

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

**IN THE MATTER OF THE APPLICATION OF)
PAY TEL COMMUNICATIONS, INC. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
ALTERNATIVE OPERATOR SERVICES IN)
SOUTH DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC10-023**

On April 8, 2010, the Public Utilities Commission (Commission) received an application from Pay Tel Communications, Inc. (Pay Tel) for a certificate of authority to provide alternative operator services on a resale basis within the state of South Dakota. Pay Tel proposes to offer automated collect calling services to inmates and other incarcerated persons in correctional facilities within the state of South Dakota. On April 15, 2010, the Commission electronically transmitted notice of the filing and the intervention deadline of April 30, 2010, to interested individuals and entities. No petitions to intervene or comments were filed.

At its regularly scheduled meeting of August 10, 2010, the Commission considered Pay Tel's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to Pay Tel submitting a continuous \$25,000 surety bond. Commission Staff further recommended a waiver of ARSD 20:10:24:05(3) (4)(c), (4)(d), (5) (6), (7), and (11) for the provision of AOS to inmate customers in correctional facilities.

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 20:10:24:05. The Commission finds that Pay Tel has met the legal requirements established for the granting of a certificate of authority. Pay Tel has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(3), (4)(c), (4)(d), (5), (6), (7), and (11) for the provision of AOS to inmate customers in correctional facilities. The Commission approves Pay Tel's application for a continuous \$25,000 surety bond. As the Commission's final decision in this matter, it is therefore

ORDERED, that Pay Tel's application for a certificate of authority to provide alternative operator services is hereby granted, subject to Pay Tel's continuous maintenance of a continuous \$25,000 surety bond issued to the Commission. It is further

ORDERED, that the Commission waives ARSD 20:10:24:02(3), (4)(c) (4)(d), (5), (6), (7), and (11) for the provision of AOS to inmate customers in correctional facilities. It is further

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

Dated at Pierre, South Dakota, this 25th day of August, 2010.

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: _____

Date: 08/25/10

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson

DUSTIN M. JOHNSON, Chairman

Steve Kolbeck

STEVE KOLBECK, Commissioner

Gary Hanson

GARY HANSON, Commissioner