

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
SANCOM, INC. D/B/A MITCHELL TELECOM)	CERTIFICATE OF
FOR A CERTIFICATE OF AUTHORITY TO)	AUTHORITY
PROVIDE LOCAL EXCHANGE SERVICES IN)	
THE TERRITORY OF QWEST CORPORATION)	TC04-090

On May 7, 2004, the Public Utilities Commission (Commission) received an application for a certificate of authority from Sancom, Inc. d/b/a Mitchell Telecom (Sancom).

Sancom proposes to offer local exchange services in Qwest Corporation's service area.

On May 13, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of May 28, 2004, to interested individuals and entities. On May 19, 2004, the Commission received a Petition to Intervene from Midcontinent Communications. On June 1, 2004, the Commission received an Objection to Intervene from Sancom. At a regularly scheduled meeting of June 8, 2004, the Commission granted intervention to Midcontinent. At its regularly scheduled July 20, 2004, meeting, the Commission considered Sancom's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, upon Sancom obtaining a continuous \$25,000 surety bond, and subject to rural safeguards.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Sancom has met the legal requirements established for the granting of a certificate of authority. Sancom has, in accordance with SDCL 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves Sancom's application for a certificate of authority, upon it obtaining a continuous \$25,000 surety bond, and subject to rural safeguards. The certificate of authority for Sancom 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 Sancom choose to provide local exchange services statewide, with respect to rural telephone companies, Sancom 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 Sancom's application for a certificate of authority to provide local

exchange services is granted, upon it filing with the Commission a continuous \$25,000 surety bond; and it is

FURTHER ORDERED, that Sancom shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize Sancom to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company; and it is

Dated at Pierre, South Dakota, this 29th day of July, 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 facsimile or 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