

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
LOCAL TELCOM HOLDINGS, LLC D/B/A)	CERTIFICATE OF
TRANSPORT COMMUNICATIONS FOR A)	AUTHORITY
CERTIFICATE OF AUTHORITY TO PROVIDE)	
INTEREXCHANGE TELECOMMUNICATIONS)	TC01-037
SERVICES IN SOUTH DAKOTA)	

On March 23, 2001, 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 Local Telcom Holdings, LLC d/b/a Transpoint Communications (Transpoint).

Transpoint proposes to offer non-facilities-based and resold interexchange telecommunications services indiscriminately to both residential and business class customers throughout the entire state of South Dakota. A proposed tariff was filed by Transpoint. The Commission has classified long distance service as fully competitive.

On April 12, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of April 27, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its May 8, 2001, meeting, the Commission considered Transpoint's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Transpoint 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 Transpoint has met the legal requirements established for the granting of a certificate of authority. Transpoint 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 Transpoint's application for a certificate of authority, subject to the condition that Transpoint 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 Transpoint's application for a certificate of authority is hereby granted, effective May 23, 2001, subject to the condition that Transpoint 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 Transpoint shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 14th day of May, 2001.

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: <u>Helaine Kalbo</u>
Date: <u>5/15/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner