

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
IPVOICE COMMUNICATIONS, INC. FOR A)	CERTIFICATE OF
CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
TELECOMMUNICATIONS SERVICES,)	
INCLUDING LOCAL EXCHANGE SERVICES, IN)	TC00-111
SOUTH DAKOTA)	

On July 11, 2000, the Public Utilities Commission (Commission) received an application for a certificate of authority from IPVoice Communications, Inc. (IPVoice).

IPVoice proposes to offer 1+ and 101XXXX outbound dialing; 800/888 toll-free inbound dialing; calling cards; Centrex and/or Centrex-like services; and digital subscriber line, ISDN, and other high capacity line services. A proposed tariff was filed by IPVoice.

On July 13, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of July 28, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled September 13, 2000, meeting, the Commission considered IPVoice's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to rural safeguards, and subject to the condition that IPVoice not offer a prepaid calling card or require 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 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that IPVoice has met the legal requirements established for the granting of a certificate of authority. IPVoice has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves IPVoice's application for a certificate of authority, subject to rural safeguards, and subject to the condition that IPVoice not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. The certificate of authority for IPVoice shall authorize it to offer local exchange services in South Dakota, except in those areas served by a rural telephone company. In the future, should IPVoice choose to provide local exchange services statewide, with respect to rural telephone companies, IPVoice will have to come before the Commission in another proceeding before being able to provide local service in that rural service area pursuant to 47 U.S.C. § 253(f) which allows the Commission to require a company that seeks to provide service in a rural service area to meet the requirements in 47 U.S.C. § 214(e)(1) for designation as an eligible telecommunications carrier. In addition, the granting of statewide certification will not affect the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f). It is therefore

ORDERED, that IPVoice's application for a certificate of authority to provide telecommunications services, including local exchange services, is granted, subject to the condition that IPVoice not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission; and it is

FURTHER ORDERED, that IPVoice shall file informational copies of tariff changes with the Commission as the changes occur; and it is

FURTHER ORDERED, that the Commission shall authorize IPVoice to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company.

Dated at Pierre, South Dakota, this 19th day of September, 2000.

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 facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Rebecca Kelbo</i></u>
Date: <u>9/20/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner