

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

IN THE MATTER OF THE APPLICATION OF) NEBRASKA TECHNOLOGY &) TELECOMMUNICATIONS, INC. FOR A) CERTIFICATE OF AUTHORITY TO PROVIDE) LOCAL EXCHANGE AND INTEREXCHANGE) LONG DISTANCE SERVICES IN SOUTH) DAKOTA)	ORDER GRANTING CERTIFICATE OF AUTHORITY TC17-004
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On February 3, 2017, the South Dakota Public Utilities Commission (Commission) received a filing from Nebraska Technology & Telecommunications, Inc. (NT&T) for a Certificate of Authority to provide local exchange and interexchange long distance services in South Dakota. NT&T intends to provide local exchange services in the non-rural areas of CenturyLink's areas.

On February 9, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of February 24, 2017, to interested individuals and entities. No petitions to intervene or comments were filed. On February 23, 2017, NT&T responded to Staff's data request.

At its March 14, 2017, meeting, the Commission considered this matter. Commission staff recommended granting a certificate of authority with the conditions that, for retail purposes, NT&T 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 49-31-69 through 49-31-75, as well as ARSD 20:10:32:03. The Commission finds that NT&T has met the legal requirements established for the granting of a Certificate of Authority. NT&T has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission voted unanimously to approve NT&T's application for a certificate of authority subject to the conditions that, for retail purposes, NT&T 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 be subject to rural safeguards. The certificate of authority for NT&T shall authorize it to provide local exchange telecommunications service in South Dakota, except in those areas served by a rural telephone company. In the future, should NT&T choose to provide local exchange services statewide, with respect to rural telephone companies, NT&T 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 in 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 NT&T's application for a certificate of authority to provide inter exchange services in South Dakota is granted. It is further

ORDERED, that NT&T's request for a certificate of authority to provide local exchange services is granted, subject to the conditions that, for retail purposes, NT&T 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 NT&T to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is further

ORDERED, that this order constitutes NT&T's Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 21st day of March, 2017.

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. Cremer</u>
Date: <u>03/21/2017</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner