

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

IN THE MATTER OF THE APPLICATION OF)	
SOUTH DAKOTA NETWORK, LLC FOR A)	
CERTIFICATE OF AUTHORITY TO PROVIDE)	ORDER GRANTING
COMPETITIVE LOCAL EXCHANGE SERVICE)	CERTIFICATE OF
IN QWEST SERVICE AREAS)	AUTHORITY
)	
)	TC10-022

On March 26, 2010, the Commission received an application from South Dakota Network, LLC (SDN) for a certificate of authority to provide local exchange service in Qwest Corporation service areas in South Dakota. SDN seeks authority to provide local exchange voice services to business customers through voice over Internet protocol (VoIP) or through use of unbundled network elements or resale of voice service provided by Qwest.

At its regularly scheduled meeting on April 20, 2010, the Commission considered SDN's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to rural safeguards.

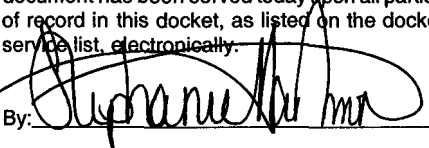
The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:32:03. The Commission finds that SDN has met the legal requirements established for the granting of a certificate of authority. SDN has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves SDN's application for a certificate of authority subject to rural safeguards. The certificate of authority for SDN shall authorize it to offer local exchange services in Qwest Service Areas. In the future, should SDN choose to provide local exchange services statewide, with respect to rural telephone companies, SDN 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 of 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 SDN's application for a certificate of authority to provide local exchange services in Qwest Service Areas is granted, subject to rural safeguards. It is further

ORDERED, that this order constitutes SDN's certificate of authority as described above.

Dated at Pierre, South Dakota, this 30th day of April, 2010.

<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, electronically.</p> <p>By: <u></u></p> <p>Date: <u>04/30/10</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner