

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

<b>IN THE MATTER OF THE FILING FOR ) APPROVAL OF TRANSFER OF CERTIFICATE ) OF AUTHORITY FROM TOUCH AMERICA ) SERVICES, INC. TO TOUCH AMERICA, INC. )</b>	<b>ORDER GRANTING TRANSFER OF CERTIFICATE OF AUTHORITY TC01-040</b>
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On April 11, 2001, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:04.01, 20:10:24:04.02 and 20:10:24:05, received an application for transfer of certificate of authority from Touch America Services, Inc. (Touch America Services), to Touch America, Inc. (Touch America). Touch America Services requested a waiver of 20:10:34:02.01.

Touch America proposes to provide non-dominant competitive resold and facilities-based interexchange telecommunications services and alternative operator services.

On April 19, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of May 4, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its May 22, 2001, meeting, the Commission considered the request for transfer of certificate of authority. Commission Staff recommended transferring the certificate of authority from Touch America Services to Touch America, contingent on receiving notification from Touch America that NeuStar has transferred the CIC Code from Touch America Services to Touch America. Touch America has agreed to provide the letter and therefore withdraws the request for a waiver of ARSD 20:10:34:02.01.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:04.01 and 20:10:24:04.02. The Commission finds that Touch America has met the legal requirements established for the granting of a certificate of authority. Touch America has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves the application for transfer of certificate of authority from Touch America Services to Touch America. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that the application for transfer of certificate of authority from Touch America Services to Touch America is hereby granted, effective June 11, 2001, contingent on receiving notification from Touch America that NeuStar has transferred the CIC Code from Touch America Services to Touch America. It is

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

Dated at Pierre, South Dakota, this 30<sup>th</sup> day of May, 2001.

<b>CERTIFICATE OF SERVICE</b>
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>          Relaine Kelbo          </u>
Date: <u>          5/30/01          </u>
(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

          James A. Burg            
JAMES A. BURG, Chairman

          Pam Nelson            
PAM NELSON, Commissioner