**20:10:24:04.04.  Procedure for suspension or revocation hearing.** Upon the filing of a notice of hearing for suspension or revocation of a certificate of authority, the commission shall issue and serve an order to show cause upon the named holder of the certificate of authority. The order shall be served at least ten days before the hearing unless otherwise ordered. The order shall include a notice of the time and place of the hearing. The order shall require the person complained of to appear at the time and place fixed in the notice and to show cause why the proposed action may not be taken. The order shall refer to an attached copy of a verified complaint or other notice, affidavit, or official document in a way as to inform the party of the charge or violation upon which the order is based and issued. At the hearing, the commission staff or complainant shall present evidence of the alleged violation. The telecommunications company shall then be allowed an opportunity to respond to the evidence.

After the hearing, the commission shall enter its decision either dismissing the complaint or entering an order directing the action specified in the order to show cause. If the commission revokes a certificate of authority, the named holder of the certificate of authority may not reapply for a certificate of authority for at least one year after the date of revocation, unless the commission determines that other action is more appropriate.

**Source:** 25 SDR 89, effective December 27, 1998.

**General Authority:** SDCL 49-1-11(4), 49-31-3.

**Law Implemented:** SDCL 49-31-3.