

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

<b>IN THE MATTER OF THE APPLICATION OF ) VITCOM CORPORATION FOR A CERTIFICATE ) OF AUTHORITY TO PROVIDE LOCAL ) EXCHANGE SERVICES IN SOUTH DAKOTA )</b>	<b>ORDER GRANTING CERTIFICATE OF AUTHORITY TC01-107</b>
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On August 14, 2001, the Public Utilities Commission (Commission) received an application for a certificate of authority from Vitcom Corporation (Vitcom).

Vitcom proposes to offer local exchange telecommunications services indiscriminately to both residential and business class customers throughout the state of South Dakota. A proposed tariff was filed by Vitcom.

On August 16, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of August 31, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled May 30, 2002, meeting, the Commission considered Vitcom's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to rural safeguards, and subject to the condition that Vitcom not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Vitcom has met the legal requirements established for the granting of a certificate of authority. Vitcom has, in accordance with SDCL 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves Vitcom's application for a certificate of authority, subject to rural safeguards, and subject to the condition that Vitcom not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. The certificate of authority for Vitcom shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should Vitcom choose to provide local exchange services statewide, with respect to rural telephone companies, Vitcom will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that Vitcom's application for a certificate of authority to provide local exchange services is granted, subject to the condition that Vitcom not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission; and it is

FURTHER ORDERED, that Vitcom shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Vitcom to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of June, 2002.

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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Melaine Kalbo</u>
Date:	<u>6/11/02</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Robert K. Sahr  
ROBERT K. SAHR, Commissioner