

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

**IN THE MATTER OF THE APPLICATION OF TC)
SYSTEMS, INC., FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE LOCAL EXCHANGE)
SERVICES IN SOUTH DAKOTA)
)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY

TC11-091**

On November 21, 2011, the Public Utilities Commission (Commission) received an application for a certificate of authority to provide local exchange services from TC Systems, Inc.

On November 24, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of December 9, 2011, to interested individuals and entities. No petitions to intervene or comments were filed, and at its regularly scheduled January 3, 2012, meeting, the Commission considered TC Systems, Inc.'s request for a certificate of authority. Commission Staff recommended granting a Certificate of Authority with the condition that TC Systems, Inc. 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, and subject to rural safeguards and that the Commission grant the requested waiver.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3, 49-31-69 through 49-31-75, and ARSD 20:10:24:02 and 20:10:32:03. The Commission finds that TC Systems, Inc. has met the legal requirements established for the granting of a certificate of authority. TC Systems Inc. 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 TC Systems, Inc.'s application for a certificate of authority subject to the condition that TC Systems, Inc. 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, and subject to rural safeguards. The certificate of authority for TC Systems, Inc. shall authorize it to provide local exchange telecommunications service in South Dakota, except in those areas served by a rural telephone company. In the future, should TC Systems, Inc. choose to provide local exchange services statewide, with respect to rural telephone companies, TC Systems, Inc. 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).

ORDERED, that TC Systems, Inc.'s application for a certificate of authority to provide local exchange services is granted, subject to the condition that TC Systems, Inc. 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, and subject to rural safeguards. It is

FURTHER ORDERED, that this certificate of authority authorizes TC Systems Inc. to offer its local exchange services in South Dakota, except in those areas served by a rural telephone company. It is

FURTHER ORDERED, that TC Systems, Inc.'s request for waiver of ARSD 20:10:32:03(12) is hereby granted. It is

FURTHER ORDERED, that this order constitutes TC Systems Inc.'s Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 9th day of January, 2012.

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: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Chris Nelson

CHRIS NELSON, Commissioner

Kristie Fiegen

KRISTIE FIEGEN, Commissioner