

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

IN THE MATTER OF THE APPLICATION OF) CIERA NETWORK SYSTEMS, INC. FOR A) CERTIFICATE OF AUTHORITY TO PROVIDE) INTEREXCHANGE TELECOMMUNICATIONS) SERVICES IN SOUTH DAKOTA)	ORDER GRANTING CERTIFICATE OF AUTHORITY TC01-036
--	--

On April 2, 2001, 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 Ciera Network Systems, Inc. (Ciera).

Ciera proposes to offer resold 1+, inbound toll free service, travel card and directory assistance services throughout South Dakota. A proposed tariff was filed by Ciera. The Commission has classified long distance service as fully competitive.

On April 5, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of April 20, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its June 19, 2001, meeting, the Commission considered Ciera's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Ciera not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Ciera has met the legal requirements established for the granting of a certificate of authority. Ciera has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves Ciera's application for a certificate of authority, subject to the condition that Ciera not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Ciera's application for a certificate of authority is hereby granted, subject to the condition that Ciera not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission finds good cause to waive ARSD 20:10:24:02(8). It is

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

Dated at Pierre, South Dakota, this 22nd day of June, 2001.

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>Debbie Kalbo</i></u>
Date: <u>6/25/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner