

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

IN THE MATTER OF THE APPLICATION OF)	ORDER DENYING
COGNIGEN NETWORKS, INC. FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS)	
SERVICES IN SOUTH DAKOTA)	TC04-076

On April 12, 2004, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an incomplete application for a certificate of authority from Cognigen Networks, Inc. (Cognigen).

Cognigen proposes to provide long distance telecommunications services throughout South Dakota.

On April 15, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of April 30, 2004, to interested individuals and entities. At its regularly scheduled June 22, 2004, meeting, the Commission considered Cognigen's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Cognigen had failed to pay the required \$250.00 application fee.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Cognigen has not met the legal requirements established for the granting of a certificate of authority. Cognigen has not, in accordance with SDCL 49-31-69, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Pursuant to ARSD 20:10:32:06 the Commission voted to deny Cognigen's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Cognigen's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 30th day of June, 2004.

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: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner