

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

**IN THE MATTER OF THE APPLICATION OF
CONTINENTAL FIRST STAR
COMMUNICATIONS COMPANY FOR A
CERTIFICATE OF AUTHORITY TO PROVIDE
LOCAL EXCHANGE SERVICES IN SOUTH
DAKOTA**

**ORDER DENYING
CERTIFICATE OF
AUTHORITY**

TC01-019

On March 5, 2001, the Public Utilities Commission (Commission), in accordance with SDCL 49-3, specifically 49-31-69 and ARSD 20:10:32:03, received an application for a certificate of authority from Continental First Star Communications Company (Continental).

Continental proposes to provide resold local exchange service throughout South Dakota.

On March 8, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of March 23, 2001, to interested individuals and entities. A Petition to Intervene was received from South Dakota Independent Telephone Coalition (SDITC) on March 20, 2001. On April 17, 2001, the Commission granted intervention to SDITC. At its regularly scheduled September 7, 2001, meeting, the Commission considered Continental's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Continental had filed an incomplete application and failed to adequately provide information required by Staff.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Continental has not met the legal requirements established for the granting of a certificate of authority. Continental has not, in accordance with SDCL 49-31-69, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Pursuant to ARSD 20:10:32:06 the Commission voted to deny Continental's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Continental's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 14th day of September, 2001.

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| 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: <u><i>Rebecca Kelso</i></u> |
| Date: <u>9/14/01</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner