

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

IN THE MATTER OF THE APPLICATION) OF TOLY DIGITAL NETWORKS, INC.) FOR A CERTIFICATE OF AUTHORITY) TO PROVIDE INTEREXCHANGE LONG) DISTANCE SERVICES IN SOUTH) DAKOTA)	ORDER GRANTING CERTIFICATE OF AUTHORITY AND GRANTING WAIVER
	TC14-029

On June 19, 2014, the South Dakota Public Utilities Commission (Commission) received an application for a certificate of authority from Toly Digital Networks, Inc. (Toly) to provide intrastate telecommunications services within South Dakota through the resale of similar services offered by other interexchange carriers. Toly plans to offer services on all equal-access areas within the State of South Dakota. On July 18, 2014, Toly requested a waiver of the cash flow statement in ARSD 20:10:24:02(9).

On June 26, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of July 11, 2014, to interested individuals and entities. No petitions to intervene or comments were filed.

At its regularly scheduled meeting of August 6, 2014, the Commission considered this matter. 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. The Commission finds that Toly has met the legal requirements established for the granting of a certificate of authority. Toly has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial, and managerial capabilities to provide intrastate interexchange telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(9). The Commission voted unanimously to grant Toly a certificate of authority and the waiver as requested, subject to the condition that Toly not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments, for retail purposes, without prior approval of the Commission. It is therefore

ORDERED, that Toly's application for a certificate of authority to provide interexchange services is granted, subject to the condition that Toly not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments, for retail purposes, without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(9). It is

FURTHER ORDERED, that this order constitutes Toly's Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 11th day of August, 2014.

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><i>Joy Lasky</i></u>
Date:	<u>8-11-14</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner