

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

IN THE MATTER OF THE JOINT APPLICATION )  
OF CLARITY TELECOM, LLC DBA BLUEPEAK )  
AND CERTAIN SUBSIDIARIES FOR APPROVAL )  
OF ASSET TRANSFER, REQUEST FOR )  
ELIGIBLE TELECOMMUNICATIONS CARRIER )  
DESIGNATION, AND REQUEST FOR )  
RELINQUISHMENT OF ELIGIBLE )  
TELECOMMUNICATIONS CARRIER )  
DESIGNATION )

ORDER TO DEFER

TC25-034

On August 4, 2025, the South Dakota Public Utilities Commission (Commission) received an Application from Clarity Telecom, LLC dba Bluepeak (Bluepeak) and Certain Subsidiaries for approval of: the pro forma asset transfer to transfer assets to two new wholly owned subsidiaries, Bluepeak BTS and Bluepeak ABS; the request to transfer Bluepeak's Certificate of Authority to provide local and interexchange services to Bluepeak BTS; the request for a new Certificate of Authority to provide local and interexchange services to Bluepeak ABS; the request to relinquish Bluepeak's Eligible Telecommunications Carrier (ETC) designation and grant new ETC designation to Bluepeak BTS and Bluepeak ABS, and approve tariff revisions. The requests all arise from a series of related, internal transfers of assets between Bluepeak and its wholly owned subsidiaries Bluepeak BTS and Bluepeak ABS.

On August 7, 2025, the Commission electronically transmitted notice of the filing and the intervention deadline of August 22, 2025, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. Bluepeak submitted responses to staff's data requests of September 26, and October 9, 2025.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, ARSD Chapters 20:10:24, 20:10:32 and 20:10:01, specifically ARSD 20:10:01:22.04.

At its regularly scheduled meeting on November 6, 2025, the Commission considered this matter. Finding that additional information was needed and that the application for a certificate of authority was not complete until on or after October 9, 2025, the Commission voted unanimously to defer action on this matter until the November 18, 2020 commission meeting. It is therefore

ORDERED, that this matter is deferred and this docket will be heard at the regularly scheduled Commission meeting on November 18, 2025.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of November 2025.

**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, electronically or by mail.

By: [Signature]

Date: 13 Nov 2025

BY ORDER OF THE COMMISSION:

[Signature: Gary Hanson]  
GARY HANSON, Chairman

[Signature: Chris Nelson]  
CHRIS NELSON, Commissioner

[Signature: Kristie Fiegen]  
KRISTIE FIEGEN, Commissioner