

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

**IN THE MATTER OF THE APPLICATION OF)
CREXENDO BUSINESS SOLUTIONS, INC. FOR)
A CERTIFICATE OF AUTHORITY TO PROVIDE)
INTEREXCHANGE TELECOMMUNICATIONS)
SERVICES AND LOCAL EXCHANGE SERVICES)
IN SOUTH DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC10-088**

On September 22, 2010, the Public Utilities Commission (Commission) received a petition from Crexendo Business Solutions, Inc. (Crexendo), for a certificate of authority to provide interexchange telecommunications services and local exchange services. The applicant intends to provide interexchange services on a statewide basis and local services in the areas served by Qwest Corporation in the state of South Dakota. On September 23, 2010, the Commission electronically transmitted notice of the filing to interested individuals and entities. No petitions to intervene or comments were filed. On October 26, 2010 the Commission considered Crexendo's request for a certificate of authority, no action was taken.

At its regularly scheduled meeting on November 9, 2010, the Commission considered Crexendo's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Crexendo 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, and 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 20:10:24:02 and 20:10:32:03. The Commission finds that Crexendo has met the legal requirements established for the granting of a certificate of authority. Crexendo 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 Crexendo's application for a certificate of authority subject to the condition that Crexendo 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, and subject to rural safeguards. The certificate of authority for Crexendo shall authorize it to offer interexchange services on a statewide basis and local services in the areas served by Qwest Corporation in South Dakota, except in those areas served by a rural telephone company. In the future, should Crexendo choose to provide local exchange services statewide, with respect to rural telephone companies, Crexendo will have to come before the Commission in another proceeding before being able to provide local service in rural service areas 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

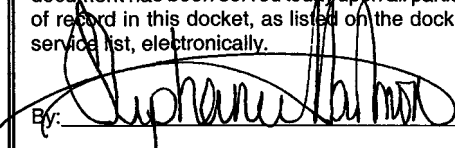
ORDERED, that Crexendo's application for a certificate of authority to provide interexchange services on a statewide basis and local services in the areas served by Qwest Corporation in South Dakota, except in those areas served by a rural telephone company, subject to the condition that Crexendo not offer any prepaid services (including prepaid calling cards) and not accept or require

any deposits or advance payments without prior approval of the Commission, and subject to rural safeguards. It is further

ORDERED, that this certificate of authority authorizes Crexendo to offer interexchange services on a statewide basis and local services in the areas served by Qwest Corporation in South Dakota, except in those areas served by a rural telephone company in South Dakota, except in those areas served by a rural telephone company. It is further

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


Dated at Pierre, South Dakota, this 16th day of November, 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: <u></u>
Date: <u>11/16/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner