

March 1, 2016

VIA OVERNIGHT COURIER

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

**Re: Notification of *Pro Forma* Assignment of Certificate of Authority from
Mobilitie, LLC to Network Technology SD, LLC**

Dear Ms. Van Gerpen:

Mobilitie, LLC ("Mobilitie," or "Assignor") and Network Technology SD, LLC ("Network Technology SD," or "Assignee") (collectively the "Parties"), by undersigned counsel, hereby notify the South Dakota Public Utilities Commission ("Commission"), of the *pro forma* assignment of Mobilitie's Certificate of Authority to Network Technology SD ("Transaction").

It is the Parties' understanding that Commission approval is not required for the Transaction pursuant to S.D. Codified Laws § 49-31-20. Accordingly, the Parties submit this letter for informational purposes only to ensure the continuing accuracy of the Commission's records. The Parties respectfully request that the Commission update its records, website, and other information as appropriate to reflect that Network Technology SD will hold the certificate following completion of the Transaction. The Parties intend to complete the assignment as soon as any required regulatory approvals are obtained.

In support, the Parties provide the following information:

I. DESCRIPTION OF THE PARTIES

A. Mobilitie, LLC

Mobilitie is a limited liability company organized under the laws of the State of Nevada. Mobilitie designs, builds, and operates network and infrastructure to deliver optimal wireless coverage. Mobilitie's complete wireless infrastructure solutions include funding, designing, building, operating, and maintaining neutral host outdoor and indoor distributed antenna systems (DAS), small cells, Wi-Fi, and communication towers. On November 16, 2010, Mobilitie was authorized to provide interexchange and local exchange telecommunications services within the State of South Dakota.¹ Mobilitie is authorized to provide competitive local exchange, interexchange, and/or backhaul

¹ See generally *In the Matter of the Application of Mobilitie, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services and Local Exchange Services in South Dakota*, Docket No. TC10-091, Order Granting Certificate of Authority, South Dakota Public Utilities Commission (Nov. 16, 2010).

transport telecommunications services pursuant to registration, agency order, or on a deregulated basis in all fifty states, and the District of Columbia. Mobilitie's headquarters is located at 2220 University Drive, Newport Beach, California 92660.

B. Network Technology SD, LLC

Network Technology SD is a Delaware limited liability company with its principal business address at 869 East Schaumburg Road, #324, Schaumburg, Illinois 60194-3653. Network Technology SD is a wholly-owned, indirect subsidiary of Mobilitie.

II. DESCRIPTION OF THE TRANSACTION

For business and operational reasons, Mobilitie is transferring its Certificate of Authority to Network Technology SD.

Following closing, Network Technology SD will continue to offer the same services as Mobilitie to its customers in the State of South Dakota. Furthermore, Mobilitie's management will continue to be responsible for the day-to-day operations of Network Technology SD's business.

III. PUBLIC INTEREST STATEMENT

The Parties submit that the Transaction described herein serves the public interest. The Transaction promotes competition among telecommunications carriers by providing Network Technology SD with the opportunity to strengthen its competitive position in order to accelerate the growth of the business. The Parties anticipate that the Transaction will enable them to deliver greater value and variety of services to their customers.

The Transaction will be transparent to customers, and will not result in the discontinuance, reduction, loss, or impairment of service to customers. Rather, as noted, it will enable the Parties to make available a greater variety of high-quality, innovative services to their customers.

IV. CONTACTS

Correspondence concerning this Notice should be sent to the following individuals:

Assignor

Jim Grass
Vice President, Corporate Counsel
Mobilitie, LLC
2220 University Drive
Newport Beach, CA 92660
Tel: (949) 717-6020
Fax: (949) 274-7556
Email: jim@mobilitie.com

Assignee

Michael P. Donahue
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McLean, VA 22102
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Email: mpd@commlawgroup.com

Please update the Commission's records with the following information for Network Technology SD:

Network Technology SD, LLC
869 East Schaumburg Road, #324
Schaumburg, IL 60194-3653
Tel: (877) 296-1009
Email: info@itbutility.com
Website: www.itbutility.com

V. CONCLUSION

For the reasons stated above, the Parties respectfully submit that the public interest, convenience, and necessity would be furthered by the Transaction. Accordingly, the Parties respectfully advise the Commission of their participation in the Transaction as described above.

An original and two (2) copies of this filing are enclosed. Please date stamp the enclosed extra copy of this filing and return it in the attached self-addressed envelope. If there are any questions regarding this filing, please do not hesitate to contact the undersigned directly.

Respectfully submitted,



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