

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

**IN THE MATTER OF THE APPLICATION OF )  
ALL-STAR ACQUISITION CORPORATION )  
FOR A CERTIFICATE OF AUTHORITY TO )  
PROVIDE INTEREXCHANGE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY**

**TC02-160**

On September 19, 2002, 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 All-Star Acquisition Corporation (All-Star).

All-Star proposes to provide resold intrastate telecommunications services, including MTS, in-WATS, out-WATS and calling card services throughout South Dakota. A proposed tariff was filed by All-Star. The Commission has classified long distance service as fully competitive.

On September 26, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of October 11, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 20, 2002, meeting, the Commission considered All-Star's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that All-Star not offer a prepaid calling card or require or accept 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 All-Star has met the legal requirements established for the granting of a certificate of authority. All-Star 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 All-Star's application for a certificate of authority, subject to the condition that All-Star not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that All-Star's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that All-Star not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(8). It is

FURTHER ORDERED, that All-Star shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 2<sup>nd</sup> day of December, 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 first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Melaine Kasbo</u>
Date: <u>12/3/02</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