

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

**IN THE MATTER OF THE AMENDED
APPLICATION OF INTRADO
COMMUNICATIONS INC. FOR A
CERTIFICATE OF AUTHORITY TO
PROVIDE LOCAL EXCHANGE
SERVICE WITHIN THE STATE OF
SOUTH DAKOTA**

DOCKET NO. TC14-002

AMENDED APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission

Application is hereby made to the South Dakota Public Utilities Commission (“Commission”) pursuant to S.D. Admin. R. 20:10:32:03 for an Order granting Intrado Communications Inc. (“Intrado Communications” or “Applicant”) a Certificate of Authority (“COA”) to provide local exchange services in the State of South Dakota. Applicant is a wholly-owned subsidiary of Intrado Inc. which is owned by West Corporation. The issuance of a COA to Intrado Communications to provide local exchange services is in the public interest.

The following information is furnished in support of this application:

- (1) The applicant’s name, address, telephone number, facsimile number, web page URL, and E-mail address:**

Name: Intrado Communications Inc.
Address: 1601 Dry Creek Drive
Longmont CO 80503
Telephone: (720) 494-5800
Fax: (720) 494-6600
URL: <http://www.intrado.com>
E-mail: regulatory@intrado.com

- (2) A description of the legal and organizational structure of the applicant's company:**

Applicant is a Delaware corporation. A copy of Applicant’s Articles of Incorporation is attached as Exhibit A. A copy of Applicant’s current organization chart is attached as Exhibit B.

(3) The name under which applicant will provide local exchange services if different than in subdivision (1) of this section:

Intrado Communications Inc. will be the entity providing local exchange service in South Dakota.

(4) The location of the applicant's principal office, if any, in this state and the name and address of its current registered agent, if applicable:

Applicant does not have a principal office located in South Dakota. The name and address of Applicant's current registered agent is:

Corporation Service Company
503 South Pierre Street
Pierre, SD 57501

(5) A copy of its certificate of authority to transact business in South Dakota from the secretary of state:

A copy of Applicant's Certificate of Authority to transact business in South Dakota is attached as Exhibit C.

(6) A description of the applicant's experience providing any telecommunications services in South Dakota or in other jurisdictions, including the types of services provided, and the dates and nature of state or federal authorization to provide the services:

Applicant is authorized to provide telecommunications service in 44 states plus the District of Columbia. Applicant's wholly owned subsidiary, Intrado Communications of Virginia Inc., provides telecommunications service in Virginia. Exhibit D includes these states and the dates on which authority was granted.

As indicated in the proposed tariff, Intrado Communications' offerings to PSAPs include 9-1-1 Routing Service (switching), 9-1-1 ALI Services (data for 9-1-1 calls), and 9-1-1 Exchange Access (transport). For a more detailed description of services, see Section 5 of Intrado Communications' proposed tariff.

(7) Names and addresses of applicant's affiliates, subsidiaries, and parent organizations, if any:

Applicant directly owns Intrado Communications of Virginia Inc. Applicant is a wholly owned subsidiary of Intrado Inc., a Delaware corporation.

These three corporations share the following mailing address: 1601 Dry Creek Drive, Longmont, Colorado, 80503.

Intrado Inc. is a wholly owned subsidiary of West Corporation, a Delaware corporation headquartered at: 11808 Miracle Hills Drive, Omaha, NE 68154.

(8) A list and specific description of the types of services the applicant seeks to offer and how the services will be provided including:

a. Information indicating the classes of customers the applicant intends to serve:

Applicant will provide **local exchange services** to government and quasi-government Public Safety Answering Points (“PSAPs”). Intrado Communications’ retail 9-1-1 service to PSAPS permits 9-1-1 call takers to receive emergency calls placed by the telco’s end users who dial “9-1-1” and emergency communications originated by personal communications devices. This service is a replacement for the 9-1-1 service currently provided by the ILEC. Intrado Communications provides a complete end-to-end service for the PSAP, which includes services such as selective routing and the databases used for the delivery of the 9-1-1 call with the appropriate location information.

Intrado Communications will not be replacing the 10-digit administrative lines utilized by a PSAP. These lines will remain with their incumbent provider.

b. Information indicating the extent to and time-frame by which applicant will provide service through the use of its own facilities, the purchase of unbundled network elements, or resale:

Applicant intends to provide service as soon as practicable upon approval of this application and will provide service through the use of its own facilities and, where appropriate, resold facilities.

c. A description of all facilities that the applicant will utilize to furnish the proposed local exchange services, including any facilities of underlying carriers:

Applicant has its own switching facilities located in other states and will lease transmission facilities as necessary from other authorized facilities providers in South Dakota. Applicant may in the future install switching facilities in South Dakota, but has not yet determined where those facilities will be located.

Specifically, Intrado Communications will lease the local loop facilities from a competitive provider or incumbent telco between its network and its end user, the PSAP. Intrado Communications will also be purchasing interoffice trunks/facilities to be able to transfer calls to other PSAPs. In addition, Intrado Communications may seek multiplexing, collocation and other services from the incumbent telco through an interconnection agreement executed pursuant to Section 251(c). With an executed interconnection agreement, Intrado Communications may fulfill the local exchange portions of its network through UNEs.

d. Information identifying the types of services it seeks authority to provide by reference to the general nature of the service:

Applicant will provide 9-1-1 emergency services to government and quasi-government Public Safety Answering Points (“PSAPs”). These services consist of local exchange services for the PSAP.

(9) A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant

Applicant intends to offer its services throughout the State of South Dakota. As noted above, Applicant plans to provide local exchange services to government and quasi-government Public Safety Answering Points (“PSAPs”).

(10) Information regarding the technical competence of the applicant to provide its proposed local exchange services including:

a. A description of the education and experience of the applicant’s management personnel who will oversee the proposed local exchange services:

The names, titles, education, and experience of key management for the Applicant who will oversee the proposed local exchange service are attached as Exhibit E.

b. Information regarding policies, personnel, or arrangements made by the applicant which demonstrates the applicant’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:

Applicant has customer service personnel available during normal business hours to respond to customer inquiries and complaints (see response to question 17 below). Applicant also employs personnel that monitor its network 24/7 to ensure appropriate service levels are maintained. Additionally, each customer is assigned a program manager that has direct responsibility for the account.

Intrado Communications provides its services consistent with applicable state and federal regulations, as well as guidelines set forth by the National Emergency Number Association (“NENA”), including the i3 standard. The i3 standard was adopted by NENA in 2011 and is designed to provide key technical guidelines for the implementation of next generation 9-1-1 systems.

(11) Information explaining how the applicant will provide customers with access to emergency services such as 911 or enhanced 911, operator services, interexchange services, directory assistance, and telecommunications relay services:

This is generally not applicable to the service Applicant will be providing. As noted

above, Applicant intends to provide local exchange services to government and quasi-government PSAPs throughout South Dakota. Applicant will not serve as its customers' primary dial tone provider. Accordingly, a waiver of this requirement is appropriate pursuant to S.D. Admin. R. 20:10:32:11. Consistent with that rule, Applicant's proposed service does not involve providing customers with access to operator services, interexchange services, directory assistance, or the other services referenced above. In addition, the waiver is in the public interest and is not contrary to universal service, the public safety and welfare, and quality of service.

- (12) For the most recent 12-month period, financial statements of the applicant consisting of balance sheets, income statements, and cash flow statements. The applicant shall provide audited financial statements, if available:**

Applicant is not a publicly traded company and relies on the financial resources of its parent corporation, West Corporation. The link below provides a copy of West Corporation's 2013 Annual Report:

<http://investor.shareholder.com/west/financials.cfm>

- (13) Information detailing the following matters associated with interconnection to provide proposed local exchange services:**

- a. The identity of all local exchange carriers with which the applicant plans to interconnect:**

Applicant initially intends to interconnect with CenturyLink. Applicant may, upon request for service from a prospective customer, enter into interconnection and/or commercial agreements with other local exchange carriers. Applicant has made no such requests at this time.

- b. The likely timing of initiation of interconnection service and a statement as to when negotiations for interconnection started or when negotiations are likely to start:**

Applicant will negotiate an interconnection agreement with CenturyLink as soon as possible.

- c. A copy of any request for interconnection made by the applicant to any local exchange carrier:**

No requests for interconnection have been made at this time.

- (14) A description of how the applicant intends to market its local exchange services, its target market, whether the applicant engages in multilevel marketing, and copies of any company brochures that will be used to assist in sale of the services:**

Applicant initially intends to provide its services to government and quasi government

PSAPs and may eventually provide other local exchange telecommunications services and interexchange telecommunications services in South Dakota pursuant to its COA. Applicant will market its services through its direct sales force. Applicant will not engage in multilevel marketing.

Attached hereto as Exhibit F is a company brochure that is used to assist in the sale of services, i.e., A9-1-1 Routing.

- (15) If the applicant is seeking authority to provide local exchange service in the service area of a rural telephone company, the date by which the applicant expects to meet the service obligations imposed pursuant to § 20:10:32:15 and applicant's plans for meeting the service obligations:**

Applicant is not seeking to provide local exchange service in the service area of a rural telephone company. In the event that a rural telephone company desires to exchange 911 traffic with Intrado Communications in order to reach an Intrado-served PSAP, Intrado Communications would enter into the appropriate traffic exchange agreement with the rural telephone company.

- (16) A list of the states in which the applicant is registered or certified to provide telecommunications services, whether the applicant has ever been denied registration or certification in any state and the reasons for any such denial, a statement as to whether or not the applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable:**

Intrado Communications is in good standing with the appropriate regulatory agency in the states where it is registered or certified. Applicant is certified to provide telecommunications services in the following states: AL, AR, AZ, CA, CO, CT, DE, DC, FL, GA, HI, ID, IN, IL, KS, KY, LA, MD, MA, MI, MN, MS, MO, MT, NC, ND, NE, NV, NM, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA (through its subsidiary, Intrado Communications of Virginia Inc.), WA, WV, WI, and WY.

Applicant was denied registration/certification in New Hampshire and Iowa. On March 14, 2001, the New Hampshire Public Utilities Commission denied SCC Communications' (now Intrado Communications Inc.) application for a certificate of public convenience and necessity (CPCN) without prejudice. The application was denied after the New Hampshire PUC determined the services Applicant proposed to offer (aggregation and transport of 9-1-1 emergency call) did not require a CPCN under New Hampshire PUC Rule 1306.01. Similarly, on March 15, 2002, the Iowa Utilities Board denied without prejudice an application for CPCN filed by Intrado Communications Inc. for the same reason under to Iowa Code § 476.29.

- (17) The names, addresses, telephone numbers, E-mail addresses, and facsimile numbers of the applicant's representatives to whom all inquiries must be made regarding customer complaints and other regulatory matters:**

Issues related to processing this application:

Mary Jane Rasher
Director, Regulatory and Government Affairs
Intrado Communications Inc.
1601 Dry Creek Drive
Longmont, CO 80503
Phone: 720-494-5849
Fax: 720-494-6600

Customer Complaints:

Customer Support
Intrado Communications Inc.
1601 Dry Creek Drive
Longmont, CO 80503
Toll Free: 877-214-3032
Facsimile: 720-494-6600

Regulatory issues:

Mary Jane Rasher
Director, Regulatory and Government Affairs
Intrado Communications Inc.
1601 Dry Creek Drive
Longmont, CO 80503
Telephone: 720-494-5849
Facsimile: 720-494-6600

(18) Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services:

Applicant will bill customers directly on a monthly basis in arrears. All billing statements will list the Applicant's name, address, and customer service toll free telephone number for customer inquiries or concerns.

(19) Information concerning the applicant's policies relating to solicitation of new customers and a description of the efforts the applicant shall use to prevent the unauthorized switching of local service customers by the applicant, its employees, or agents:

Applicant will solicit customers through its direct sales team. Since Applicant intends to provide service to government entities under contracts, it will not change the service of end user customers. Intrado Communications will comply with any applicable state and federal rules concerning the switching of interexchange carriers.

(20) The number and nature of complaints filed against the applicant 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:

Applicant has not had any complaints filed against it regarding the unauthorized switching of a customer's telecommunications provider or for charging a customer for services that they had not ordered.

- (21) Information concerning how the applicant will make available to any person information concerning the applicant's current rates, terms, and conditions for all of its telecommunications services:**

Applicant's current rates, terms and conditions will be posted at:
<http://www.tariffs.net/intradocommunications/states.asp>

- (22) Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer. The notification must be made at least thirty days in advance of the change:**

Applicant will provide its services through a contract with the customer. Changes in rates, terms, or conditions will be governed by the underlying contract.

- (23) A written request for waiver of those rules believed to be inapplicable:**

Applicant is requesting waiver of the requirement that it provide customers with access to emergency services such as 911 or enhanced 911, operator services, directory assistance, and telecommunications relay services pursuant to 20:10:32:03(11).

Applicant is requesting a waiver of the requirement to provide financial statements as requested in 20:10:32:03(12). Applicant has provided a link to the audited financials of its parent company, West Corporation.

Applicant is requesting a waiver of the requirement to provide a South Dakota tax identification number as requested in 20:10:32:03(24) as part of its application process. Applicant will obtain a South Dakota sales tax number prior to providing service.

Applicant is not requesting a waiver of any additional rules at this time.

- (24) Federal tax identification number and South Dakota sales tax number:**

Applicant's Federal Tax ID Number is: 84-1597262
Applicant will obtain a South Dakota sales tax number prior to providing service.

- (25) Other information requested by the commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the local exchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws:**

Applicant has no additional information it believes is relevant to Applicant's qualifications to provide the proposed service.

WHEREFORE, Intrado Communications Inc., respectfully requests that the South Dakota Public Utilities Commission enter an order granting this Application, and such other relief as may be just and proper.

Respectfully Submitted,

Intrado Communications Inc.

/s/ Mary Jane Rasher

Mary Jane Rasher

Director, Regulatory & Government Affairs

Intrado

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Longmont, Colorado 80503

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