

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

IN THE MATTER OF THE APPLICATION
OF NATIVE AMERICAN TELECOM, LLC
FOR A CERTIFICATE OF AUTHORITY TO
PROVIDE LOCAL EXCHANGE SERVICE
WITHIN THE STUDY AREA OF
MIDSTATE COMMUNICATIONS, INC.

Docket No. TC11-087

**DIRECT TESTIMONY OF
JEFF HOLOUBEK
ON BEHALF OF
NATIVE AMERICAN TELECOM, LLC**

July 26, 2013

Q: Please state your name.

A: My name is Jeff Holoubek.

Q: How are you affiliated with Native American Telecom, LLC?

A: I serve as president of Native American Telecom, LLC's ("NAT"). I also serve as a director of NAT.

Q: What is the purpose of your testimony in this proceeding?

A: The purpose of my testimony is to establish NAT's qualifications for Commission approval of its application for competitive local exchange carrier authority to provide intrastate interexchange service for traffic that my originate or terminate off of the Crow Creek Reservation. In my testimony, I describe the managerial, financial, and technical ability of NAT to provide the telecommunications services as outlined in NAT's revised "Application for a Certificate of Authority" and filed with the Commission on June 3, 2013. NAT proposes to provide intrastate interexchange access service for traffic that originates or terminates off of the Crow Creek Reservation within the state of South Dakota, pursuant to ARSD 20:10:32:03, 20:10:32:15, and 20:10:24:02. NAT currently provides facilities-based basic local exchange telephone service along with advanced broadband services on the Crow Creek Reservation and,

by filing this application, seeks the authority, if necessary, to provide intrastate interexchange access service for traffic that originates or terminates off of the Crow Creek Reservation within the state of South Dakota.

Q: Have you previously filed testimony or appeared as an expert witness before a regulatory or legislative body?

A: Yes. I previously filed testimony in this docket on February 17, 2012 and April 20, 2012.

Q: Please summarize your background and experience.

A: I currently serve as the president of NAT. I have eighteen (18) years of legal and management experience. I am also the Director of Legal and Finance for Wide Voice, and Free Conferencing Corporation. I have a law degree from the Boston University School of Law and a Masters of Business Administration from California State University – Fullerton, where I received the “Most Outstanding Graduate Student” designation. I hold Bachelor of Arts degrees in Accounting, Finance, and Philosophy.

NATIVE AMERICAN TELECOM, LLC

Q: Please provide NAT's name, address, and web page URL.

A: Native American Telecom, LLC, 253 Ree Circle, Fort Thompson, South Dakota 57339, Web page: NativeAmericanTelecom.com

Q: Please provide a description of NAT's legal and organizational structure.

A: NAT is a tribally-owned telecommunications company organized as a limited liability company under the laws of South Dakota, but subject to the laws of the Crow Creek Sioux Tribe and the Crow Creek Tribal Utility Authority. Recently, the Crow Creek Sioux Tribe took additional steps to establish the required tribal structure and laws to enable entities to be established and governed by Crow Creek Sioux tribal laws. NAT is currently in the process of being reorganized as a Crow Creek tribal entity organized under, and operating under, the Crow Creek Tribal laws.

NAT's ownership structure currently consists of the Crow Creek Sioux Tribe (51%) ("Tribe"), P.O. Box 50, Fort Thompson, SD 57339-0050, Native American Telecom Enterprise, LLC (25%) ("NAT ENTERPRISE"), 747 S. 4th Ave., Sioux Falls, SD 57104, and WideVoice

Communications, Inc. (24%) (“WideVoice”), 410 South Rampart, Suite 390, Las Vegas, NV 89145. NAT’s Board of Directors consists of the following individuals:

Crow Creek Sioux Tribe

Eric Big Eagle

Leonard Pease, Jr.

Terry Abernathy

Native American Telecom Enterprise, LLC

Gene DeJordy

Tom Reiman

Cole Reiman

Wide Voice Communications, Inc.

Jeff Holoubek

David Erickson

Patrick Chicas

Q: Please describe NAT’s managerial and technical experience.

A: (i) *GENE DEJORDY*

Gene DeJordy is the co-founder of Native American Telecom Enterprise, LLC, a business development company working with Native American Indian Tribes on economic development matters, including the

establishment of tribally-owned broadband and telecommunications companies. Mr. DeJordy has worked with many Indian tribes throughout the United States and specifically in South Dakota. Through his efforts, many Indian tribes in South Dakota (i) obtained mobile wireless service for the first time, (ii) obtained universal service, including Lifeline service, to meet their basic communications needs, and (iii) established tribally owned businesses to spur economic development on reservations. Mr. DeJordy is also an independent attorney/consultant providing legal, regulatory, public policy, government affairs, and business development consulting to communications companies. Previously, Mr. DeJordy was a Senior Vice President for Alltel Communications/Western Wireless where he was part of the senior operations team responsible for regulatory affairs, universal service operations, ETC matters, interconnection, E911, and other legal and public policy matters for a national wireless carrier with a staff of 37 individuals. Through Mr. DeJordy's leadership, he achieved many "firsts" within the telecommunications industry and is widely recognized as a pioneer in the rural telecommunications industry. Mr. DeJordy was previously an attorney in a telecommunications law firm in Washington, D.C. and at the Federal Communications Commission. Mr. DeJordy has

a Juris Doctor, an M.S. telecommunications degree, and a B.S. in Business Management.

ii.) TOM REIMAN

Tom Reiman is the co-founder of NAT ENTERPRISE. Mr. Reiman has over twenty-one (21) years of experience working in the telecommunications field, including experience with Native American tribes in South Dakota. In 1999, while working for Western Wireless Corporation, Mr. Reiman established a relationship with the Oglala Sioux Tribe to provide affordable and reliable telecommunication services. In 2002, because of the success on the Pine Ridge Indian Reservation, Western Wireless expanded their services to other Indian Reservations including the Rosebud Sioux Tribe, the Yankton Sioux Tribe, the Crow Creek Sioux Tribe, the Lower Brule Sioux Tribe, and the Wahpeton Sioux Tribe in South Dakota. They also expanded into North Dakota on the Spirit Lake Sioux Tribe and the Turtle Mountain Indian Reservation where he managed these operations as well. Mr. Reiman managed the day-to-day operation for all of these projects including managing and setting up store locations to provide customer service.

iii.) PATRICK CHICAS

Patrick Chicas, CEO of Wide Voice Communications, Inc. and a director of NAT, has over thirty-four (34) years of experience in the telecommunications industry and serves as NAT's Chief Technical Officer. Mr. Chicas oversees network operations, network planning and engineering at NAT. Mr. Chicas is also President and Managing Director for Wide Voice, LLC. From September 2003 to April 2009, Mr. Chicas was a co-founder and Chief Technology Officer of Commpartners, Inc., a nationwide CLEC. From August 2000 to November 2003, Mr. Chicas was the President, co-Chairman, and Board Member at Rubicon Media Group, a sector-pioneering Internet publishing concern recently sold to Advanstar Communications, Inc. From March 1999 to August 2000, Mr. Chicas was the Vice President for Data Services at Mpower Communications. While at Mpower, Mr. Chicas designed the company's entire IP infrastructure and the first production VoIP network for small business services. From January 1997 to September 1998, Mr. Chicas was the first executive hire and Vice President of Operations at Digital Island, Inc. Mr. Chicas also has prior telecommunications experience with Pacific Bell (now AT&T), PacTel Cellular (now Verizon) and GTE Mobilnet (now Verizon).

iv.) TANDY DeCOSTA

Tandy DeCosta has over twenty-eight (28) years in the telecommunications industry and serves as NAT's director for PSTN/TDM Networks and Regulatory Matters. Ms. DeCosta's experience includes Honolulu Cellular (now AT&T wireless), United States Cellular, GTE Mobilnet (now Verizon wireless), US West Wireless (now Qwest), Commpartners, LLC and Wide Voice. At the beginning of her career, Ms. DeCosta worked in installation and translations in large PBX systems that serviced large accounts for city, travel agents, and banks. Her duties included ACD (automatic call distribution) systems and all class five features. From 1986-2004, Ms. DeCosta's experience spanned all aspects of the wireless communications industry including RF engineering, RF cell site management (installation of cell sites including radio and power equipment, microwave alignment, and handoff parameter settings). Ms. DeCosta also worked in the central office (MTSO) as a complex translator, switch and traffic engineer, and with voicemail systems, HLRs, STPs, LNP, and E911. At Qwest Wireless, Ms. DeCosta provided Tier 5 NOC support in ATAC (Advanced Technical Assistance Center) which supported all NOC personnel. For the Lucent 5ESS/ECP, Nortel DMS, and Ericsson systems. From 2004-2010, Ms. DeCosta worked as the Director of Translations and was responsible for

all translations, LCR, traffic engineering, LNP processes and Toll Free services as well as network engineering, design and testing of the “Class 4” switching equipment provided by Lucent and Sonus.

v.) DMITRIY BONDAR

Dmitriy Bondar has over fifteen (15) years in the telecommunications industry and serves as NAT’s Director of Engineering. Mr. Bondar is an engineer and mathematician with degrees in Science, Technology, Engineering and Mathematics (STEM) from Ohio State University and Moscow State University. Mr. Bondar has experience in telecommunications and data networking, incorporating technology development and planning.

vi.) KEITH WILLIAMS

Keith Williams has over seventeen (17) years of experience in the telecommunications industry and serves as NAT’s Director of IP Networks, Security, and Engineering. Mr. Williams is responsible for the design, installation, configuration, documentation, troubleshooting and security of the IP and TDM networks. While working for Commpartners from 2004-2009, Mr. Williams was instrumental in the initial design, implementation, security, and documentation of both a nationwide public and private IP network. Mr. Williams was also responsible for the implementation and management of the corporate server and network

infrastructure. Mr. Williams received an MVP Award for outstanding work in the design and deployment of Tollbridge TB200 Gateways. For the past fifteen (15) years, Mr. Williams has managed corporate network and servers for Burke Construction Group, an award-winning general contracting firm licensed in twenty-three (23) states.

Q: Please describe NAT's Tribal Utility Authority Order and Tariffs.

A: In 1997, the Crow Creek Sioux Tribal Council established the Crow Creek Sioux Tribe Utility Authority ("Tribal Utility Authority") for the purpose of planning and overseeing utility services on the Reservation and to promote the use of these services "to improve the health and welfare of the residents."

On October 28, 2008, the Tribal Utility Authority entered its *Order Granting Approval to Provide Telecommunications Service* ("Approval Order"). Under this Approval Order, NAT was "granted authority to provide telecommunications service on the . . . Reservation subject to the jurisdiction of the laws of the Crow Creek Sioux Tribe." The Approval Order also required that the basic telephone service offered by NAT must be "consistent with the federal universal service requirements of 47

U.S.C. § 214(e) and the rules of the Federal Communications Commission.”

Pursuant to the Approval Order, NAT filed its Access Tariffs with the FCC and Tribal Utility Authority (“Tribal Tariff”), governing the termination of telephone traffic on the Reservation.

NAT’s Tribal (Intrastate) terminating access tariff rate is the same as its FCC Interstate terminating access rate which is \$.006237 per minute of use, which is considerably less than what NAT could otherwise charge for Intrastate terminating access, and which is believed to be the lowest rate in South Dakota.

Q: Please further describe NAT’s Federal (FCC) Tariffs.

A: On September 14, 2009, NAT filed its “Tariff No. 1” with the Federal Communications Commission (“FCC”) based upon its Tribal Utility Authority approval to provide local exchange service on the Crow Creek reservation. The terminating access rate for Tariff No. 1 was \$.05494, matching the NECA rate. The Effective Date of Tariff No. 1 was September 15, 2009.

On November 15, 2010, NAT filed its “Tariff No. 2” with the FCC. The terminating access rate for Tariff No. 2 was based on a sliding scale where the price of terminating access service declined as traffic volumes

increased. This rate was designed to address the concerns of IXCs who felt that terminating access rates should be lower for higher call volume.

On November 22, 2010, Sprint (along with other IXCs), filed a “Joint Petition” asking the FCC to reject, or in the alternative, suspend and investigate, Tariff No. 2. On November 24, 2010, NAT filed its response to the IXCs’ “Joint Petition.” On November 30, 2010, the FCC, recognizing NAT’s authority to provide local exchange service on the Crow Creek reservation, denied the IXCs’ “Joint Petition” finding that:

[T]he [IXCs] . . . have not presented compelling arguments that [NAT’s] transmittals are so patently unlawful as to require rejection. Similarly, we conclude the [IXCs] have not presented issues regarding the transmittals that raise significant questions of lawfulness that require investigation of the tariff transmittals. . . . Accordingly, the [IXCs’] petition[] . . . [is] denied, and the transmittals will, or have, become effective on [November 30, 2010].

As such, the Effective Date of Tariff No. 2 was November 30, 2010.

On June 13, 2011, NAT filed its “FCC Tariff No. 2 - Revised” (“Revised Tariff No. 2”) with the FCC. NAT revised Tariff No. 2 because of an Order by the FCC to Northern Valley Communications (“NVC”) directing NVC to change the definition of “End User” in their federal tariff. NAT was using the same definition as NVC at that time. No objections were made to Revised Tariff No. 2. The Effective Date of Revised Tariff No. 2 was June 26, 2011.

On August 8, 2011, NAT filed its "FCC Tariff No. 3" with the FCC. NAT's Tariff No. 3 was taken directly from CenturyLink/Qwest's (ILEC) tariff. It was drafted by Technologies Management, Inc ("TMINC"), the consulting group that works for both IXCs and LECs. NAT lowered its interstate and intrastate terminating access rates to \$.006327 per minute of use for all terminating access services, both interstate and intrastate. No objections were made to Tariff No. 3. The Effective Date of Tariff No. 3 was August 23, 2011. Tariff No. 3 remains in place as of today's date.

NAT was not required to revise its interstate tariff following the Federal Communications Commission's November 18, 2011 Order, because NAT had already adopted rates and terms that complied with the Order. In fact, NAT's rate is lower than that which it could charge according to the Order.

Q: Please describe NAT's services

A: NAT has physical offices, telecommunications equipment, and telecommunications towers on the Reservation. NAT is using WiMAX (Worldwide Interoperability for Microwave Access) technology operating in the 3.65 GHz licensed spectrum providing service to residential, small business, hospitality and public safety.

The NAT network infrastructure supports the provision of high-speed broadband services, voice service, data and Internet access, and multimedia. Through the use of advanced antenna and radio technology with OFDM1 OFDMA (Orthogonal Frequency Division Multiplexing), NAT is able to deliver wireless IP (Internet Protocol) voice and data communications. This 4G technology offers flexible, scalable and economically viable solutions that are key components to deploying in vast rural environments, such as the Reservation. In order to receive service on the Reservation, customers are required to apply for service with NAT. NAT evaluates the signal strength available to the desired location and, upon confirmation that signal strength is adequate, NAT installs a receiver at the location. The signal cannot be intercepted without a receiver supplied by NAT, so NAT actively monitors who receives service on the Reservation and only provides service to enrolled tribal members.

NAT has established a toll-free number and email address for all customer inquiries and complaints, and has a physical location on the Reservation to handle customer complaints and inquiries within twenty-four (24) hours.

NAT has established connectivity with telecommunications

Carriers to provide its customers with access to 911, operator services, interexchange services, directory assistance, and telecommunications relay services.

NAT provides computer training facilities with free Internet and telephone service to tribal members. NAT currently provides 154 high-speed broadband and telephone installations at residential and business locations of enrolled tribal members on the Reservation, and is continuing to expand its service. NAT provides Internet and telephone service to all of the offices of the Crow Creek Sioux Tribe Headquarters. There are over fifteen (15) Tribal offices that depend on service from NAT. NAT also provides service to the Indian Health Services Building.

NAT provides the Crow Creek Sioux Tribe with an Internet library with six computers, located within the Tribal Headquarters. NAT also provides an additional facility for use by Tribal members called the Native American Telecom Internet Technology and Learning Center. The Internet Technology and Learning Center is located in a stand-alone building with eleven (11) PCs and Apple computers for tribal members to use. The facility also provides free telephone service and classrooms where classes are held on a regular basis. These classes include, "How To Improve Your Credit", "How To Buy a Home", "How to Apply for a Job", "How to Write a Resume", and "How to Interview for a Job". In fact,

the State of South Dakota has utilized the facility to provide some of the job-related instruction. On July 12, 2013, Governor Dennis Daugaard toured the NAT facilities and witnessed first-hand these important services made possible by NAT.

Q. Throughout this proceeding, some intervenors have presented arguments that are flawed or based upon false and misleading information. How do you respond to this false and misleading information about NAT?

A. The SDPUC, on April 24, 2012, intimated that NAT should “stand up in an open forum and prove that it’s not a sham company”. If the Commission chooses to review Sprint’s testimony from that hearing, I think that the Commission could conclude that every one of Sprint’s arguments have since been discredited, however, I would like to further clarify the record regarding NAT’s Marketing Agreement with Free Conferencing, even though the Marketing Agreement and other business development initiatives by NAT are not relevant to the underlying application.

NAT’s largest customer is Free Conferencing Corporation (“Free Conferencing”). Free Conferencing has a Marketing Agreement

("Agreement") with NAT that provides for a revenue sharing arrangement that is carried out consistent with the Federal Communications Commission's rules regarding revenue sharing arrangements. Under the Agreement between NAT and Free Conferencing, NAT retains 25% of the gross revenues collected from Free Conferencing traffic. NAT does not share revenue with Free Conferencing on any traffic other than the Free Conferencing traffic. NAT is not responsible for any of Free Conferencing's expenses, including expenses associated with customer acquisition, or any other costs.

In a prior version of the Agreement between Free Conferencing and NAT, a version that has been revised and is no longer valid, there was a reference to a sliding scale of 75% - 95% of revenues that might be payable to Free Conferencing under certain circumstances. Free Conferencing has never received more than 75% of collected revenues, and never intended to receive more than 75% of collected revenues. Both Qwest and Sprint, using pure conjecture, misinterpreted this clause in the Agreement in order to imply that the Agreement is unfair to the Crow Creek Tribe. In addition to being false, Qwest's and Sprint's accusations are self-serving manipulations of contract terms mutually adopted by the parties for specific reasons of which Qwest and Sprint, or their alleged "experts", have no knowledge. It is of particular importance that Sprint

has attempted to withdraw the testimony of its “expert”, Randy Farrar, without explanation, after having relied upon his testimony in this proceeding, for among other things, a successful argument in opposition to NAT’s Motion for Summary Judgment, an argument that NAT is a “sham that does not intend to provide local service”, a statement which is clearly false, and that, for among other reasons, NAT should not be entitled to discovery in this proceeding.

This clause was put in the Agreement because there was an understanding between Gene DeJordy, Tom Reiman, and Free Conferencing that Mr. DeJordy and Mr. Reiman would assemble a diverse network of no less than ten (10) tribes into a tribal telephone network, in which Free Conferencing would become a customer. That was the plan until Sprint and Qwest achieved such success delaying the approval of NAT’s CLEC application, at enormous financial cost to NAT and resulting in the delay of the expansion of needed services to the Crow Creek Sioux Tribe.

The sliding percentage scale of 75%-95% was included in the Agreement as a deterrent, or negative incentive, for Mr. DeJordy and Mr. Reiman so that they would not simply help only one or two tribes. In other words, Native American Telecom ENTERPRISE owns 25% of NAT, and if Mr. DeJordy and Mr. Reiman stopped with only one tribal

telephone company, then they would receive a diminishing percentage of profit from their ownership.

If Mr. DeJordy and Mr. Reiman wanted to receive a greater reward, then they would have to continue to expand the network. This seemed like a good plan because it would help the various tribes, would expand telecommunications to some of the most underserved areas in the United States, would help Free Conferencing diversify (reduce business risk), and would help to carry out President Obama's mandate, and that of the FCC, to expand telecommunications and broadband service to the underserved, specifically, Native Americans.

This plan for a Tribal Telephone Network was communicated to the Crow Creek Sioux Tribe and to the FCC, including Commissioner Michael Copps, during the many meetings that Free Conferencing held with FCC Commissioners and their Staffs.

Free Conferencing typically receives between 50% and 80% of revenues collected on its traffic, depending upon the location and risk involved. Free Conferencing does not receive any other remuneration from NAT. NAT keeps 100% of the revenues it receives from other customers.

Free Conferencing is responsible for all costs associated with its customer acquisitions, including but not limited to: advertising costs;

corporate facilities costs; salaries and employee costs for sixty (60) or more employees; facilities in California, Washington D.C., Ukraine, and Russia; product development costs; software development costs; customer service costs, regulatory costs, and all other costs associated with customer acquisition. NAT receives 25% of the gross revenues for traffic from Free Conferencing's customers, and bears no risk whatsoever.

Q. Does Free Conferencing pay NAT "end user" fees?

A: Yes. Free Conferencing pays NAT "end-user" customer fees in accordance with NAT's tariffs. NAT also pays to USAC the appropriate USF tax on all customer revenues and remits the appropriate TRS fund contributions.

Q: Please describe the geographic area proposed to be served by NAT.

A: NAT provides service only within the boundaries of the Reservation, but, by filing this application, seeks the authority, if necessary, to provide intrastate interexchange access service for traffic that originates or terminates off of the Crow Creek Reservation within the State of South

Dakota. NAT requests a waiver of any requirement to serve the entire study area.

Q: Please describe the classes of customers NAT intends to serve.

A: NAT is a full-service telecommunications carrier serving the communications needs of enrolled tribal members on the Crow Creek Reservation, as well as customers located outside the State of South Dakota who wish to contract for services on the Crow Creek Reservation and who agree to be subject to tribal law. NAT currently serves residential customers, business customers, and tribal government customers.

Q: Please describe the policies, personnel, or arrangements made by NAT which demonstrates NAT's ability to respond to customer complaints and inquiries promptly and to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirements.

A: NAT has established a toll-free number and email address for all customer inquiries and complaints, and has a physical location on the Reservation to handle all customer complaints and inquiries. NAT has employed personnel trained to handle customer complaints, inquiries,

and equipment maintenance and has carried out its commitment to provide prompt service without a single complaint from customers for the past 46 months that it has been in operation. NAT commits to respond to all inquiries and complaints within twenty-four (24) hours.

Q: Does NAT plan to interconnect with any local exchange carriers?

A: NAT currently interconnects with MidState Communications for the exchange of telecommunications traffic and has an Interconnection Agreement governing the exchange of traffic with MidState Communications.

Q: Please describe how NAT intends to market its local exchange services, its target market, and whether NAT engages in multilevel marketing.

A: NAT will target its direct marketing efforts to only those individuals and organizations within the Reservation. NAT markets its services on the Crow Creek reservation through direct in-person contact between company representatives and consumers.

Q: Please describe (1) what other jurisdictions is NAT registered or certified to provide telecommunications services; and (2) whether NAT has ever been denied registration or certification in any state and the reasons for any such denial.

A: NAT is not registered or certificated to provide telecommunications services in other states, nor has NAT applied for or ever been denied authority to provide telecommunications services in other states.

Q: Please describe NAT's policies relating to solicitation of new customers and NAT's efforts to prevent the unauthorized switching of local service customers.

A: NAT will not solicit customers via telemarketing. NAT will require all personnel to be trained in NAT's policies and procedures to ensure affirmative customer selection of service from NAT. NAT requires customers to complete an application for service, which is attached hereto. NAT does not require or even suggest that a customer discontinue service with any other carrier. It is entirely up to customers to determine what services it receives from other carriers. NAT complies with all state and federal rules prohibiting the slamming of customers.

Q: Has NAT ever had a complaint filed against it with any state or federal commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered.

A: No.

Q: Please describe how NAT will make available any information concerning NAT's current rates, terms, and conditions for all of its telecommunications services.

A: NAT posts its current rates, terms and conditions for its local and interexchange services offered on the Crow Creek reservation on its website located at www.NativeAmericanTelecom.com.

Q: Please describe how NAT will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer.

A: NAT notifies customers by mail, email or telephone, depending upon the customer's expressed preference, as to how notification should be made, to apprise them of any changes in rates, terms and conditions of service.

Q: What is NAT's Federal Tax Identification Number?

A: NAT's Federal Tax Identification Number is 26-3283812.

Q: What is NAT's South Dakota sales tax number:

A: Currently, NAT's South Dakota sales tax number is 1012-1173-ST.

Q: Does NAT have a certificate of authority to transact business in South Dakota from the Secretary of State?

A: Yes. A copy of NAT's certificate of authority is attached to its Amended Application as "Exhibit A." Once reorganized under Crow Creek Sioux tribal law, NAT will provide a copy of any certificate of authority from the Crow Creek Sioux Tribe.

NAT'S PROPOSED SERVICES AND EXPERTISE

Q: Please describe the services NAT proposes to offer.

A: NAT proposes to offer intrastate interexchange access service for traffic that originates or terminates off of the Crow Creek Reservation within the state of South Dakota.

Q: Has NAT previously operated as a CLEC in South Dakota?

A: No.

Q: Does NAT offer similar services as a CLEC in other states?

A: No.

Q: Please describe the extent to and time frame by which NAT will provide service through the use of its own facilities, the purchase of unbundled network elements, or resale.

A: NAT proposes to provide intrastate interexchange service for traffic that originates or terminates off Reservation, immediately upon the Commission's certification using its own facilities.

NAT'S FINANCIAL CAPABILITIES

Q: Is NAT a publicly-held entity?

A: No.

Q: What are NAT's financial capabilities to provide the services proposed?

A: For NAT's financial information, see "Confidential Financial Documents" provided to the Commission by NAT on June 3, 2013. NAT is committed and prepared to allocate the necessary resources to provide high-quality telecommunications services to its customers.

Q: Please describe where NAT's revenue derives.

A: NAT's revenue derives from end user customers, including high-volume business customers, access revenue, and other current and future revenue sources, including possible universal service support, revenue from tribal contracts, such as Small Business Administration Native 8(a) programs, and business development initiatives. NAT also provides collocation, power and other services to end user customers, such as Free Conferencing, for conferencing services. Other services to be provided by NAT include serving other business end user customers, Call Centers, and other business development interests.

CONCLUSION

Q: Does NAT have the technical, financial, and managerial qualifications to provide local and interexchange services in South Dakota?

A: Yes, NAT has the technical, financial, and managerial qualification to provide the telecommunications services as outlined in NAT's revised "Application for a Certificate of Authority" and filed with the Commission on June 3, 2013. NAT currently provides facilities-based basic local exchange telephone service along with advanced broadband services on the Crow Creek reservation and, by filing this application, seeks the

authority, if necessary, to provide intrastate interexchange access service for traffic that originates or terminates off of the Crow Creek Reservation within the state of South Dakota.

Q: Does this conclude your testimony?

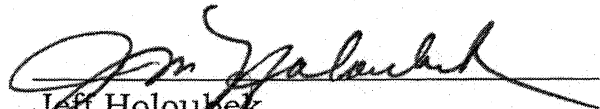
A: Yes, it does.

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VERIFICATION

I, *Jeff Holoubek*, state that I have first-hand knowledge of the matters set forth above and hereby verify that, to the best of my knowledge and belief, the allegations and statements contained herein are true and correct.


Dated this 26 day of July, 2013.


Jeff Holoubek

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

Subscribed and sworn to before me this 26TH day of July, 2013.


Notary Public

My Commission Expires: SEPTEMBER 12, 2013

(SEAL)

