

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
COMMUNICATION ACCESS CENTER FOR)	CERTIFICATE OF
THE DEAF AND HARD OF HEARING, INC.)	AUTHORITY
FOR A CERTIFICATE OF AUTHORITY TO)	
PROVIDE INTEREXCHANGE)	TC08-043
TELECOMMUNICATIONS SERVICES IN)	
SOUTH DAKOTA)	

On April 29, 2008, 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 Communication Access Center for the Deaf and Hard of Hearing, Inc. (CACDHH). CACDHH intends to provide Video Relay Services and Internet Protocol Relay Services. The Commission has classified long distance service as fully competitive.

On May 1, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of May 16, 2008, to interested individuals and entities. No petitions to intervene or comments were filed and at its May 20, 2008, meeting, the Commission considered CACDHH's request for a certificate of authority. Commission Staff recommended granting an interexchange certificate of authority, subject to the condition that CACDHH not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments and not provide end-user services that require end-user billings 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 CACDHH has met the legal requirements established for the granting of a certificate of authority. CACDHH, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota.

The Commission approves CACDHH's application for a certificate of authority, subject to the condition that CACDHH not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments and subject to CACDHH not providing end-user services that require end-user billings without prior approval of the Commission. In the future, should CACDHH choose to provide prepaid services (including prepaid calling cards) or accept or require any deposits or advance payments or provide end-user services that require end-user billings, CACDHH will have to come before the Commission in another proceeding before being able to provide those services. As the Commission's final decision in this matter, it is therefore

ORDERED, that CACDHH's application for an interexchange certificate of authority to provide Video Relay Services, Internet Protocol Relay Services or other future FCC approved TRS services is hereby granted, subject to the condition that CACDHH not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments or provide end-user services that require end-user billings without prior approval of the Commission. It is

FURTHER ORDERED, that this order constitutes your Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 28th day of May, 2009.

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>Melaine Kolbo</u>
Date: <u>5/29/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner