

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

**IN THE MATTER OF THE APPLICATION OF )  
EMBARQ COMMUNICATIONS, INC. FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
INTEREXCHANGE TELECOMMUNICATIONS )  
SERVICES IN SOUTH DAKOTA )**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY**

**TC06-080**

On July 7, 2006, 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 Embarq Communications, Inc. (Embarq). A proposed tariff was filed by Embarq. The Commission has classified long distance service as fully competitive.

On July 13, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of July 28, 2006, to interested individuals and entities. No petitions to intervene or comments were filed and at its October 19, 2006, meeting, the Commission considered Embarq'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 Embarq has met the legal requirements established for the granting of a certificate of authority. Embarq 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 Embarq'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 Embarq's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to a continuous \$25,000 surety bond. It is

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

Dated at Pierre, South Dakota, this 31<sup>st</sup> day of October, 2006.

<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><i>Delaine Kalbo</i></u>
Date: <u>11/1/06</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Robert K. Sahr*  
ROBERT K. SAHR, Chairman

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner

*Gary Hanson*  
GARY HANSON, Commissioner