

**BEFORE THE  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

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<b>IN THE MATTER OF THE APPLICATION FOR APPROVAL OF A CERTIFICATE OF AUTHORITY OF CHEYENNE RIVER SIOUX TRIBE TELEPHONE AUTHORITY AND FOR WAIVER OF CERTAIN REQUIREMENTS OF ARSD 20:10:32:03</b>	) <b>APPLICATION FOR A ) CERTIFICATE OF AUTHORITY ) ON BEHALF OF CHEYENNE ) RIVER SIOUX TRIBE ) TELEPHONE AUTHORITY ) ) )</b>
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COMES NOW, Cheyenne River Sioux Tribe Telephone Authority (“CRSTTA”) a South Dakota Tribal Corporation, by and through the undersigned counsel, and requests pursuant to A.R.S.D. §§ 20:10:32:03 and 20:10:24:02 of the Public Utilities Commission’s (“Commission”) Administrative Rules, a certificate of authority<sup>1</sup> and submits the following information in support thereof:

- (1) The applicant’s name, address, telephone number, facsimile number, web page URL, and E-mail address (A.R.S.D. §§ 20:10:24:02 (1) and 20:10:32:03 (1)):**

Cheyenne River Sioux Tribe Telephone Authority  
PO Box 810  
100 Main Street  
Eagle Butte, SD 57625  
Ph: 605-964-2600  
Facsimile: 605-964-1000  
Email address: [crstta@lakotanetwork.com](mailto:crstta@lakotanetwork.com)

- (2) A description of the legal and organizational structure of the applicant’s company (A.R.S.D. §§ 20:10:24:02(2) and 20:10:32:03 (2)):**

CRSTTA is a tribally owned business and was organized in 1958.

- (3) The name under which applicant will provide local exchange services if different than in subdivision (1) of this section (A.R.S.D. §§ 20:10:24:02(3) and 20:10:32:03 (3)):**

C.R.S.T. Telecommunications

- (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 (A.R.S.D. §§ 20:10:24:02(5) and 20:10:32:03 (4)):**

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<sup>1</sup> CRSTTA is also filing a request for Certificate of Authority with the Cheyenne River Sioux Tribe Telecommunications Commission.

The principal office is currently located at 100 Main Street, Eagle Butte, South Dakota, 57625. As a tribal business, there is not a registered agent with the South Dakota Secretary of State.

- (5) **A copy of its certificate of authority to transact business in South Dakota from the secretary of state (A.R.S.D §§ 20:10:24:02(4) and 20:10:32:03 (5)):**

CRSTTA operates under Cheyenne River Sioux Tribe Ordinance 24 and its Charter and By-laws.

- (6) **A description of the applicant's experience providing any telecommunication 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. (A.R.S.D §§ 20:10:32:03 (6)):**

CRSTTA has been operating as a telecommunications provider for sixty years since 1958.

- (7) **Names and addresses of applicant's affiliates, subsidiaries, and parent organizations, if any. (A.R.S.D. §§ 20:10:32:03 (7)):**

Cheyenne River Sioux Tribe: 100% owner

- (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.R.S.D.§§ 20:10:24:02 (6) and 20:10:32:03 (7)):**

- (a) **Information indicating the classes of customers the applicant intends to serve.**

Residential and business customers.

- (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.**

CRSTTA proposes to provide local service through the use of its own facilities. Construction is estimated to be completed in the summer/fall of 2019, which is the time-frame by which applicant will provide services.

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

All services will be provided over CRSTTA's fiber-based facilities.

- (d) **Information identifying the types of services it seeks authority to provide by reference to the general nature of the service.**

CRSTTA will provide local telephone exchange service, and interexchange long distance service and broadband to residential and business customers.

- (9) **A service area map or narrative description indicating with particularity the geographic areas proposed to be served by the applicant. (A.R.S.D. §§ 20:10:24:02(8) and 20:10:32:03 (9)):**

CRSTTA intends to offer its services initially in the territory now served by CenturyLink in the Timber Lake exchange. The Company will adhere to the service area maps defined by CenturyLink.

- (10) **Information regarding the technical competence of the applicant to provide its proposed local exchange services including: (A.R.S.D. §§ 20:10:32:03:(10)):**

- (a) **A description of the education and experience of the applicant's management personnel who will oversee the proposed local exchange services.**

Attached hereto as **Exhibit A** is a description of the education and experience of CRSTTA's management personnel.

- (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.**

CRSTTA will be directly responsible for all customer inquiries and complaints. The telephone number for customer inquiries and complaints will be provided by CRSTTA on the customer bill. Customer service will be available seven days a week, twenty-four hours a day.

**For regulatory matters:**  
Mona Thompson, General Manager  
CRSTTA  
100 Main Street  
PO Box 810  
Eagle Butte, SD 57625  
Ph: 605-964-2600  
Fax: 605-964-1000  
crstta@lakotanetwork.com

**For complaint matters by Commission:**  
Margo D Northrup, Attorney for CRSTTA  
Riter, Rogers, Wattier, and Northrup, LLP  
PO Box 280  
Pierre, SD 57501  
Ph: 605-224-5825  
Fax: 605-224-7102  
[m.northrup@riterlaw.com](mailto:m.northrup@riterlaw.com)

**For complaint matters by Customers:**  
Mona Thompson, General Manager  
CRSTTA  
100 Main Street  
PO Box 810  
Eagle Butte, SD 57625  
Ph: 605-964-2600  
Fax: 605-964-1000  
[crstta@lakotanetwork.com](mailto:crstta@lakotanetwork.com)

- (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. (A.R.S.D. §§ 20:10:32:03 (11)):**

CRSTTA will connect with the Dewey County PSAP (PSAP ID 6125) via the 911 selective router and will provide enhanced 911 consistent with current E911 requirements. CRSTTA will contact the proper county officials and will provision and test E911 before offering any services. CRSTTA will use its provider for operator and directory assistance services. CRSTTA will configure its switch to provide and properly route all telecommunications relay services. CRSTTA will connect with the SDN Communications' tandem switch and utilize Express Communications to provide interexchange services. Both inter- and intrastate equal access will be provided.

- (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. (A.R.S.D §§ 20:10:24:02 (9) and 20:10:32:03 (12)):**

See Confidential Exhibit B.

- (13) **Information detailing the following matters associated with interconnection to provide proposed local exchange services: (A.R.S.D §§ 20:10:32:03 (13)):**

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

CRSTTA will enter into interconnection agreements with CenturyLink and other certificated LECs as customer demand warrants.

- (b) **The likely timing of initiation of interconnection to provide proposed local exchange services: (A.R.S.D §§ 20:10:32:03 (13)):**

CRSTTA anticipates negotiating the interconnection agreements concurrent with the processing of this application.

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

See response to 13(b) above.

- (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. (A.R.S.D §§ 20:10:24:02 (16) and 20:10:32:03 (14)):**

CRSTTA intends to market through door to door campaigns, open house events, brochures and flyers, as well as newspaper and radio ads.

- (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 (A.R.S.D §§ 20:10:32:15) and applicant's plans for meeting the service obligations. (A.R.S.D §§ 20:10:32:03 (15)):**

CRSTTA is not seeking authority to provide retail, end user local exchange service in the service area of a 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. (A.R.S.D §§ 20:10:24:02(15) and 20:10:32:03 (16)):**

CRSTTA is currently in good standing in South Dakota and has never applied in another state.

- (17) **The names, addresses, telephone numbers, E-mail addresses, and facsimile number of the applicant's representatives to whom all inquiries must be made regarding customer complaints and other regulatory matters. (A.R.S.D §§ 20:10:24:02 (3)):**

Margo D Northrup, Attorney for CRSTTA  
PO Box 280  
Pierre, SD 57501  
Ph: 605-224-5825  
Fax: 605-224-7102  
m.northrup@riterlaw.com

- (18) **Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services. (A.R.S.D §§ 20:10:24:02(11) and 20:10:32:03 (18)):**

CRSTTA will bill customers directly. Customer payments will be made directly to the Company.

- (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. (A.R.S.D §§ 20:10:24:02(12) and 20:10:32:03 (19)):**

CRSTTA will follow federal and state rules regarding switching of local service customers.

- (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. (A.R.S.D §§ 20:10:24:02(18) and 20:10:32:03 (20)):**

None.

- (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. (A.R.S.D §§ 20:10:24:02(13) and 20:10:32:03 (21)):**

Current rates, terms, and conditions will be made available to the public and customers via CRSTTA's website and brochures, as well as in person at locally established office.

- (22) **Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications services being provided to the customer. The notification must be made at least thirty days in advance of the change. (A.R.S.D §§20:10:24:02(14) and 20:10:32:03 (22)):**

Changes to rates, terms or conditions will be made at least thirty days in advance via direct mail, bill inserts, and/or email notification.

- (23) **A written request for waiver of those rules believed to be inapplicable. (A.R.S.D §§ 20:10:24:02(19) and 20:10:32:03(22)):**

CRSTTA is requesting a waiver of A.R.S.D. §§ 20:10:24:02(9) and 20:10:32:03 (12).

- (24) **Federal tax identification number and South Dakota sales tax number. (A.R.S.D §§ 20:10:24:02(17) and 20:10:32:03(24)):**

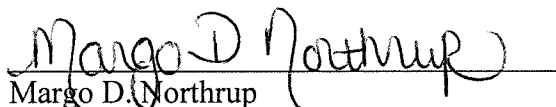
EIN – 46-0324093  
Sales Tax Number – 1014-7063-SD

- (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. (A.R.S.D §§ 20:10:24:02(20) and 20:10:32:03 (25)):**

None at this time.

Dated this 16 day of July, 2018.

Respectfully submitted,



Margo D. Northrup  
Riter, Rogers, Wattier & Northrup, LLP  
PO Box 280  
Pierre, SD 57501  
Attorney for CRSTTA

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Application for a Certificate of Authority on behalf of CRSTTA, Inc. was sent by electronic notice or by mail to the following:

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

Jason Topp  
CenturyLink, LLC  
125 S. Dakota Ave.  
Sioux Falls, SD 57104  
[JasonTopp@CenturyLink.com](mailto:JasonTopp@CenturyLink.com)

and to the most recent list of Competitive Local Exchange Providers as maintained on the South Dakota Public Utilities Commission website and attached hereto as Exhibit C.

Dated this 16 day of July, 2018.

  
Margo D Northrup