

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

IN THE MATTER OF THE APPLICATION OF) PNV INC. FOR AN AMENDED CERTIFICATE) OF AUTHORITY TO PROVIDE) TELECOMMUNICATIONS SERVICES IN) SOUTH DAKOTA)	ORDER AMENDING CERTIFICATE OF AUTHORITY TC98-069
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On October 20, 1999, the Public Utilities Commission (Commission) received a request from PNV Inc. (PNV) formerly known as Park 'N View, Inc. to amend its Certificate of Authority to provide telecommunications services in South Dakota. PNV's Certificate of Authority was subject to the condition that it not offer a prepaid calling card or require advance payments or deposits without prior approval of the Commission. PNV is now requesting that the Certificate of Authority be amended to allow it to offer these services. PNV is offering to post a bond in the amount of \$25,000 as a condition of such amendment.

On October 21, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of November 5, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled May 17, 2000, meeting, the Commission considered PNV's request for an amended certificate of authority. Commission Staff recommended granting an amended certificate of authority, subject to PNV's posting a bond in the amount of \$25,000.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3. The Commission voted to approve PNV's application for an amended certificate of authority, subject to the condition that it post a bond in the amount of \$25,000 to ensure its compliance with South Dakota law and to reimburse customers in South Dakota for any prepayments or deposits they have made which PNV may be unable or unwilling to return to said customers as a result of insolvency or other business failure. It is therefore

ORDERED, that PNV's application for an amended certificate of authority to provide telecommunications services is granted, subject to the condition that PNV post a bond in the amount of \$25,000 for the purposes stated above; and it is

FURTHER ORDERED, that PNV shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 23rd day of May, 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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Alaina Kolbo</i></u>
Date: <u>5/25/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner