

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

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| IN THE MATTER OF THE FILING BY) | ORDER GRANTING |
| SOUTHWESTERN BELL COMMUNICATIONS) | AMENDED CERTIFICATE OF |
| SERVICES, INC. D/B/A SOUTHWESTERN) | AUTHORITY |
| BELL LONG DISTANCE FOR AN AMENDED) | |
| CERTIFICATE OF AUTHORITY TO PROVIDE) | TC04-098 |
| INTEREXCHANGE TELECOMMUNICATIONS) | |
| SERVICES IN SOUTH DAKOTA) | |

On July 14, 1997, 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 Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance (Southwestern).

Southwestern sought statewide authority to offer a full line of inbound, outbound, conference, directory assistance, calling card, prepaid calling card, and private line services to business customers and residential customers. Initially Southwestern did not plan to offer alternative operator services. A proposed tariff was filed by Southwestern. The Commission has classified long distance service as fully competitive.

On July 17, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of August 1, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its August 18, 1997, meeting, the Commission considered Southwestern's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Southwestern not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

The Commission received a \$25,000 surety bond from Southwestern and on June 1, 2004, the Commission was notified that Southwestern wished to collect advance payments and deposits from its South Dakota customers. Southwestern requested that it be permitted to post a \$25,000 surety bond and that the restrictions be removed from its certificate of authority.

At its regularly scheduled June 22, 2004, meeting, Staff recommended that the Commission reconsider the terms and conditions of Southwestern's certificate of authority to permit Southwestern to post a continuous \$25,000 surety bond and remove the restriction that Southwestern not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission.

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 Southwestern has met the legal requirements established for the granting of a certificate of authority. Southwestern 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 Southwestern's application for an amended certificate of authority, subject to a continuous \$25,000 surety bond, it is therefore

ORDERED, that Southwestern's application for an amended certificate of authority to provide interexchange telecommunications services is hereby granted, subject to a continuous \$25,000 surety bond.

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

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| <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p> |
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BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner