

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

**IN THE MATTER OF THE APPLICATION OF AVERA
COMMUNICATION, L.L.C. FOR A CERTIFICATE OF
AUTHORITY TO PROVIDE TELECOMMUNICATIONS
SERVICES IN SOUTH DAKOTA**

) **ORDER GRANTING CERTIFICATE OF**
) **AUTHORITY**
)
) **TC99-101**
)

On October 6, 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 Avera Communication, L.L.C. (Avera).

Avera proposes to offer facilities based and resold interexchange services to residential, commercial and business customers in South Dakota. The Commission has classified long distance service as fully competitive.

On October 7, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of October 22, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 1, 1999, meeting, the Commission considered Avera's request for a certificate of authority. Commission Staff recommended granting a certificate of authority with bond requirements. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8) and (15). The \$25,000 bond filed in TC99-083 also satisfies the bond requirement in this docket

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 Avera has met the legal requirements established for the granting of a certificate of authority. Avera 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) and (15). Avera filed a \$25,000 bond in TC99-083, which the Commission finds will satisfy the requirement for a bond in this docket. The Commission approves Avera's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Avera's application for a certificate of authority is hereby granted, effective December 6, 1999. It is

FURTHER ORDERED, that the Commission finds good cause to waive ARSD 20:10:24:02(8) and (15). It is

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

Dated at Pierre, South Dakota, this 4th day of November, 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: _____</p> <p>Date: _____</p> <p style="text-align:center">(OFFICIAL SEAL)</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> <p style="text-align:center">_____ LASKA SCHOENFELDER, Commissioner</p>
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