

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

**IN THE MATTER OF THE APPLICATION OF X5)
OPCO LLC FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE INTEREXCHANGE)
LONG DISTANCE SERVICES IN SOUTH)
DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF AUTHORITY**

TC15-070

On November 20, 2015, the Public Utilities Commission (Commission) received an application from X5 OpCO LLC for a Certificate of Authority to provide interexchange long distance services throughout South Dakota. Specifically, X5 OpCo LLC proposes to provide intraLATA and interLATA interexchange telecommunications services.

On November 25, 2015, the Commission electronically transmitted notice of the filing and the intervention deadline of December 11, 2015, to interested individuals and entities. No parties sought intervention. On November 30, 2015, and December 28, 2015, X5 OpCo LLC responded to staff's data requests.

At its January 19, 2016 meeting, the Commission considered this matter. Commission staff recommended granting a certificate of authority, subject to the condition that X5 OpCo LLC not offer any prepaid services, including prepaid calling cards, and not accept 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, as well as ARSD 20:10:24:02. The Commission voted unanimously to grant the Certificate of Authority, subject to staff's condition. The Commission finds that X5 OpCo LLC has met the legal requirements established for the granting of a Certificate of Authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that X5 OpCo LLC's request for a Certificate of Authority to provide interexchange services in South Dakota is granted.

Dated at Pierre, South Dakota, this 20th day of January, 2016.

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 or by mail.
By: <u>Karen E. Cromer</u>
Date: <u>01-20-16</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner