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## STAFF MEMORANDUM

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**TO:** COMMISSIONERS AND ADVISORS  
**FROM:** LORENA REICHERT & AMANDA REISS  
**RE:** TC19-004 - In the Matter of the Application of Communications Venture Corporation dba INdigital for a Certificate of Authority to Provide Local Exchange and Interexchange Long Distance Services in South Dakota  
**DATE:** May 1, 2019

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### BACKGROUND

On February 27, 2019, Communications Venture Corporation dba INdigital (INdigital) filed an application for a Certificate of Authority to provide local exchange services throughout South Dakota. Specifically, INdigital seeks a certificate to provide local exchange telecommunications services in order to provide transitional Enhanced 911 and Next Generation 911 services to State, local, and/or any governmental or quasi-governmental agencies involved in administering and delivering emergency services using the universal 911 dialing code. These Next Gen Core services include IP based 911 call routing, database services, and database management. On March 13, 2019, the South Dakota Telecommunications Association (SDTA) filed a Petition to Intervene. At the April 2, 2019, Commission Meeting, SDTA was granted intervention. On March 26, 2019, INdigital filed a supplement to the application to also request approval to provide interexchange long distance services in South Dakota. On March 26, 2019, and March 27, 2019, INdigital responded to staff's data requests. INdigital requests that the Commission waive ARSD 20:10:32:03(11) and ARSD 20:10:32:10(3). The company also requested a waiver of ARSD 20:10:32:15, if necessary. On April 10, 2019, SDTA and INdigital filed a Joint Stipulation.

### DISCUSSION

#### Requested Waivers

*ARSD 20:10:32:03(11) and ARSD 20:10:32:10(3)*

Staff believes that the company has fulfilled the requirements to request a waiver of these rules and agrees with the language provided in the Joint Stipulation to "grant such waiver to the extent the service requirements/obligations listed are not related to INdigital's provisioning of 9-1-1 services."

*ARSD 20:10:32:15*

As in the Joint Stipulation, the parties agree that the COA should be limited "to cover only those specific telecommunications services that are necessary for INdigital to provision its 9-1-1 emergency services," staff believes that granting this request of a waiver is not necessary.

## **RECOMMENDATION**

Staff recommends that INdigital's requested waivers of ARSD 20:10:32:03(11) and ARSD 20:10:32:10 (3) are granted. Staff also recommends that the Joint Stipulation is approved and incorporated into the order. Staff recommends granting INdigital's request for a Certificate of Authority.