

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF CONCERT COMMUNICATIONS SALES LLC FOR A CERTIFICATE OF AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICES IN SOUTH DAKOTA))))))	ORDER GRANTING CERTIFICATE OF AUTHORITY <p style="text-align: center;">TC99-027</p>
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On March 29, 1999, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Concert Communications Sales LLC (Concert). On June 3, 1999, Concert filed an amended application.

Concert seeks authority to operate as a reseller of intraLATA and interLATA interexchange telecommunications services throughout the state of South Dakota. Services will include 1+ interexchange services, data transmission services, including but not limited to MTS, private line, WATS, post and prepaid calling cards, toll free, ISDN and frame relay services. A proposed tariff was filed by Concert. The Commission has classified long distance service as fully competitive.

On April 1, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of April 16, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its August 17, 1999, meeting, the Commission considered Concert's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Concert not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Concert has met the legal requirements established for the granting of a certificate of authority. Concert has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves Concert's application for a certificate of authority, subject to the condition that Concert not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

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

FURTHER ORDERED, that the Commission finds good cause to waive ARSD 20:10:24:02(8). It is

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

Dated at Pierre, South Dakota, this 26th day of August, 1999.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p>))))))	<p>BY ORDER OF THE COMMISSION:</p> <p style="text-align: center;">_____ JAMES A. BURG, Chairman</p> <p style="text-align: center;">_____ PAM NELSON, Commissioner</p>
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By: _____
Date: _____
(OFFICIAL SEAL)

LASKA SCHOENFELDER, Commissioner