



CONTINENTAL FIRST STAR COMMUNICATIONS  
COMPANY

QUESTION  
WILLIAM L. PUNCHARD

ANSWER  
PUNCHARD, WILLIAM L.  
88030

20.10.32.03 Application for Certificate of Authority for Local  
Exchange Service, In State of South Dakota

(2) Company is a Sole Proprietorship

William L. Punchard, President - owner, 702 West First Street - Deming,  
New Mexico 88030

(3) Same name as above

(4) Applicant is not a Corporation yet.

(a) Principal Office at: 702 West First Street : Deming, New Mexico  
88030.

(b) William L. Punchard, President , and owner of 70% of the company

(c) N/A because not yet Incorporated.

(d) Certificate is not Required for None- Incorporated company

(5) This is a new Service - Other jurisdictions are listed in Question are  
new all so : New Mexico , Montana, Oregon, Washington, Idaho, North  
Dakota, Arizona, Wyoming, Iowa.

Applicant owner has other Corporations, and 20 Years of self-employment  
work know how, Applicant has a Doctor of Jurisprudence Degree  
(Specialization: Counseling) Degree.

(6) N/A.

(7) The Company will Resale Telephone Service to the Public - The  
company will be Financing the Deposit (\$200.00) that is required for long  
distance Service by the main provider - For this service a small percentage  
(%) will be charged (5 %) each Account. The Public will be able to purchase

(1)

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SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Call waiting, Callers ID, three way party Service, Local Service, long Distance, and advertising via the Applicants company

(a) Class of Customers, service will be for sale on equal Bases. However Low income, and state supported Household, the elderly will most likely take our services

(b) Applicant will not attempt to install his own Equipment unless finances become more at hand.

(c) The infrastructure for the service is all ready in place. The Qwest Communications Equipment is the means of Delivery. Services such as call waiting, Advertisement white pages, Three Way Service, and Callers ID, is exclusively the product of Qwest communication as is the revenue. The Applicant resell the Service to the Public for a Small Fee added. The Lines and main means of delivery of service to the Public is did by the Qwest Communications, and the Applicant is Charged directly, and is independently owned and operated by applicant. Applicant will bill the Public enduser.

(8) Please See Map attached.

(9)

(a) The Applicants Personnel has been training for the operations of the technical equipment. The combined application of the field worker and the operators insure that the service is the best there is. We all so will be working with Qwest Communications, which is all ready in place with Good service.

(b) All complaints can be Phoned to a 800 Number <sup>546-9473</sup> (505) ~~444-0000~~  
Field repairmen will make service repair as fast as time will allow

(10) 911 Call system service will be a part of our operations in all of the States: New Mexico; Washington; Montana; Idaho; North Dakota; Wyoming; South Dakota; Minnesota; Utah; Oregon; Iowa; Arizona

(11) A New Company and the Question is N/A

(12) Advertising. The Marketing will be did by Radio, Television, News Paper, and from time to time by Brochures

(a) Rates. In most cases the Discounted sale of the Service to the applicant is just a aravage of 15 to 20% For pervading the finances for the long Distance Deposit to the end User, the Applicant will receive about \$10.00 Monthly. We believe that About \$15.00 per coustermer will be our income

(b) Applicant has placed Surety (\$500,000.00) to cover his South Dakota Coustermers Long Distance Deposits Requirements

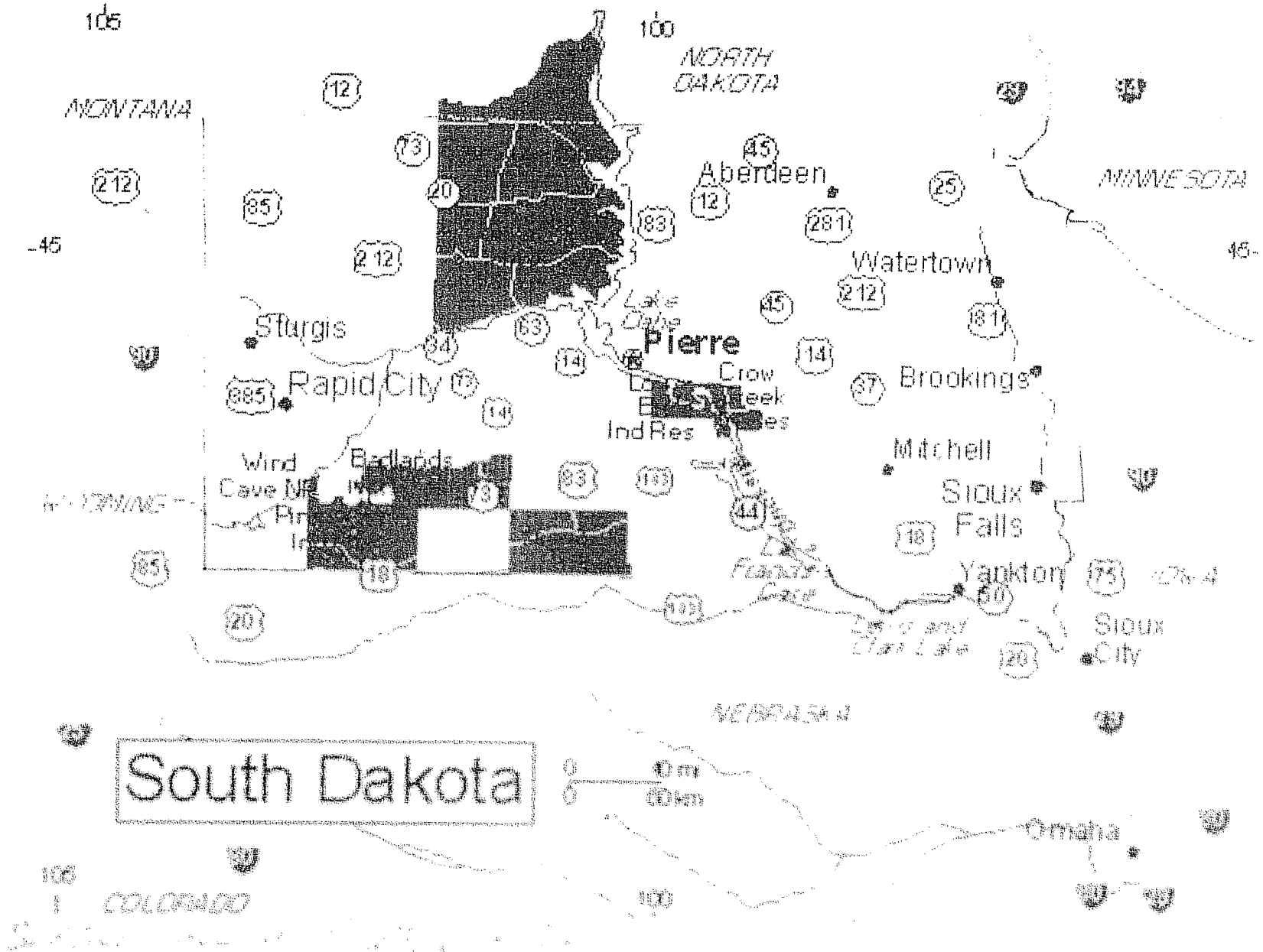
(c) Applicants Federal Tax Number is #02244275008

(d) Applicant has No other jurisdictional complaints against him

02/23/2001



William E. Purchard, President



South Dakota Public Utilities Commission  
WEEKLY FILINGS  
For the Period of March 1, 2001 through March 7, 2001

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**

**CT01-009** In the Matter of the Complaint filed by Curtis W. Griffin, Sioux Falls, South Dakota, against Qwest Corporation and MCI WorldCom Regarding Unauthorized Switching of Services.

The complainant alleges that his long distance services were switched without his authorization. The complainant is seeking a fine for Qwest and compensation of \$1000.00 from Qwest, along with switching fees and credit for all remaining unauthorized charges.

Staff Analyst: Charlene Lund  
Staff Attorney: Karen Cremer  
Date Docketed: 03/02/01  
Intervention Deadline: N/A

**TELECOMMUNICATIONS**

**TC01-018** In the Matter of the Filing for Approval of a First Amendment to an Interconnection Agreement between Qwest Corporation and CommChoice, LLC.

On March 5, 2001, a First Amendment to the Interconnection Agreement between Qwest Corporation (Qwest) and CommChoice, LLC (CommChoice) was filed with the Commission for approval. The agreement is a negotiated agreement with the parties adopting the negotiated interconnection agreement between Qwest and CommChoice which was approved by the Commission effective June 19, 1998, in Docket TC98-075. According to the parties the Amendment is made in order to replace the Interim Line Sharing Agreement CommChoice entered into on May 19, 2000, and to add terms, conditions and rates for Line Sharing as set forth in Attachment 1 to the Amendment. 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 March 26, 2001. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Richard D. Coit  
Executive Director  
rhc@sditc.org  
<http://www.sditc.org>

March 20, 2001

Mr. William Bullard, Executive Director  
South Dakota Public Utilities Commission  
State Capitol Building  
320 East Capitol Ave.  
Pierre, SD 57501

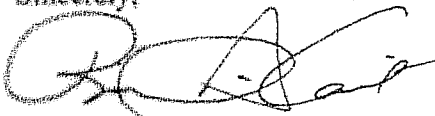
RE: PUC Docket TC01-019, Application of Continental First Star Communications

Dear Bill:

Enclosed for filing in the above referenced matter are the original and 10 copies of a SDITC Petition to Intervene, along with a Certificate of Service indicating service on the applicant company.

Thank you for your assistance in filing and distributing the same.

Sincerely,



Richard D. Coit  
Executive Director and General Counsel

Encls.

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MAR 20 2001

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION



**BEFORE THE PUBLIC UTILITIES COMMISSION**

**OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION )  
OF CONTINENTAL FIRST STAR )  
COMMUNICATIONS COMPANY FOR A )  
CERTIFICATE OF AUTHORITY FOR )  
LOCAL EXCHANGE SERVICE )**

**DOCKET TC01-019**

**RECEIVED**

**MAR 20 2001**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

**SDITC Petition to Intervene**

The South Dakota Independent Telephone Coalition ("SDITC") hereby petitions the Commission for intervention in the above captioned proceeding pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05. In support hereof, SDITC states as follows:

1. SDITC is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating throughout the State of South Dakota.

2. As expressly noted in the Bylaws of SDITC, duly adopted by the Coalition, "one of the primary purposes for the formation and existence of the South Dakota Independent Telephone Coalition is representation by the Coalition before the South Dakota Public Utilities Commission." The member companies of SDITC have delegated to the SDITC Board of Directors and its President the authority to intervene on their behalf in PUC proceedings which will or might potentially impact their common interests.

3. On or about February 23, 2001, Continental First Star Communications Company ("Continental First Star") filed an application with the Commission for a "Certificate of Authority for Local Exchange Service."

4. Under the application filed, it appears that Continental First Star may be seeking a statewide certification. Although certain language in the application indicates that service will be limited to where Qwest has facilities, a map is attached to the application and a notation on the map indicates that the company intends to "service all of South Dakota."

5. If Continental First Star is actually seeking a statewide certificate of authority for local exchange telecommunications services, the provisions of SDCL § 49-31-70 and ARSD § 20:10:32:04 are applicable and require that notice of the application be provided to other, already



certified, local exchange carriers. No indication is given by the application as to whether Continental First Star has provided this required notice.

6. All of the SDITC member companies operate as "rural telephone companies" for purposes of the Federal Telecommunications Act of 1996 and also the state laws enacted in 1998 addressing local exchange competition (SDCL §§ 39-31-69, et. seq.).

7. Assuming the application filed by Continental First Star seeks a statewide certificate of authority for local exchange services, clearly all of the SDITC member local exchange carriers ("LECs") have an interest in and stand to be impacted by this proceeding. SDITC seeks intervention in this proceeding based on the individual interests of each of its member LECs and based on their common interest to ensure that the rural safeguard provisions contained in the state statutes and within the Commission's administrative rules are properly applied. With respect to the application for a certificate of authority filed by Continental First Star, SDITC has some concerns.


8. SDITC first believes that the application, insofar as it relates to certification for local exchange service, is deficient for failing to provide all of the information required by the Commission's administrative rules. In addition, SDITC is concerned because Continental First Star has not indicated that it would comply with the additional service obligations imposed on local service providers in rural service areas pursuant to SDCL § 49-31-73 and ARSD §§ 20:10:32:15 thru 20:10:32:17. Before granting Continental First Star a certificate of authority to provide any local exchange services, this Commission must insist on compliance with these additional service obligations in rural service areas or, in the alternative, Continental First Star must follow the waiver process prescribed under both the state statute and in the Commission rules. This waiver process requires a finding by the Commission that the waiver would not "adversely impact universal service, that quality of services would be continued, and that it would otherwise be in the public interest." SDCL § 49-31-73. Under Section 20:10:32:18 of the Commission's administrative rules, Continental First Star, as the applicant company, has the burden to prove that granting it a waiver of the ETC service obligations would be consistent with these standards.

9. Based on all of the foregoing, SDITC alleges that it is an interested party in this matter and would seek intervening party status.

Dated this 20th day of March, 2000.

Respectfully submitted:

THE SOUTH DAKOTA INDEPENDENT  
TELEPHONE COALITION

By:   
Richard D. Coit  
Executive Director and General Counsel

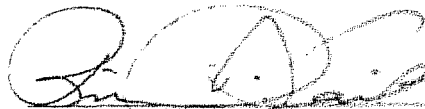
## CERTIFICATE OF SERVICE

I hereby certify that an original and ten (10) copies of the foregoing document were hand-delivered on the 20th day of March, 2001 to:

William Bullard  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

Copies were sent by First Class Mail via U.S. Postal Service to:

William L. Punchard, President/Owner  
Continental First Star Communications Company  
702 West First Street  
Deming, NM 88030



Richard D. Coit, Executive Director  
South Dakota Independent Telephone Coalition  
Post Office Box 57  
320 East Capitol Avenue  
Pierre, South Dakota 57501-0057

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF ) ORDER GRANTING  
CONTINENTAL FIRST STAR ) INTERVENTION  
COMMUNICATIONS COMPANY FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE ) TC01-019  
LOCAL EXCHANGE SERVICES IN SOUTH )  
DAKOTA )

On March 5, 2001, the Public Utilities Commission (Commission) received an Application for a certificate of authority from Continental First Star Communications Company to provide resold local exchange service throughout South Dakota.

On March 8, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of March 23, 2001, to interested individuals and entities. South Dakota Independent Telephone Coalition, Inc. (SDITC) filed a Petition to Intervene on March 20, 2001.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31 and ARSD 20:10:01:15.05.

At a regularly scheduled meeting of April 17, 2001, the Commission found that the Petition to Intervene was timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED, that the Petition to Intervene of SDITC is hereby granted.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of April, 2001.

<b>CERTIFICATE OF SERVICE</b>	
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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By	<u>Melaine Kalbo</u>
Date	<u>4/24/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF )  
CONTINENTAL FIRST STAR )  
COMMUNICATIONS COMPANY FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
LOCAL EXCHANGE SERVICES IN SOUTH )  
DAKOTA )

ORDER DENYING  
CERTIFICATE OF  
AUTHORITY

TC01-019

On March 5, 2001, 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 Continental First Star Communications Company (Continental)

Continental proposes to provide resold local exchange service throughout South Dakota

On March 8, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of March 23, 2001, to interested individuals and entities. A Petition to Intervene was received from South Dakota Independent Telephone Coalition (SDITC) on March 20, 2001. On April 17, 2001, the Commission granted intervention to SDITC. At its regularly scheduled September 7, 2001, meeting, the Commission considered Continental's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Continental had filed an incomplete application and failed to adequately provide information required by Staff

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 Continental has not met the legal requirements established for the granting of a certificate of authority. Continental 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 20:10:32:03 the Commission voted to deny Continental's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

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

Dated at Pierre, South Dakota, this 14<sup>th</sup> day of September, 2001

<b>CERTIFICATE OF SERVICE</b>	
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>    Melaine Kelso    </u>
Date	<u>    9/14/01    </u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION

    James A. Burg      
JAMES A. BURG, Chairman

    Pam Nelson      
PAM NELSON, Commissioner