

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>ILOKA INC. D/B/A MICROTECH-TEL FOR A )</b>	<b>CERTIFICATE OF</b>
<b>CERTIFICATE OF AUTHORITY TO PROVIDE )</b>	<b>AUTHORITY</b>
<b>INTEREXCHANGE TELECOMMUNICATIONS )</b>	
<b>SERVICES AND LOCAL EXCHANGE )</b>	<b>TC02-105</b>
<b>SERVICES IN SOUTH DAKOTA )</b>	

On August 13, 2002, the Public Utilities Commission (Commission) received an application for a certificate of authority from iLOKA Inc. d/b/a Microtech-tel (Microtech-tel).

Microtech-tel proposes to seek authority to provide resold and facilities-based interexchange services and local exchange services throughout South Dakota in areas that are not eligible for a small or rural carrier exemption. A proposed tariff was filed by Microtech-tel.

On August 15, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of August 30, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled October 17, 2002, meeting, the Commission considered Microtech-tel'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 Microtech-tel 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 49-31-3 and 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that Microtech-tel has met the legal requirements established for the granting of a certificate of authority. Microtech-tel has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves Microtech-tel's application for a certificate of authority, subject to rural safeguards, and subject to the condition that Microtech-tel 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 Microtech-tel 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 Microtech-tel choose to provide local exchange services statewide, with respect to rural telephone companies, Microtech-tel 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 Microtech-tel's application for a certificate of authority to provide interexchange telecommunications services and local exchange services is granted, subject to the condition that Microtech-tel 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 Microtech-tel shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Microtech-tel 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 31<sup>st</sup> day of October, 2002.

<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>Mildred Kelbo</u>
Date:	<u>11/1/02</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