

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

**IN THE MATTER OF THE APPLICATION OF)
EASTON TELECOM SERVICES, L.L.C. FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
LOCAL EXCHANGE SERVICES IN SOUTH)
DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC20-048

On August 18, 2020, Easton Telecom Services, L.L.C. (Easton) filed an application for a Certificate of Authority to provide local exchange services in South Dakota. Easton seeks to provide 24 hour per day competitive resold local exchange services to business customers and may also provide services wholesale to other resellers and carriers. Easton intends to provide local exchange services in the service areas of CenturyLink QC. The Commission granted Easton a Certificate of Authority to provide interexchange services in South Dakota in 2010.

The Commission 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.

On August 27, 2020, the Commission electronically transmitted notice of the filing and the intervention deadline of September 4, 2020, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On September 22, 2020, Easton filed an Amendment to Application for Certificate of Authority for Local Exchange Services in South Dakota.

At its regularly scheduled meeting of September 29, 2020, the Commission considered this matter. Commission staff recommended granting a certificate of authority, subject to the condition that Easton not offer any prepaid services, including prepaid calling cards, and not accept any deposits or advance payments without prior approval of the Commission, and be subject to rural safeguards.

The Commission finds that Easton has met the legal requirements established for the granting of a certificate of authority. Easton thus, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial, and managerial capabilities to provide local exchange telecommunications services in South Dakota. The Commission voted unanimously to grant Easton a certificate of authority, subject to the condition that Easton 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. The certificate of authority for Easton 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 Easton choose to provide local exchange services statewide, with respect to rural telephone companies, Easton 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 Easton's application for a certificate of authority to provide local exchange services is granted, subject to the condition that Easton 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 this certificate of authority authorizes Easton 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 Easton's Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 2nd day of October 2020.

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>10/02/20</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner