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May 20, 2013

## Via E-Filing

Patricia Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
Capitol Building, 1st Floor  
500 East Capitol Avenue  
Pierre, SD 57501-5070

**Re: Docket No. TC13-68  
Joint Application of TNCI Operating Company LLC and Trans National  
Communications International, Inc. for Authority to Complete the Transfer  
of the Certificate of Public Convenience and Necessity to Provide  
Competitive Telecommunications Services of Trans National  
Communications International, Inc. to TNCI Operating Company LLC**

## **RESPONSE TO DATA REQUEST NO. 1**

Dear Ms. Van Gerpen:

On behalf of TNCI Operating Company LLC (“TNCI-OpCo”) and Trans National Communications International, Inc. (Debtor-in-Possession) (together, the “Applicants”), this letter responds to Staff’s Data Request No. 1. Specifically, Applicants respond to the following questions:

- 1. Please provide a written request for waiver of ARSD 20:10:24:02(9) and ARSD 20:10:32:03(12), which require submission of the applicant’s historical financial statements.**

**Response:** As explained in the Application, TNCI-OpCo is a newly formed company that only began operations on May 1, 2013, following the Initial Closing for the Transaction. Henace, TNCI-OpCo does not have historical or audited financial statements and provided under seal unaudited *pro forma* financial statements with the Application. Pursuant to pursuant to ARSD 20:10:32:03(23) and 20:10:24:02(19), TNCI-OpCo requests waiver of ARSD 20:10:24:02(9) and ARSD 20:10:32:03(12), which require submission of the applicant’s historical financial statements.

- 2. Consistent with the restrictions placed on the applicant’s predecessor in Docket TC99-091, does the applicant agree to the condition that, for retail purposes, TNCI OpCo not offer any prepaid services (including prepaid**

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**calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission?**

**Response:** Yes, TNCI-OpCo agrees to the condition that, for retail purposes, TNCI-OpCo 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.

**3. Regarding the applicant addressing ARSD 20:10:32:03(13) on page 12 of the application, is TNCI-DIP currently providing service to any customers in South Dakota? If so, please explain how service is provided with regard to interconnection.**

**Response:** Yes, TNCI-DIP provides local exchange and interexchange telecommunications services in South Dakota. TNCI-DIP provides local exchange services to approximately 44 customers in South Dakota. TNCI-DIP provides these services utilizing its interconnection agreement with Qwest/CenturyLink as well as as a Qwest Local Service Platform Agreement.

**4. Regarding ARSD 20:10:32:03(22), please confirm that the applicant will provide at least 30 days notice of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to a customer.**

**Response:** Yes, TNCI-OpCo will provide at least 30 days notice of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to a customer.

**5. Please provide the applicant's South Dakota sales tax number when available.**

**Response:** TNCI-OpCo's South Dakota sels tax number is 1027-1409-ST.

Please acknowledge receipt and acceptance of this filing. Should you have any questions concerning this filing, please do not hesitate to contact Brett Ferenchak at (202) 373-6697.

Respectfully submitted,



Jean L. Kiddoo  
Brett P. Ferenchak

Counsel for TNCI Operating Company LLC