

TC97-015

AC/TS

TC97-015

DOCKET NO.

In the Matter of IN THE MATTER OF THE
APPLICATION OF AMERICAN
TELECOMMUNICATIONS SYSTEMS,
INC. FOR A CERTIFICATE OF
AUTHORITY TO PROVIDE
TELECOMMUNICATIONS SERVICES IN
SOUTH DAKOTA

Public Utilities Commission of the State of South Dakota

DATE

MEMORANDA

2/18/97	Filed and docketed;
2/20/97	TL For Filing
3/18/97	Received Certificate of Authority from Sec. of State;
4/10/97	Order Granting COA,
4/10/97	Docket Closed

TC97-015

Lance J.M. Steinhart

Attorney At Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30155

Also Admitted in New York
and Maryland

Telephone: (770) 698-9200
Facsimile: (770) 698-9202

February 14, 1997

VIA FEDERAL EXPRESS

Mr. William Bullard
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

RECEIVED
FEB 18 1997
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: American Telecommunications Systems, Inc.

Dear Mr. Bullard:

Enclosed please find one original and ten (10) copies of American Telecommunications Systems, Inc.'s Application for Registration of a Telecommunications Company.

Please note that Exhibit A, the Certificate of Authority from the Secretary of State, is not attached. We have applied for the certificate and will forward a copy to the commission upon receipt.

In order to expedite the processing of this application, I would like to suggest that all requests for information by the analyst be made by either telephone or facsimile. I will make every effort to respond on the day of the request.

I have also enclosed a check in the amount of \$250.00 payable to the "South Dakota Public Utilities Commission" for the filing fee, and an extra copy of this cover letter to be date stamped and returned to me in the enclosed self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,


Lance J.M. Steinhart

Attorney for American Telecommunications
Systems, Inc.

Enclosures
cc: Mr. Bill Stathakaros
LJS/afs

APPLICATION FOR REGISTRATION
OF AMERICAN TELECOMMUNICATIONS SYSTEMS, INC.
FILED WITH THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)
APPLICATION OF)
AMERICAN TELECOMMUNICATIONS)
SYSTEMS, INC.)
FOR AN ORDER)
authorizing the registration)
of applicant as a)
telecommunications company)

Docket No. _____

APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission for an Order authorizing American Telecommunications Systems, Inc. ("Applicant") to register as a telecommunications company within the State of South Dakota. The following information is furnished in support thereof:

1. Name, Address and Telephone Number of Applicant

American Telecommunications Systems, Inc.
7207 Whipple, NW
North Canton, Ohio 44720
(330) 490-2263

All inquiries regarding complaints and regulatory matters should be addressed to:

Lance J.M. Steinhart, Esq.
6455 East Johns Crossing, Suite 285
Duluth, Georgia 30155
(770) 698-9200
(770) 698-9202 (Fax)

2. Registered Agent

The name and address of the Applicant's registered agent are:

CT Corporation System
319 South Coteau Street
Pierre, South Dakota 57501

3. Description of the Applicant

Applicant was incorporated in the State of Ohio on January 21, 1997 as Argea Associates, Inc. with perpetual duration. On February 7, 1997, Applicant changed its name to American Telecommunications Systems, Inc. Applicant has applied for authority to transact business as a foreign corporation in the State of South Dakota and will file a copy of its Certificate of Authority as Exhibit A upon receipt. A copy of the Applicant's Articles of Incorporation, as amended, is attached as Exhibit B hereto.

4. Facilities

Applicant does not own or maintain any transmission facilities or switching equipment in the State of South Dakota. The Applicant will provide services through AT&T, its underlying carrier.

5. Stockholders

The names and addresses of all 5% or greater stockholders of Applicant are as follows:

Name and Address	Shares Owned	Percentage of all Shares Issued and Outstanding and Voting Control
Bill Stathakaros	250	50%
Deborah Stathakaros	250	50%

The above referenced individuals can be reached at 7207 Whipple, NW, North Canton, Ohio 44720.

6. Officers and Directors

The name and address of the officer and director of Applicant are as follows:

Bill Stathakaros, President/Director

He can be reached at Applicant's address listed above.

7. Corporate Ownership

The name and address of any corporation, association or similar organization holding a five percent (5%) or greater ownership in the Applicant is as follows:

None

8. Subsidiaries owned or controlled by Applicant

None

9. Description of Services

Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers. As a switchless reseller, Applicant has no points of presence in the State of South Dakota, thus Applicant neither owns, leases, nor operates any switching, transmission, or other physical facilities in the State of South Dakota, and no such facilities will be used by Applicant in providing service in the State of South Dakota. Rather, Applicant will be engaged in reselling services provided by facilities-based carriers within the State of South Dakota. Upon receiving certification, Applicant intends to provide services throughout the State of South Dakota.

Applicant intends to provide these services to customers on a jurisdictionally interstate basis subject to the FCC's jurisdiction and Applicant intends to provide these services on jurisdictionally intrastate basis pursuant to certification, registration or tariff requirements, or on an unregulated basis, in all fifty states except Alaska, subject to the jurisdiction of various public service and utilities commissions. Applicant is currently in the process of obtaining all required authorizations from the FCC and the state regulatory agencies.

Applicant intends to provide high quality service, with an industry standard blocking rate less than P.01. Its services will be available on a full-time basis, twenty-four hours a day, seven days a week, to customers within the geographic boundaries of the State of South Dakota.

10. Financial Qualifications

Applicant is financially qualified to provide intrastate interexchange telecommunications services within South Dakota. In particular, Applicant has adequate access to the capital necessary to fulfill any obligations it may undertake with respect to the provision of intrastate telecommunications services in the State of South Dakota. See Exhibit C which is attached hereto, Applicant's Balance Sheet as of February 10, 1997.

11. Tariff

A copy of Applicant's proposed tariff is attached as Exhibit D hereto.

WHEREFORE, the undersigned Applicant requests that the South Dakota Public Utilities Commission enter an order granting this application.

DATED this 14th day of Feb, 1997.

American Telecommunications Systems, Inc.

By: 
Lance J.M. Steinhart, Its Counsel

6455 East Johns Crossing
Suite 285
Duluth, Georgia 30155
(770) 698-9200

STATE OF OHIO

COUNTY OF STARK

Bill Stathakaros, being first duly sworn, deposes and says that he is the President of American Telecommunications Systems, Inc., the Applicant in the proceeding entitled above, that he has read the foregoing application and knows the contents thereof; that the same are true of his knowledge, except as to matters which are therein stated on information or belief, and to those matters he believes them to be true.

Bill Stathakaros
Bill Stathakaros

Subscribed and sworn to before this 13th day of February 1997.

Dean S. Pirovolos
Notary Public

My Commission expires: August 15, 1999

DEAN S. PIROVOLOS
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES AUGUST 15, 1999

LIST OF EXHIBITS

- A - CERTIFICATE OF AUTHORITY**
- B - ARTICLES OF INCORPORATION**
- C - FINANCIAL INFORMATION**
- D - PROPOSED TARIFF**

EXHIBIT A - CERTIFICATE OF AUTHORITY

EXHIBIT B - ARTICLES OF INCORPORATION

121-013



The State of Ohio

Bob Taft

Secretary of State

965661



Certificate



hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

that said records show the filing and recording of: ARF MIS

of:

ARGEA ASSOCIATES, INC.

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll 5721 at Frame 0798 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 21ST day of JAN

A.D. 19 97



Bob Taft
Bob Taft
Secretary of State

05721-0798

APPROVED

BY

DATE

AMOUNT

26
11/21/97
\$45.1
97012113601

ARTICLES OF INCORPORATION
OF
ARGEA ASSOCIATES, INC.

Article I.

Name

The name of said corporation shall be Argea Associates, Inc.

Article II.

Principal Place of Business

The place in the State of Ohio where the principal office of the Corporation is to be located is North Canton, Ohio, Stark County.

Article III.

Purposes

This Corporation is formed to engage in any lawful act or activity for which corporations may be formed under Sections 1701.01 to 1701.98, inclusive, of the Ohio Revised Code.

Article IV.

Capital Stock

The maximum number of shares which the Corporation is authorized to have outstanding is 750 shares of Common Stock without par value.

Article V.

Minimum Capital

The minimum amount of capital with which the Corporation shall begin business is Five Hundred Dollars (\$500.00).

Article VI.

Elimination of Preemptive Rights

No shareholder shall have any preemptive right, as such rights are defined by law, to subscribe for, purchase or acquire shares of any class, whether now or hereafter authorized.

Article VII.

Special Voting Requirements

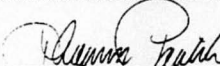
Notwithstanding any provision of the Ohio Revised Code now or hereafter in force requiring for any action the vote or consent of the holders of shares entitling them to exercise two-thirds or any other proportion of the voting power of the Corporation or of any class or classes of shares thereof, such action may be taken by the vote or consent of the holders of shares entitling them to exercise a majority of the voting power of the Corporation or of such class or classes, unless a greater proportion of said voting power is expressly required by these Articles of Incorporation or the Code of Regulations of the Corporation.

Article VIII.

Purchase of Stock

The Corporation shall have the power by action of its Board of Directors to purchase, hold, sell and transfer shares of its own capital stock.

The undersigned Incorporator has executed these Articles of Incorporation this 17th day of January, 1997, in accordance with the requirements of Ohio Revised Code Sections 1701.01 to 1701.98, inclusive.



Thomas C. Pavlik, Incorporator

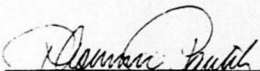
05721-0800

ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being Incorporator of Argea Associates, Inc., hereby appoints Thomas C. Pavlik to be the statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served.

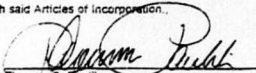
The complete address of the agent is: Skylight Office Tower, Suite 270, 1660 West Second Street, Cleveland, Ohio 44113-1498.

Dated: January 17th 1997.


Thomas C. Pavlik, Incorporator

ACCEPTANCE OF APPOINTMENT AS STATUTORY AGENT

Concurrently with the filing of the foregoing Articles of Incorporation, said Incorporator appointed Thomas C. Pavlik of Skylight Office Tower, Suite 270, 1660 West Second Street, Cleveland, Ohio 44113-1498 as the agent upon whom process, tax notices and demands against Argea Associates, Inc. might be served. The undersigned hereby acknowledges and accepts his appointment as Statutory Agent for Argea Associates, Inc. this 17th day of January, 1997. Said Original Appointment of Agent is being duly filed with the Secretary of State, together with said Articles of Incorporation.


Thomas C. Pavlik

NEXT

DOCUMENT (S)

BEST IMAGE

POSSIBLE

Sherrad Brown
Secretary of State

46566
Approved: 26
Date: 3/7/57
Fee: 5.00
77028737701

CERTIFICATE OF
AMENDED ARTICLES OF INCORPORATION OF

ARGEA ASSOCIATES, INC.

(Name of Corporation)

William G. Stathakaros, who is ~~the President~~, President,
who is ~~Vice President~~ (check one) and Deborah A. Stathakaros
who is ~~Secretary~~ Assistant Secretary of the above named Ohio corporation for
profit with its principal location at North Canton, Ohio do
hereby certify that:

a meeting of the shareholders was duly called and held on the
day of _____, 19____, at which meeting a
quorum of the shareholders was present in person or by proxy,
and by the affirmative vote of the holders of shares entitling
them to exercise _____% of the voting power of the corpora-
tion,

XIXIX

in a writing signed by all of the shareholders who would be
entitled to a notice of a meeting held for that purpose,

the following Amended Articles of Incorporation were adopted to supersede
and take the place of the existing Articles and all amendments thereto:

AMENDED ARTICLES OF INCORPORATION

FIRST: The name of the corporation is American Telecommunications

Systems, Inc.

SECOND: The place in the State of Ohio where its principal office is
located is the City of North Canton, Stark County.

THIRD: The purposes of the corporation are as follows: provide
telecommunication services to the public

FOURTH: The number of shares which the corporation is authorized to have outstanding is: Seven Hundred Fifty (750)

FIFTH: These amended articles of incorporation take the place of and supersede the existing articles of incorporation as heretofore amended.

IN WITNESS WHEREOF, the above named officers, acting for and on behalf of the corporation, have subscribed their names this 3rd day of February, 1997.

BY: William G. Stathakaros
(Chairman, President or V. President)
William G. Stathakaros, President

BY: Deborah A. Stathakaros
(Secretary or Assistant Secretary)
Deborah A. Stathakaros, Assistant Secretary

NOTE: Ohio law does not permit one officer to sign in two capacities. Two separate signatures are required, even if this necessitates the election of a second officer before the filing can be made.

EXHIBIT C - FINANCIAL INFORMATION

PAC-GRIP FINANCIAL SERVICES
1886 Whipple Avenue N.W.
Canton, Ohio 44708
330-477-0077

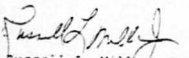
ACCOUNTING AND TAX PROFESSIONALS
PUBLIC ACCOUNTANTS

TO THE STOCKHOLDERS
AMERICAN TELECOMMUNICATIONS SYSTEMS INC
NORTH CANTON, OHIO 44705

I have compiled the accompanying Balance Sheet for AMERICAN TELECOMMUNICATIONS SYSTEMS INC as of February 10, 1997 for the period then ended, in accordance with established standards.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. I have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures required by generally accepted accounting principals. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the company's financial position, results of operations and changes in financial position. Accordingly, these financial statements are not designed for those who are not informed about such matters.


Russell L. Miller, Jr.
Public Accountant

February 10, 1997

BALANCE SHEET
AS OF FEBRUARY 10, 1997
AMERICAN TEL SYSTEMS INC

ASSETS		
CURRENT ASSETS		
SH IN BANK - CHECKING	25,500.00	
TOTAL CURRENT ASSETS		25,500.00
FIXED ASSETS		
EQUIPMENT	131,544.00	
C DEPR - EQUIPMENT		
TOTAL FIXED ASSETS		131,544.00
OTHER ASSETS		
GAMIFICATION FEES	2,500.00	
TOTAL OTHER ASSETS		2,500.00
TOTAL ASSETS		159,544.00

LIABILITIES & EQUITY		
CURRENT LIABILITIES		
COUNTS PAYABLE		
TOTAL CURRENT LIABILITIES		
LONG TERM LIABILITIES		
TE PAY - BANK		
TOTAL LONG TERM LIABILITIES		
TOTAL LIABILITIES		
STOCKHOLDER'S EQUITY		
COMMON STOCK	500.00	
RETAINED EARNINGS	159,044.00	
PROFIT/LOSS YR TO DATE		
TOTAL CAPITAL		159,544.00
TOTAL LIABILITIES & EQUITY		159,544.00

ACCT'S COMPILED REPORT*		

American Telecommunications Systems, Inc.

LETTER OF AGENCY

COMPANY NAME: _____
BILLING ADDRESS: _____
CITY, STATE, ZIP: _____
CONTACT: _____
CONTACT #: _____

The undersigned does hereby appoint American Telecommunications Systems, Inc., as my agent in my name and stead to participate and coordinate all main billing telephone lines/numbers assigned to voice or data communications, and their associated working telephone lines/numbers listed below. This appointment of agent will change only the telephone lines listed below from the current long distance carrier to American Telecommunications Systems, Inc. In addition, this appointment of agent gives American Telecommunications Systems, Inc., the authority to deal with the local exchange company and/or long distance company, including interconnect companies. A switching charge may be incurred each time the underlying interexchange company is changed. This appointment of agent also revokes any other appointments given to any other carriers prior to this date.

INTRASTATE RATE: _____ INTERSTATE RATE: _____

800 INTRASTATE RATE: _____ 800 INTERSTATE RATE: _____

(For ATS Rep.'s use only)

TELEPHONE LINES/NUMBERS TO BE SERVICED

(Additional lines may be on attached pages initialed by customer)

NAME: _____ REPRESENTATIVE: _____

TITLE: _____

SIGNATURE: _____ DATE: _____

ACCEPTED
FOR ATS BY: _____ TITLE: _____ DATE: _____

SERVICE REQUEST FORM

DATE: _____	CURRENT L.D. CARRIER: _____
LOCAL TELEPHONE CO: _____	AVG. LD BILL: _____
Physical Location of Services	Billing Information (If different)
COMPANY: _____	BILLING NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE: _____	CITY/STATE: _____
ZIP: _____	ZIP: _____
CONTACT PERSON: _____	ATTN: _____
TELEPHONE NO: _____	CONSOLIDATE BILLING TO: _____
	BTN: () -

BTN (Billed Telephone Number): _____	cust. code: _____
--------------------------------------	-------------------

WTN's (list all Working Telephone Nymber's)		
()	()	()
()	()	()
()	()	()

Additional BTN's (such as FAX or MODEM lines)		
BTN: ()	Cust Code: _____	Account Codes: _____
BTN: ()	Cust Code: _____	Account Codes: _____

CUSTOMER (SIGNATURE): _____ TITLE: _____

ATS REPRESENTATIVE: _____

EXHIBIT D - PROPOSED TARIFF

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 1
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

TITLE SHEET

SOUTH DAKOTA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by American Telecommunications Systems, Inc. ("ATS"), with principal offices at 7207 Whipple, NW, North Canton, Ohio 44720. This tariff applies for services furnished within the State of South Dakota. This tariff is on file with the South Dakota Public Utilities Commission, and copies may be inspected, during normal business hours, at the company's principal place of business.

ISSUED: February 17, 1997	EFFECTIVE:
ISSUED BY:	Bill Stathakaros, President
	7207 Whipple, NW
	North Canton, Ohio 44720

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 2
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

CONCURRING, CONNECTING OR

OTHER PARTICIPATING CARRIERS AND

BILLING AGENTS

1. Concurring Carriers - None
2. Connecting Carriers - None
3. Other Participating Carriers - None
4. Billing Agents - None

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
 7207 Whipple, NW
 North Canton, Ohio 44720

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 3
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

CHECK SHEET

Sheets 1 through 27 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original
26	Original
27	Original

* New or Revised Sheet

ISSUED: February 17, 1997	EFFECTIVE:
ISSUED BY:	Bill Stathakaros, President
	7207 Whipple, NW
	North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

TABLE OF CONTENTS

	Page
Title Sheet.....	1
Concurring, Connecting or Other Participating	
Carriers and Billing Agents.....	2
Check Sheet.....	3
Table of Contents.....	4
Tariff Format.....	5
Symbols.....	6
Section 1 - Technical Terms and Abbreviations.....	7
Section 2 - Rules and Regulations.....	9
2.1 Undertaking of the Company.....	9
2.2 Use of Services.....	10
2.3 Liability of the Company.....	11
2.4 Responsibilities of the Customer.....	13
2.5 Cancellation or Interruption of Service.....	15
2.6 Credit Allowance.....	17
2.7 Restoration of Service.....	18
2.8 Deposit.....	18
2.9 Advance Payments.....	18
2.10 Payment and Billing.....	19
2.11 Collection Costs.....	20
2.12 Taxes.....	20
2.13 Late Charge.....	20
2.14 Returned Check Charge.....	20
Section 3 - Description of Service.....	21
3.1 Computation of Charges.....	21
3.2 Customer Complaints and/or Billing Disputes.....	22
3.3 Level of Service.....	23
3.4 Billing Entity Conditions.....	23
3.5 Service Offerings.....	24
Section 4 - Rates.....	26
4.1 1+ Dialing.....	26
4.2 Travel Cards.....	26
4.3 Toll Free.....	26
4.4 Directory Assistance.....	27
4.5 Returned Check Charge.....	27
4.6 Rate Periods.....	27

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
 7207 Whipple, NW
 North Canton, Ohio 44720

TARIFF FORMAT

A. Sheet Numbering: Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between pages 11 and 12 would be page 11.1.

B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets currently in effect.

C. Paragraph Numbering Sequence: There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 2.1
- 2.1.1
- 2.1 1.A
- 2.1.1.A.1
- 2.1.1.A.1.(a)
- 2.1.1.A.1.(a).I
- 2.1.1.A.1.(a).I.(i)
- 2.1.1.A.1.(a).I.(i).(1)

D. Check Sheets: When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current Revision Number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find out if a particular sheet is the most current on Commission file.

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 6
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- (C) to signify change in regulation
- (D) to signify a deletion
- (I) to signify a rate increase
- (L) to signify material relocated in the tariff
- (N) to signify a new rate or regulation
- (R) to signify a rate reduction
- (T) to signify a change in text, but no change in rate or regulation

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to ATS's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable ATS to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the South Dakota Public Utilities Commission.

Customer - The person, firm, corporation or other legal entity which orders the services of ATS and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Company or ATS - Used throughout this tariff to mean American Telecommunications Systems, Inc., an Ohio corporation.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

ISSUED: February 17, 1997	EFFECTIVE:
ISSUED BY:	Bill Stathakaros, President
	7207 Whipple, NW
	North Canton, Ohio 44720

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 8
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by ATS for telecommunications between points within the State of South Dakota. Resale services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. The Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company reserves the right to examine the credit record and check the references of all applicants and Customers. The Company may examine the credit profile/record of any applicant prior to accepting the service order. The service application shall not in itself obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record is, in the opinion of the Company, contrary to the best interest of the Company. The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement. The Company does not own any switching, transmission or other physical facilities in South Dakota.

ISSUED: February 17, 1997	EFFECTIVE:
ISSUED BY:	Bill Stathakaras, President
	7207 Whipple, NW
	North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

- 2.1.1 The services provided by ATS are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the resale services furnished by ATS and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of ATS.
- 2.1.3 The Company reserves the right to limit the length of communications, to discontinue furnishing services, or limit the use of service necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

2.2 Use of Services

- 2.2.1 ATS's services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services, subject to any limitations set forth in this Section 2.2.
- 2.2.2 The use of ATS's services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

- 2.2.3 The use of ATS's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.
- 2.2.4 ATS's services are available for use twenty-four hours per day, seven days per week.
- 2.2.5 ATS does not transmit messages, but the services may be used for that purpose.
- 2.2.6 ATS's services may be denied for nonpayment of charges or for other violations of this tariff.
- 2.2.7 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.2.8 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

2.3 Liability of the Company

- 2.3.1 The Company shall not be liable for any claim, loss, expense or damage for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by the Underlying Carrier, an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control.
- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.3.4 The Company's liability for damages, resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentations shall not exceed an amount equal to the charges provided for under this tariff for the long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.
- 2.3.5 The Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.
- 2.3.6 The Company shall not be liable for any indirect, special, incidental, or consequential damages under this tariff including, but not limited to, loss of revenue or profits, for any reason whatsoever, including the breakdown of facilities associated with the service, or for any mistakes, omissions, delays, errors, or defects in transmission occurring during the course of furnishing service.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
 7207 Whipple, NW
 North Canton, Ohio 44720

- 2.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

2.4 Responsibilities of the Customer

- 2.4.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by ATS on the Customer's behalf.
- 2.4.3 If required for the provision of ATS's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to ATS.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to ATS and the Customer when required for ATS personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of ATS's services.
- 2.4.5 The Customer shall cause the temperature and relative humidity in the equipment space provided by Customer for the installation of ATS's equipment to be maintained within the range normally provided for the operation of microcomputers.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

- 2.4.6 The Customer shall ensure that the equipment and/or system is properly interfaced with ATS's facilities or services, that the signals emitted into ATS's network are of the proper mode, bandwidth, power and signal level for the intended use of the subscriber and in compliance with criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, ATS will permit such equipment to be connected with its channels without the use of protective interface devices. If the Customer fails to maintain the equipment and/or the system properly, with resulting imminent harm to ATS equipment, personnel or the quality of service to other Customers, ATS may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, ATS may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay ATS for replacement or repair of damage to the equipment or facilities of ATS caused by negligence or willful act of the Customer or others, by improper use of the services, or by use of equipment provided by Customer or others.
- 2.4.8 The Customer must pay for the loss through theft of any ATS equipment installed at Customer's premises.
- 2.4.9 If ATS installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

- 2.4.10 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.

2.5 Cancellation or Interruption of Services

- 2.5.1 Without incurring liability, upon five (5) working days' (defined as any day on which the company's business office is open and the U.S. Mail is delivered) written notice to the Customer, ATS may immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:
- 2.5.1.A For nonpayment of any sum due ATS for more than thirty (30) days after issuance of the bill for the amount due,
- 2.5.1.B For violation of any of the provisions of this tariff,
- 2.5.1.C For violation of any law, rule, regulation, policy of any governing authority having jurisdiction over ATS's services, or
- 2.5.1.D By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting ATS from furnishing its services.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

2.5.2 Without incurring liability, ATS may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and ATS's equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.

2.5.3 Service may be discontinued by ATS without notice to the Customer, by blocking traffic to certain countries, cities or NXX exchanges, or by blocking calls using certain Customer authorization codes, when ATS deems it necessary to take such action to prevent unlawful use of its service. ATS will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.

2.5.4 The Customer may terminate service upon thirty (30) days written notice for the Company's standard month to month contract. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

ISSUED: February 17, 1997 **EFFECTIVE:**
ISSUED BY: Bill Stathakaros, President
 7207 Whipple, NW
 North Canton, Ohio 44720

2.6 Credit Allowance

- 2.6.1 Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.3 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer and connected to the Company's facilities.
- 2.6.2 No credit is allowed in the event that service must be interrupted in order to provide routine service quality or related investigations.
- 2.6.3 Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of the Company or in the event that the Company is entitled to a credit for the failure of the facilities of the Company's Underlying Carrier used to furnish service.
- 2.6.4 Credit for interruption shall commence after the Customer notifies the Company of the interruption or when the Company becomes aware thereof, and ceases when service has been restored.
- 2.6.5 For purposes of credit computation, every month shall be considered to have 720 hours.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

2.6.6 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

2.6.7 The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" - outage time in hours

"B" - monthly charge for affected activity

2.7 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.8 Deposit

The Company does not require deposits to commence service.

2.9 Advance Payments

ATS does not require advance payments.

TELECOMMUNICATIONS SERVICES TARIFF

2.10 Payment and Billing

- 2.10.1 Service is provided and billed on a billing cycle basis, beginning on the date that service becomes effective. Billing is payable upon receipt. A late fee will be assessed on unpaid amounts 30 days after rendition of bills.
- 2.10.2 The customer is responsible for payment of all charges for services furnished to the Customer, as well as to all persons using the Customer's codes, exchange lines, facilities, or equipment, with or without the knowledge or consent of the Customer. The security of the Customer's Authorization Codes, subscribed exchange lines, and direct connect facilities is the responsibility of the Customer. All calls placed using direct connect facilities, subscribed exchange lines, or Authorization Codes will be billed to and must be paid by the Customer. Recurring charges and non-recurring charges are billed in advance. Charges based on actual usage during a month and any accrued interest will be billed monthly in arrears.
- 2.10.3 All bills are presumed accurate, and shall be binding on the customer unless objection is received by the Company in writing within 30 days after such bills are rendered. No credits, refunds, or adjustments shall be granted if demand therefore is not received by the Company in writing within such 30 day period.

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

2.11 Collection Costs

In the event Company is required to initiate legal proceedings to collect any amounts due to Company for regulated or non-regulated services, equipment or facilities, or to enforce any judgment obtained against a Customer, or for the enforcement of any other provision of this tariff or applicable law, Customer shall, in addition to all amounts due, be liable to Company for all reasonable costs incurred by Company in such proceedings and enforcement actions, including reasonable attorneys' fees, collection agency fees or payments, and court costs. In any such proceeding, the amount of collection costs, including attorneys' fees, due to the Company, will be determined by the court.

2.12 Taxes

All federal, state and local taxes, assessments, surcharges, or fees, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein.

2.13 Late Charge

A late fee of 1.5% per month or the amount otherwise authorized by law, whichever is lower, will be charged on any past due balances.

2.14 Returned Check Charge

A fee of \$15.00 will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written.

ISSUED: February 17, 1997 **EFFECTIVE:**
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 3 - DESCRIPTION OF SERVICE

3.1 Computation of Charges

3.1.1 The total charge for each completed call may be a variable measured charge dependent on the duration, distance and time of day of the call. The total charge for each completed call may also be dependent only on the duration of the call, i.e. a statewide flat rate per minute charge. The variable measured charge is specified as a rate per minute which is applied to each minute. 1+ Dialing and 800 Service calls are measured in six second increments with a thirty second minimum per call. Travel Cards are measured in one minute increments. All calls are rounded up to the next whole increment.

3.1.2 Where mileage bands appear in a rate table, rates for all calls are based upon the airline distance between the originating and terminating points of the call, as determined by the vertical and horizontal coordinates associated with the exchange (the area code and three digit central office code) associated with the originating and terminating telephone numbers. If the Customer obtains access to the Company's network by a dedicated access circuit, that circuit will be assigned an exchange for rating purposes based upon the Customer's main telephone number at the location where the dedicated access circuit terminates. The vertical and horizontal (V & H) coordinates for each exchange and the airline distance between them will be determined according to industry standards.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

- 3.1.3 Timing begins when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Recognition of answer supervision is the responsibility of the Underlying Carrier. Timing for each call ends when either party hangs up. ATS will not bill for uncompleted calls.

3.2 Customer Complaints and/or Billing Disputes

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

7207 Whipple, NW
North Canton, Ohio 44720
(800) 961-4245

An, objection to billed charges should be reported promptly to ATS. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate. Where overbilling of a subscriber occurs, due either to Company or subscriber error, no liability exists which will require the Company to pay any interest, dividend or other compensation on the amount overbilled.

ISSUED: February 17, 1997 **EFFECTIVE:**
ISSUED BY: Bill Stathakaros, President
 7207 Whipple, NW
 North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

The Company will respond within seventy two (72) hours of receipt of an inquiry. If the Customer is dissatisfied with the Company's response to a complaint or inquiry, the Customer may file the Commission for resolution of the conflict. The South Dakota Public Utilities Commission can be reached at:

500 East Capitol
Pierre, SD 57501-5070
(605) 773-3201
(800) 332-1782

If a Customer accumulates more than One Hundred Dollars (\$100.00) of undisputed delinquent ATS 800 Service charges, the ATS Resp. Org. reserves the right not to honor that Customer's request for a Resp. Org. change until such undisputed charges are paid in full.

3.3 Level of Service

A Customer can expect end to end network availability of not less than 99% at all times for all services.

3.4 Billing Entity Conditions

When billing functions on behalf of ATS or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. ATS's name and toll-free telephone number will appear on the Customer's bill.

ISSUED: February 17, 1997	EFFECTIVE:
ISSUED BY:	Bill Stathakaros, President
	7207 Whipple, NW
	North Canton, Ohio 44720

3.5 Service Offerings

3.5.1 1+ Dialing

The customer utilizes "1+" dialing, or "10XXX" dialing followed by "1 + ten digits" for interLATA calls, or dials "10XXX" followed by "1 + 7 digits" or "1 + 10 digits" for intraLATA calls.

3.5.2 Travel Cards.

The Customer utilizes an 11 digit "800" access number established by ATS to access a terminal. Upon receiving a voice prompt, the Customer uses push button dialing to enter an identification code assigned by the Company, followed by the ten digit number of the called party.

3.5.3 800 Service (Toll free).

This service is a direct access, incoming only, usage sensitive WATS offering. This is a service whereby a Customer can be billed at reduced rates for calls to his premises.

3.5.4 Local Calls and Directory Assistance.

Local calls will not be accepted or completed. ATS does not provide local directory assistance. Access to long distance directory assistance is obtained by dialing 1 + 555-1212 for listings within the originating area code and 1 + (area code) + 555-1212 for other listings. When more than one number is requested in a single call, a charge may apply for each number requested. A charge will be applicable for each number requested, whether or not the number is listed or published.

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

3.5.5 Specialized Pricing Arrangements.

Customized service packages and competitive pricing packages at negotiated rates may be furnished on a case-by-case basis in response to requests by Customers to the Company for proposals or for competitive bids. Service offered under this tariff provision will be filed with the Commission. Specialized rates or charges will be made available to similarly situated Customers on a non-discriminatory basis.

3.5.6 Emergency Call Handling Procedures

Emergency "911" calls are not routed to company, but are completed through the local network at no charge.

3.5.7 Promotional Offerings

The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations. The Company will notify the Commission of such offerings as required by Commission rules and regulations.

AMERICAN TELECOMMUNICATIONS
SYSTEMS, INC.

ORIGINAL SHEET 26
SOUTH DAKOTA PUC TARIFF NO. 1

TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES

4.1 1+ Dialing

<u>DAY</u>		<u>EVENING</u>		<u>NIGHT</u>	
1st	Add'l	1st	Add'l	1st	Add'l
18 Sec.	6 Sec.	18 Sec.	6 Sec.	18 Sec.	6 Sec.
<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>
.0579	.0193	.0462	.0154	.0462	.0154

4.2 Travel Cards

<u>DAY</u>		<u>EVENING</u>		<u>NIGHT</u>	
1st	Add'l	1st	Add'l	1st	Add'l
18 Sec.	6 Sec.	18 Sec.	6 Sec.	18 Sec.	6 Sec.
<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>	<u>(\$)</u>
.0579	.0193	.0462	.0154	.0462	.0154

A surcharge of \$.36 will apply per call

4.3 Toll Free

<u>DAY</u>	<u>EVENING</u>	<u>NIGHT</u>
If Monthly Usage is \$50.00 or less		
.25 per min.	.239 per min.	.239 per min.
If Monthly Usage exceeds \$50.00		
.193 per min.	.184 per min.	.184 per min.

ISSUED: February 17, 1997 EFFECTIVE:
ISSUED BY: Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

TELECOMMUNICATIONS SERVICES TARIFF

4.4 Directory Assistance

\$.75

4.5 Returned Check Charge

\$15.00

4.6 Rate Periods

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period	Evening Rate Period	
5 p.m. to 11 p.m.*	Evening Rate Period		
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

* To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

ISSUED: February 17, 1997

EFFECTIVE:

ISSUED BY:

Bill Stathakaros, President
7207 Whipple, NW
North Canton, Ohio 44720

LANCE J. M. STEINHART

ATTORNEY AT LAW

500 NORTHPARK TOWN CTR. 770-698-9200

1100 ABERNATHY RD. STE. 1112

ATLANTA, GA 30328

1262

94-5810
9108

2-12 19 97

Pay to

the order of

South Dakota PC

\$ 250.00

Two Hundred Fifty & 00/100

Dollars

NationsBank

Commercial Charles James Farrow
NationsBank of Georgia, N.A.

For *HJS*



⑆06⑆000052⑆ 0⑆0 58⑆ 9503⑆ ⑆262

NA	LCI International Telecom Corp. filed to increase the usage rates associated with its Gold, Silver and Travel Cards. The revisions are effective February 19, 1997.	02/18/97	NA
NA	Touch 1 Communications, Inc. filed to introduce a flat rate product entitled "Pure and Simple" and to make other text changes. The revisions are effective February 19, 1997.	02/18/97	NA
NA	CommuniGroup of K.C., Inc. filed to introduce a new service called "BusinessEdge Plus". The tariff is effective February 18, 1997.	02/18/97	NA
NA	Sprint Communications Company L.P. filed to "introduce \$4,000 commitment level for Business Sense; to reduce the dollar increment and price per minute for Sprint/Garn's Club Prepaid Calling Cards; to introduce \$100 Spree Instant FONCARD; to introduce VisaPhone Calling Card Service and Option Calling Plan; to change the discounts applicable to The Most [®] formerly contributory to or eligible to receive The Most discounts; to correct FONCARD to "1" and to introduce Resale Solutions Payphone surcharges". The revisions are effective February 18, 1997.	02/18/97	NA
NA	AT&T filed to increase the Calling Card Service Charge on its 1-800 CALL ATT Promotion No. 1 in its Message Telecommunications Service tariff. The revision is effective February 19, 1997.	02/18/97	NA
NA	Sprint Communications Company L.P. filed to increase Sprint Sense Operator Services Off-Peak usage rate and to decrease Sprint Sense Operator Services Peak usage rate. The revisions are effective February 21, 1997.	02/20/97	NA
NA	AT&T filed to offer a \$300.00 coupon to participating customers of its SDN/VTS IntraLATA Coupon Promotion. The offering is effective February 21, 1997.	02/20/97	NA

Important Notice: The Commission is compiling a list of internet addresses. If you have an internet address please notify the Commission by E-mailing it to: Terry.Nelson@ks.gov or by mail to: Terry Nelson, Secretary, Kansas Public Utilities Commission, 1000 E. 12th Avenue, Topeka, KS 66603. Please fax the address to the Commission at: 785-773-3809.

PAGE 2 OF 2

South Dakota Public Utilities Commission State Capitol 500 E. Capitol Pierre, SD 57501-5070 Phone: (605) 332-1782 Fax: (605) 773-3809		<h2 style="text-align: center;">TELECOMMUNICATIONS SERVICE FILINGS</h2> <p style="text-align: center;">These are the telecommunications service filings that the Commission has received for the period of:</p> <h3 style="text-align: center;">02/14/97 through 02/20/97</h3> <p style="text-align: center;">If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.</p>	
DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
REQUEST FOR CERTIFICATION OF AUTHORITY			
TC97-015	Application by American Telecommunications Systems, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/KC) Applicant is a switchless reseller which intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers.	02/18/97	03/07/97
INVESTIGATION OF U S WEST COMMUNICATIONS SERVICE QUALITY PERFORMANCE			
TC97-016	On January 18, 1996, the Commission Order Approving Stipulation and Addendum in Docket TC94-121 became effective. No parties to the action appealed the Order. The Stipulation and Agreement and Addendum allowed for a rate increase to \$2.45 for residential basic local exchange service and a price ceiling of \$19.35 and an increase of \$2.75 for business basic local exchange service with a price ceiling of \$38.40. As a part of its order, the Commission directed Staff to review USWC's service quality performance at the end of 12 months following the effective date of the increase. Based upon the Commission's approval of USWC's performance, a proposed second increase may be implemented at the end of 18 months from the first increase. On February 11, 1997, at a regularly scheduled meeting, Commission Staff recommended that the Commission open a docket to review USWC's service quality performance. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31. The Commission unanimously voted to open a docket to review USWC's service quality performance.	02/20/97	03/07/97
NONCOMPETITIVE TELECOMMUNICATIONS FILINGS			
TC97-017	U S WEST Communications filed to place the loop portion of the Centrex 21 Analog Station Line in its Exchange and Network Services Tariff. Centrex 21 is an offering targeted to small and medium sized businesses which incorporates value added voice features and functions in a standard package. USWC intends to implement this service on March 19, 1997. (Staff: DJ/CH)	02/20/97	03/07/97
FULLY COMPETITIVE TELECOMMUNICATIONS FILINGS			
NA	AT&T filed to introduce two promotions in its Message Telecommunications Service Tariff. The 1-800 CALL ATT Promotion No. 1 and the AT&T Queen of Hearts Promotion. Both promotions are effective February 18, 1997.	02/14/97	NA
NA	WorldCom, Inc. filed to renew its WorldCom Advantage Plus II promotion. The promotion expires July 31, 1997.	02/14/97	NA

PAGE 1 OF 2

Lance J.M. Steinhart

Attorney At Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30155

Also Admitted in New York
and Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

March 10, 1997

Mr. William Bullard
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

RECEIVED

MAR 18 1997

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: American Telecommunications Systems, Inc.
Docket No. TC-97-015

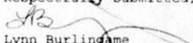
Dear Mr. Bullard:

Enclosed please find eleven (11) copies of American Telecommunications Systems, Inc.'s Certificate of Authority from the Secretary of State.

I have also enclosed an extra copy of this cover letter to be date stamped and returned to me in the self-addressed prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,


Lynn Burlingame
Assistant to Lance J.M. Steinhart

Attorney for American Telecommunications
Systems, Inc.

Enclosures

cc: Mr. Bill Stathakaros

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF AUTHORITY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of AMERICAN TELECOMMUNICATIONS SYSTEMS, INC. (OH) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application to transact business in this state under the name of OHIO AMERICAN TELECOMMUNICATIONS SYSTEMS, INC.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this March 3, 1997.

JOYCE HAZELTINE
Secretary of State

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

IN THE MATTER OF THE APPLICATION OF)
AMERICAN TELECOMMUNICATIONS)
SYSTEMS, INC. FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)

ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC97-015

On February 18, 1997, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10 24 02, received an application for a certificate of authority from American Telecommunications Systems, Inc. (ATS).

ATS intends to offer 1+ direct dialing, 800 toll free, and travel card (no prepaid calling cards) service through the resale of telephone services provided by facilities-based interexchange carriers. A proposed tariff was filed by ATS. The Commission has classified long distance service as fully competitive.

On February 20, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of March 7, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled April 1, 1997, meeting, the Commission considered ATS' request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10 24 02 and 20:10 24 03. The Commission finds that ATS has met the legal requirements established for the granting of a certificate of authority. ATS has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves ATS' application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that ATS' application for a certificate of authority is hereby granted, effective April 18, 1997. It is

FURTHER ORDERED, that ATS shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 10th day of April, 1997.

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, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Melaine Kalbo

Date: 4/10/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

CERTIFICATE OF AUTHORITY

To Conduct Business As A Telecommunications Company
Within The State Of South Dakota

Authority was Granted April 1, 1997, effective April 18, 1997
Docket No. TC97-015

This is to certify that

AMERICAN TELECOMMUNICATIONS SYSTEMS, INC.

is authorized to provide telecommunications services in South Dakota.

This certificate is issued in accordance with SDCL 49-31-3 and ARSD 20 10 24 02, and is subject to all of the conditions and limitations contained in the rules and statutes governing its conduct of offering telecommunications services.

Dated at Pierre, South Dakota, this 10th day of April, 1997

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION:**



James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner