

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

**IN THE MATTER OF THE APPLICATION OF )  
MG LLC D/B/A SEARSCONNECT FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
INTEREXCHANGE TELECOMMUNICATIONS )  
SERVICES IN SOUTH DAKOTA )**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY**

**TC03-177**

On September 11, 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 MG LLC d/b/a SearsConnect (SearsConnect).

SearsConnect proposes to offer interexchange services. A proposed tariff was filed by SearsConnect. The Commission has classified long distance service as fully competitive.

On September 18, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of October 3, 2003, to interested individuals and entities. No petitions to intervene or comments were filed and at its December 16, 2003, meeting, the Commission considered SearsConnect's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that SearsConnect not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 SearsConnect has met the legal requirements established for the granting of a certificate of authority. SearsConnect 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 SearsConnect's application for a certificate of authority, subject to the condition that SearsConnect not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that SearsConnect's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that SearsConnect not offer any prepaid services (including prepaid calling cards) and not accept or require any 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 SearsConnect shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 22<sup>nd</sup> day of December, 2003.

<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>Maixie Kolbo</u>
Date:	<u>12/23/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Gary Hanson

GARY HANSON, Commissioner

James A. Burg

JAMES A. BURG, Commissioner