

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

IN THE MATTER OF THE APPLICATION OF VESTA SOLUTIONS, INC. FOR A CERTIFICATE OF AUTHORITY TO PROVIDE LOCAL EXCHANGE AND INTEREXCHANGE LONG DISTANCE SERVICES IN SOUTH DAKOTA)	ORDER GRANTING APPROVAL OF JOINT STIPULATION; ORDER GRANTING CERTIFICATE OF AUTHORITY; ORDER GRANTING WAIVERS
)	
)	TC19-002

On February 7, 2019, the South Dakota Public Utilities Commission (Commission) received an application from Vesta Solutions, Inc. (Vesta) requesting for a Certificate of Authority to provide local exchange services and interexchange long distance services throughout South Dakota. Specifically, Vesta seeks to provide IP-based 9-1-1 call routing, database services and management, and network services to promote the advancement and migration of public safety answering point (PSAP) networks to the NG9-1-1 architecture. Vesta requests that the Commission waive ARSD 20:10:32:03(11) and ARSD 20:10:32:10(1-7). Vesta also requested a waiver of ARSD 20:10:32:03(15), ARSD 20:10:24:02(17) and ARSD 20:10:32:03(24), if necessary.

On February 14, 2019, the Commission electronically transmitted notice of the filing and the intervention deadline of March 1, 2019, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. On February 28, 2019, the South Dakota Telecommunications Association (SDTA) filed a Petition to Intervene. On March 7, 2019, Vesta responded to Commission staff's data requests. At the March 19, 2019, Commission Meeting, SDTA was granted intervention. On March 27, 2019, SDTA and Vesta filed a Joint Stipulation. On May 1, 2019, Commission staff filed a memorandum regarding recommendation of the docket.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, 49-31-69 through 49-31-75, and ARSD 20:10:24 and 20:10:32.

At its regularly scheduled meeting on May 2, 2019, the Commission considered this matter. Commission staff recommended the Commission approve Vesta's application subject to the terms and conditions included in the Joint Stipulation and that the Commission grant waivers of ARSD 20:10:32:03(11) and ARSD 20:10:32:10 (1-7).

The Commission finds that Vesta has met the legal requirements established for the granting of a certificate of authority. Vesta 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 Vesta's application for a certificate of authority subject to the terms and conditions as set forth in as set forth in the Joint Stipulation. The Commission further voted unanimously to grant Vesta's request for a waiver of ARSD 20:10:32:03(11) and ARSD 20:10:32:10 (1-7).

It is therefore

ORDERED, that the Joint Stipulation is hereby approved. It is further

ORDERED, that Vesta's application for a certificate of authority to provide interexchange and local exchange services in South Dakota is hereby granted, subject to the terms and conditions in the Joint Stipulation. It is further

ORDERED, that Vesta's request for waivers of ARSD 20:10:32:03(11) and ARSD 20:10:32:10 (1-7) is hereby granted. It is further

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

Dated at Pierre, South Dakota, this 7th day of May 2019.

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>Adam Kettweck</u>
Date: <u>5/7/19</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner