

Staff Memo Exhibit A: Telrite ETC Designation Administrative Rule Review

Requirement	Description	Support
<i>ARSD 20:10:32:43.01</i>	Demonstration of commitment to provide service	In paragraph 29 of the application, Telrite makes the appropriate commitments required by this rule.
<i>ARSD 20:10:32:43.02</i>	Submission of two-year	In paragraph 52 of the application, Telrite identified this requirement is not applicable since they are not seeking High Cost support and have a Compliance Plan approved by the FCC. Further, in the <u>Lifeline Reform Order</u> ¹ , the FCC eliminated the requirement to submit service improvement plans for ETCs receiving Lifeline only support. Staff recommends the Commission waive this requirement.
<i>ARSD 20:10:32:43.03</i>	Demonstration of ability to remain functional in emergency situations	In paragraph 32 of the application, Telrite attests its customers will have the same ability to remain functional as their underlying carrier's customers. On April 23 rd 2013, Telrite filed an additional response to Staff's Data Request 1.5 that further demonstrates they are able to meet this requirement.
<i>ARSD 20:10:32:43.04</i>	Demonstration of ability to satisfy consumer protection and service quality standards	In paragraph 30 of the application, Telrite states that it "will comply with consumer protection standards, including: a) Customer Proprietary Network Information [...]. b) Consumer Code for Wireless Service [...]. c) General Compliance [...]."
<i>ARSD 20:10:32:43.05</i>	Offering of comparable local usage plan	In response to Staff's Data Request 2-5 filed on June 25 th 2013, Telrite demonstrates that it meets this requirement by showing a side-by-side comparison of Telrite's plan(s) and the ILEC's plan. The ILEC's service plan for unlimited local and long distance calling is \$45, whereas it would only be \$29.95 for a Telrite customer should they choose to purchase unlimited calling on top of the Lifeline plan. Telrite further states, "Life Wireless's Lifeline offerings would be completely free to Lifeline users after application of the federal Lifeline universal service support. To Life Wireless' knowledge, no

¹ *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rule Making, FCC 12-11 (rel. Feb 6 2012) ("Lifeline Reform Order") at ¶389.

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		South Dakota ILEC offers its customers a comparable service at no cost to the end-user.” ²
<i>ARSD 20:10:32:43.06</i>	Provisioning of equal access	In paragraph 45 of the application, Telrite states “Telrite will provide equal access to long distance carriers, to the extent to which it is able to do so, if no other ETC is providing equal access within the Service Area.”
<i>ARSD 20:10:32:43.07</i>	Public Interest Standard	In paragraphs 33 to 61 of the application, Telrite provides support that designating the company as an ETC is in the public interest. A more detailed discussion is included in section 3.4 of the Staff Memo.
<i>ARSD 20:10:32:46</i>	Copy of petition to other eligible telecommunications carriers	Telrite filed a Certificate of Service on March 25, 2013 that documents the other eligible telecommunications carriers in the service area Telrite seeks ETC designation within were served.

² Telrite Response to Staff Data Request #2-5 filed June 25th, 2013.