

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

IN THE MATTER OF THE APPLICATION OF) MOTION TELECOM, INC. FOR A) CERTIFICATE OF AUTHORITY TO PROVIDE) INTEREXCHANGE TELECOMMUNICATIONS) SERVICES IN SOUTH DAKOTA)	ORDER GRANTING CERTIFICATE OF AUTHORITY TC03-109
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On July 7, 2003, 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 Motion Telecom, Inc. (Motion Telecom).

Motion Telecom proposes to offer long distance services and prepaid calling card services to residential and commercial customers in South Dakota. A proposed tariff was filed by Motion Telecom. The Commission has classified long distance service as fully competitive.

On July 10, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of July 25, 2003, to interested individuals and entities. No petitions to intervene or comments were filed and at its August 4, 2003, meeting, the Commission considered Motion Telecom's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to a continuous \$25,000 surety bond.

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 Motion Telecom has met the legal requirements established for the granting of a certificate of authority. Motion Telecom 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 Motion Telecom's application for a certificate of authority, subject to a continuous \$25,000 surety bond. As the Commission's final decision in this matter, it is therefore

ORDERED, that Motion Telecom's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, effective September 5, 2003, subject to a continuous \$25,000 surety bond. It is

FURTHER ORDERED, that Motion Telecom shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 8th day of August, 2003.

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>Delaine Kolbe</u>
Date: <u>8/8/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner