

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

<b>IN THE MATTER OF NATIONAL</b>	)	<b>PETITION FOR ORDER TO</b>
<b>ACCESS LONG DISTANCE, INC.</b>	)	<b>SHOW CAUSE</b>
	)	
	)	<b>TC20-</b>

COMES NOW, Staff of the South Dakota Public Utilities Commission (Commission) and hereby files this Petition pursuant to SDCL Chapter 49-31, including but not limited to SDCL §§ 49-31-3. By this Motion, Staff requests the Commission issued an Order to Show Cause requiring National Access Long Distance, Inc. (National Access) to come forward and show cause as to why its certificate of authority should not be revoked . In support of this Motion, Staff asserts the facts as laid out below.

**I. Factual Background**

1. National Access is a telecommunications company authorized to provide interexchange telecommunications services in South Dakota.
2. The Commission granted a Certificate of Authority to National Access in Docket No. TC02-181.
3. On or about September 30, 2020, a consumer complaint was received by the Commission’s Consumer Affairs Program (Consumer Affairs).
4. Pursuant to ARSD 20:10:01:08.01, after receiving the consumer complaint, Consumer Affairs program manager Deb Gregg attempted to contact National Access to discuss the matter. (See Attachment 1) No response was received.
5. Ms. Gregg again attempted to contact National Access on October 7, 2020, again without response. (See Attachment 1)
6. On October 14, 2020, an attempt was made by the undersigned to contact National Access by telephone, and a voicemail was left. No response was received.
7. Ms. Gregg again attempted to contact National Access on November 24, 2020, with no response. (See Attachment 1)

**II. Legal Authority**

SDCL 49-31-3 provides the Commission with general supervision of telecommunications companies, providing in relevant part that

[t]he Commission shall inquire into any complaints, unjust discrimination, neglect, or violation of the laws of the state governing such companies. The Commission may exercise powers necessary to properly supervise and control such companies. ...Any certificate of authority granted by the commission may be suspended or revoked pursuant to chapter 1-26 for a willful violation of the laws of this state, a willful failure to comply with a rule or order of the commission, or other good cause. The commission shall, by rules promulgated pursuant to chapter 1-26, prescribe the necessary procedures to implement this section.

The failure of National Access to respond to numerous contact attempts constitutes good cause to take action against the certificate of authority.

### **III. Request for Relief**

WHEREFORE, because of the lack response from the company, Staff requests the Commission issue an Order to Show Cause requiring National Access to come forward and show cause as to why its certificate of authority should not be revoked and for any other relief the Commission deems appropriate. .

Dated this 17th day of December 2020.



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