

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
NEWSOUTH COMMUNICATIONS CORP. FOR)	CERTIFICATE OF
A CERTIFICATE OF AUTHORITY TO PROVIDE)	AUTHORITY
INTEREXCHANGE TELECOMMUNICATIONS)	
SERVICES IN SOUTH DAKOTA)	TC00-176

On November 2, 2000, 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 NewSouth Communications Corp. (NewSouth).

NewSouth proposes to offer resold intrastate interexchange telecommunications services in South Dakota, including message toll service, incoming 800/888, travel card and operator assisted services by reselling the services of underlying carriers. A proposed tariff was filed by NewSouth. The Commission has classified long distance service as fully competitive.

On November 9, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of November 24, 2000, to interested individuals and entities. No petitions to intervene or comments were filed and at its February 6, 2001, meeting, the Commission considered NewSouth's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that NewSouth 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), and also recommended a limited waiver of ARSD 20:10:24:05(6) with the condition that only 900 and 976 type pay per call calls from payphones be allowed to be blocked.

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 NewSouth has met the legal requirements established for the granting of a certificate of authority. NewSouth 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), and to grant a limited waiver of ARSD 20:10:24:05(6) with the condition that only 900 and 976 type pay per call calls from payphones be allowed to be blocked. The Commission approves NewSouth's application for a certificate of authority, subject to the condition that NewSouth 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 NewSouth's application for a certificate of authority is hereby granted, subject to the condition that NewSouth 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), and to grant a limited waiver of ARSD 20:10:24:05(6) with the condition that only 900 and 976 type pay per call calls from payphones be allowed to be blocked. It is

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

Dated at Pierre, South Dakota, this 15th day of February, 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>Melvin Kalbo</u>
Date:	<u>2/15/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner