

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF )  
OZARK TELECOM, INC. FOR A CERTIFICATE )  
OF AUTHORITY TO PROVIDE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )

ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY

TC99-084

On July 13, 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 Ozark Telecom, Inc. (Ozark).

Ozark is a reseller of telecommunications services and it intends to offer 1+ and 101XXXX direct outbound dialing, 800/888 toll-free inbound dialing and travel card service. A proposed tariff was filed by Ozark. The Commission has classified long distance service as fully competitive.

On July 15, 1999, the Commission electronically transmitted notice of the filing and the intervention deadline of July 30, 1999, to interested individuals and entities. No petitions to intervene or comments were filed and at its December 28, 1999, meeting, the Commission considered Ozark's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Ozark 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 SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Ozark has met the legal requirements established for the granting of a certificate of authority. Ozark 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 Ozark's application for a certificate of authority, subject to the condition that Ozark 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 Ozark's application for a certificate of authority is hereby granted, subject to the condition that Ozark 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 Ozark shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 12<sup>th</sup> day of January, 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 first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: *Delaine Kalbs*

Date: 1/13/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner