

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
MIDSTATE TELECOM, INC. FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS)	
SERVICES IN SOUTH DAKOTA)	TC08-113

On September 12, 2008, 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 Midstate Telecom, Inc. (Midstate) to provide interexchange services in areas in which Qwest provides local exchange services. The Commission has classified long distance service as fully competitive.

On September 18, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of October 3, 2008, to interested individuals and entities. No petitions to intervene or comments were filed and at its October 21, 2008, meeting, the Commission considered Midstate's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Midstate 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.

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 Midstate has met the legal requirements established for the granting of a certificate of authority. Midstate 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 Midstate's application for a certificate of authority to provide interexchange telecommunications in South Dakota exchanges served by Qwest, subject to the condition that Midstate 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 Midstate's application for a certificate of authority to provide interexchange telecommunications services in South Dakota exchanges served by Qwest is hereby granted, subject to the condition that Midstate 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 this order constitutes your certificate of authority as described above.

Dated at Pierre, South Dakota, this 24th day of October, 2008.

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, electronically

By: Alaine Kolbo

Date: 10/24/08

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin Johnson
DUSTIN M. JOHNSON, Commissioner