakota, the Company respectfully petitions the Commission to return the Company's \$25,000 Surety Bond at this time.

Please acknowledge receipt of this filing by returning, date-stamped, the extra copy of this cover letter in the stamped self-addressed envelope which is provided for that purpose.

Questions regarding this filing may be directed to me at (407) 740-8575. Thank you for your assistance in this matter.

Sincerely,

Thomas M. Forte
Consultant to Network Communications International Corp.

Enclosures

TMF/sbm

cc: W.L. Pope - NCIC
file: NCIC - SD
TMS: SD00002

CHECK SHEET

This tariff contains the sheets listed below, each of which is effective as of the date shown on each sheet. Original and revised pages as named below comprise all changes from the original tariff.

Sheet	Revision	Sheet	Revision	Sheet	Revision
1	Original	21	Original	41	Original
2	Original	22	Original	42	1 st Rev. *
3	Original	23	Original		
4	Original	24	Original		
5	Original	25	Original		
6	Original	26	Original		
7	1 st Rev. *	27	Original		
8	1 st Rev. *	28	Original		
9	1 st Rev. *	29	Original		
10	1 st Rev. *	30	Original		
11	Original	31	Original		
12	Original	32	Original		
13	Original	33	Original		
14	Original	34	Original		
15	Original	35	Original		
16	1 st Rev. *	36	Original		
17	Original	37	1 st Rev. *		
18	Original	38	1 st Rev. *		
19	Original	39	1 st Rev. *		
20	1 st Rev. *	40	1 st Rev. *		

* Indicates new or revised sheet with this filing.

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: SD-00052

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Certain terms used generally throughout this tariff, particularly those for specialized common carrier communication channels furnished by the Company over its facilities are defined below:

Access - Access to NCIC's services are provided by one or more or a combination of the following methods: presubscription in equal access areas, direct access, 800, 950 and 10XXX dialing sequences.

Access Code - A sequence of numbers that, when dialed, connect the caller to the provider of services associated with that sequence.

Aggregator - Any person, excluding local exchange carriers and cellular service providers, that, in the ordinary course of its operations, make telephones available to the public or to transient users of its premises, for intrastate telephone calls using a provider of operator services.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable the Company to identify the origin of the Service User so the Company may rate and bill the call. All Authorization Codes shall be the sole property of the Company and no Customer shall have any property or other right or interest in the use of any particular Authorization Code. Automatic Numbering Identification ("ANI") may be used as or in connection with the Authorization Code.

Authorized User - A person or entity that accesses the Company's services. An Authorized User is responsible for compliance with this tariff.

Automatic Numbering Identification (ANI) - A type of signaling provided by a local exchange telephone company that automatically identifies the local exchange line from which a call originates.

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(D)

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: SD00002

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)

Billed Party - The person or entity responsible for payment of the Company's Service(s). For a Direct Dialed Call, the person or entity responsible for payment is the Customer responsible for payment for local telephone service at the telephone used to originate an intrastate call. In the case of a Travel Card call or other credit card call (herein collectively the "Card"), the person or entity responsible for payment is the Customer of record of the Travel Card or other valid and acceptable Card used. In the case of a collect or third party call, the person or entity responsible for payment is the person responsible for payment for local telephone service at the telephone number that agrees to accept charges for the call. In the case of a Room Charge Call, the entity responsible for payment is the Aggregator controlling the telephone used to originate the intrastate call. In all Operator Assisted calls not involving Cards, third party calls, collect calls or Room Charge calls, the person or entity responsible for payment is the Customer responsible for payment for local telephone services at the telephone used to originate the intrastate call. (T) (T)

Calling Card Call - A Direct Dialed or Operator Assisted call for which charges are billed not to the originating telephone number, but to a LEC or interexchange carrier calling card.

Central Office - A Local Exchange Carrier switching system where Local Exchange Carrier customer station loops are terminated for purposes of interconnection to each other and to trunks.

Channel - The term "Channel" denotes a path for electrical transmission between two or more points, the path having a band width designed to carry voice grade transmission.

Common Carrier - A company or entity providing telecommunications services to the public.

Credit Card Call - A Direct Dialed or Operator Assisted call for which charges are billed not to the originating telephone number, but to a credit commercial card, such as Visa or MasterCard.

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: SD00001

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS. (CONT'D.)

Customer - The term "Customer" denotes the person, partnership, association, joint stock company, trust, corporation, or governmental entity or any other entity that is responsible for payment of charges and for compliance with this tariff.

Customer - Provided Facilities - The term "Customer - Provided Facilities" denotes all communications facilities provided by the Customer and/or Authorized User other than those provided by the Company.

Equal Access - Has the meaning given that term in Appendix B of the Modification of Final Judgment entered August 24, 1982, in United States v. Western Electric, Civil Action No. 82-0192 (United States District Court, District of Columbia), as amended by the Court in its orders issued prior to October 17, 1990.

Equal Access Code - An access code that allows the public to obtain an equal access connection to the carrier associated with that code.

Dated: August 3, 2000

Effective August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: SD000002

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)

Exchange - The term "Exchange" denotes a unit established by the Local Exchange Carrier for the administration of communications service in a specified area that usually embraces a city, town or village and its environs. It consists of one or more Central Offices together with the associated facilities used in furnishing communications service within that area.

Local Exchange Carrier ("LEC") - The term "Local Exchange Carrier" denotes any telephone company that provides local telephone service to Customers within a defined area.

Measured Charge - A charge assessed on a per minute or incremental basis in calculating a portion of the charges due for a completed call.

NCIC - Network Communications International Corp., the issuer of this tariff.

Operator Assisted Call - An intrastate telephone connection completed through the use of the Company's operator.

Operator Service Charge - A non-measured (fixed) charge that is added to a measured charge in calculating the total tariff charges due for a completed Operator Assisted call.

Operator Services - Any telecommunication service that includes, as a component, any automatic or live assistance to a Customer or its Authorized User to arrange for billing or completion, or both, of an intrastate interLATA telephone call through a method other than:

- (i) automatic completion with billing to the telephone from which the call originated; or
- (ii) completion through an access code used by an Authorized User, with billing to an account previously established with the carrier by the Authorized User.

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: SD00002

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.4 Liabilities of Company, (Cont'd.)

2.4.3 NCIC shall be indemnified and held harmless by the Customer and Authorized User from and against all loss, liability, damage, and expense, including reasonable attorney's fees, due to claims for libel, slander, or infringement of copyright or trademark in connection with any material transmitted by any person using the Company's services and any other claim resulting from any act or omission of the Customer or Authorized User relating to the use of the Company's facilities.

2.4.4 The Company shall not be liable for any act or omission of any other entity furnishing to the Customer facilities or equipment used with the service furnished hereunder; nor shall the Company be liable for any damages or losses due in whole or in part to the failure of Customer-provided service, equipment or facilities.

2.4.5 [Reserved for Future Use]

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS SD00007

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.8 Payment for Service, (Cont'd.)

2.8.2 Payment for Service and Charges, (cont'd.)

- (J) In the event the Company must employ the services of attorneys for collection of charges due under this tariff or any contract for special services. Customer shall be liable for all costs of collection including reasonable attorney's fees and court costs.
- (K) NCIC will not bill for unanswered calls in areas where Equal Access is available, nor will NCIC knowingly bill for unanswered telephone calls where Equal Access is not available. In the event that an unanswered call is inadvertently billed due to the unavailability of Equal Access, NCIC will cancel all such charges upon request or may credit the account of the Billed Party. Any call for which the billed duration exceeds one minute shall be presumed to have been answered.
- (L) In the event the Customer is overbilled, an adjustment will be made to the Customer's account and the Customer will be deemed to not owe overbilled amount. If the Customer is underbilled, the Customer is allowed to either pay in lump sum or in installments.
- (M) [Reserved for Future Use]
- (N) A Customer has 180 days from the date of a bill to dispute a portion of their bill, notwithstanding Section 2.8(2)(A) through (L) above. While the charge is in dispute, the Customer shall only be required to pay the undisputed portion of their bill in full.

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS: S100002

SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)

3.6 [Reserved for Future Use]

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Dated: August 3, 2000

Effective August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

THIS SCHEDULE

SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D)

3.6 [Reserved for Future Use]

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Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS SD00002

SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)

3.6 [Reserved for Future Use]

(D)

(D)

Dated: August 3, 2000

Effective August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS 810000

SECTION 4.0 - RATES, (CONT'D.)

4.2 Operator Services, (Cont'd.)

4.2.2 Per Call Service Charges:

Operator Dialed Calling Card Station:	\$3.95
Operator Station	
Collect:	\$3.95
Billed to Third Party:	\$3.95
Person to Person:	\$6.50
Operator Dialed Surcharge:	
Operator Must Assist Call (0+)	\$2.50
Operator Assisted Call (0-)	\$3.50
Location Surcharge:	\$1.50

4.3 [Reserved for Future Use]

4.4 Directory Assistance

Rate Per Call: \$0.95

Dated: August 3, 2000

Effective: August 4, 2000

Issued by: William L. Pope - President
606 East Magrill Street
Longview, Texas 75601

TMS SD-00002

WEEKLY FILINGS

For the Period of September 28, 2000 through October 4, 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

CT00-105 In the Matter of the Complaint filed by Arnold Deutsch on behalf of Deutsch Construction, Inc., Sisseton, South Dakota, against Qwest Corporation Regarding Unauthorized Switching of Services.

The Complainant claims that his service was switched without authorization. The Respondent has not provided written authorization or taped verification. The Complainant requests crediting the account of all charges plus a penalty.

Staff Analyst: Leni Healy
Staff Attorney: Karen Cremer
Date Filed: 10/02/00
Intervention Deadline: NA

ELECTRIC

EL00-028 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.

MidAmerican Energy Company has filed for approval of revisions to its SDPUC Electric Tariff No. 1 electric tariff sheets. MidAmerican is proposing the cancellation of its Residential Guaranteed Electric Heat rate schedule.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 09/28/00
Intervention Deadline: 10/20/00

TELECOMMUNICATIONS

TC00-141 In the Matter of the Application of FairPoint Communications Solutions Corp. for a Certificate of Authority to Provide Telecommunications Services, including Local Exchange Services, in South Dakota.

FairPoint Communications Solutions Corp is seeking a Certificate of Authority to provide local exchange and interexchange telecommunication services in South Dakota. The applicant will provide various types of services including Message Telephone Service, Wide Area Telephone Service, WATS-like services, Foreign Exchange Services, private lines, tie lines, switched and special access service, cellular service, PCS service, local switched service, unbundled local links or ports, switching services, information

services, Internet services, and other services and facilities of communications common carriers and other entities.

Staff Analyst: Heather Forney
Date Docketed: 10/02/00
Intervention Deadline: 10/20/00

TC00-142 In the Matter of the Filing by Network Communications International Corp. for an Amended Certificate of Authority to Provide Telecommunications Services in South Dakota.

Network Communications International Corp. (NCIC) was granted a certificate of authority to provide telecommunications services in South Dakota on February 29, 2000, subject to a \$25,000 surety bond. On August 3, 2000, NCIC submitted a petition to withdraw Debit Cards from its service offerings in South Dakota in return for the Company's \$25,000 surety bond.

Staff Analyst: Heather Forney
Staff Attorney: Karen Gremer
Date Docketed: 10/02/00
Intervention Deadline: N/A

TC00-143 In the Matter of the Filing for Approval of a Resale Agreement between Qwest Corporation and Continental F.S. Communications.

A Resale Interconnection Agreement between Qwest Corporation (Qwest) and Continental F.S. Communications (Continental) was filed with the Commission for approval. The agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to Continental for the provision of local exchange service. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than October 24, 2000. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Karen Gremer
Date Docketed: 10/04/00
Initial Comments Due: 10/24/00

TC00-144 In the Matter of the Filing for Approval of a Resale Agreement between Qwest Corporation and Choctaw Communications, Inc. d/b/a Smoke Signal Communications.

A Resale Interconnection Agreement between Qwest Corporation (Qwest) and Choctaw Communications, Inc. d/b/a Smoke Signal Communications (Smoke Signal) was filed with the Commission for approval. The agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to Smoke Signal for the provision of local exchange service. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than October 24, 2000. Parties to the agreement 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: 10/04/00
Initial Comments Due: 10/24/00

TC00-145 In the Matter of the Filing for Approval of a Type 2 Wireless Interconnection Agreement between Qwest Corporation and WWC License, L.L.C.

A Wireless Interconnection Agreement between Qwest Corporation (Qwest) and WWC License, L.L.C. (WWC) was filed with the Commission for approval. The agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide certain ancillary functions and additional features to WWC for the provision of telecommunications services and also sets forth the terms, conditions and prices under which Qwest and WWC agree to provide Type 2 interconnection and reciprocal compensation for the exchange of traffic between themselves for the purpose of offering telecommunications services. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than October 24, 2000. Parties to the agreement 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: 10/04/00
Initial Comments Due: 10/24/00

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

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
NETWORK COMMUNICATIONS)	AMENDED CERTIFICATE OF
INTERNATIONAL CORP. FOR AN AMENDED)	AUTHORITY
CERTIFICATE OF AUTHORITY TO PROVIDE)	
TELECOMMUNICATIONS SERVICES IN)	TC00-142
SOUTH DAKOTA)	

The South Dakota Public Utilities Commission (Commission) granted Network Communications International Corp. (NCIC) a certificate of authority to provide telecommunications services in South Dakota on February 29, 2000, subject to a \$25,000 surety bond. NCIC offers the services of a switchless telecommunications reseller. A tariff was filed by NCIC. On August 3, 2000, NCIC submitted a petition to withdraw Debit Cards from its service offerings in South Dakota in return for the Company's \$25,000 surety bond.

At its November 2, 2000, meeting, the Commission considered NCIC's request for an amended certificate of authority. Commission Staff recommended granting the amended certificate of authority, subject to the condition that NCIC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24.02 and 20:10:24.03. The Commission finds that NCIC has met the legal requirements established for the granting of an amended certificate of authority. NCIC has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves NCIC's request for an amended certificate of authority, subject to the condition that NCIC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. (Commissioner Schoenfelder dissenting) As the Commission's final decision in this matter, it is therefore

ORDERED, that NCIC's request for an amended certificate of authority is hereby granted, subject to the condition that NCIC not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

Dated at Pierre, South Dakota, this 16th day of November, 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: Aldine Kaebo

Date: 11/16/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner
dissenting

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

AMENDED CERTIFICATE OF AUTHORITY

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

Authority was Granted November 2, 2000
Docket No. TC00-142

This is to certify that

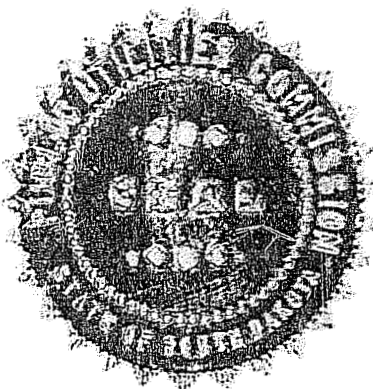
NETWORK COMMUNICATIONS INTERNATIONAL CORP.

is authorized to provide interexchange telecommunications services in South Dakota, subject to the condition that Network Communications International Corp. not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

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 12th day of November, 2000

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION:



James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner
dissenting