

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

IN THE MATTER OF THE FILING BY)	ORDER GRANTING
AMERICATEL CORPORATION FOR)	AMENDED CERTIFICATE OF
APPROVAL OF RELIEF OF CERTIFICATION)	AUTHORITY
REQUIREMENT TO POST SURETY BOND)	TC08-036

On January 28, 1998, the Public Utilities Commission (Commission) received an application for a certificate of authority from Americatel Corporation (Americatel).

On January 29, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of February 13, 1998, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled February 24, 1998, meeting, the Commission granted Americatel's request for a certificate of authority, subject to restrictions.

On September 21, 2000, the Public Utilities Commission (Commission) received an application for an amended certificate of authority from Americatel Corporation (Americatel).

On September 28, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of October 13, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled January 4, 2001, meeting, the Commission granted Americatel's request for an amended certificate of authority, subject to a continuous \$25,000 surety bond.

On March 28, 2008, Americatel filed for bond relief. Americatel requested that the requirement to post a continuous \$25,000 surety bond be removed and agreed to restrictions on its certificate of authority from offering any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission.

At its regularly scheduled April 22, 2008, meeting, Staff recommended that the Commission reconsider the terms and conditions of Americatel's certificate of authority to remove the requirement that the certificate of authority be subject to a continuous \$25,000 bond and impose a new restriction that Americatel not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission.

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 Americatel has met the legal requirements established for the granting of an amended certificate of authority. Americatel 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 Americatel's application for an amended certificate of authority, subject to the condition that Americatel not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. It is therefore

ORDERED, that Americatel's application for an amended certificate of authority to provide interexchange telecommunications services is granted, subject to the removal of the condition of a surety bond, and subject to the condition that Americatel not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission.

Dated at Pierre, South Dakota, this 29th day of April, 2008.

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.
By: <u><i>Heldine Kolbo</i></u>
Date: <u>4/29/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin Johnson
DUSTIN M. JOHNSON, Commissioner