

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

IN THE MATTER OF THE APPLICATION OF)	
NGA 911, L.L.C FOR A CERTIFICATE)	
OF AUTHORITY TO PROVIDE LOCAL EXCHANGE)	Docket No. TC19-003
AND INTEREXCHANGE LONG DISTANCE SERVICES)	
IN THE STATE OF SOUTH DAKOTA)	

JOINT STIPULATION

The South Dakota Telecommunications Association ("SDTA") and NGA 911, L.L.C. ("NGA 911") (collectively, the "Parties"), through their respective counsel, hereby submit this Joint Stipulation as a resolution of those issues raised by SDTA concerning the Application for a Certificate of Authority ("Application") filed by NGA 911 in this proceeding, which generally seeks statewide authority to provide local exchange and interexchange long distance services in order to serve state and local public safety answering point ("PSAP") operations. Specifically, through execution of this document, each of the Parties agrees to the following terms:

1. SDTA is an incorporated organization representing the interests of numerous cooperative, independent and municipal telephone companies operating as "rural telephone companies" in defined rural service areas or rural "study areas" throughout the State of South Dakota.

2. NGA 911 is a duly formed limited liability company, organized under the laws of the State of California that exists as a privately held company without any parent company or subsidiaries. Specifically, NGA 911 seeks authority from the Commission to provide facilities-based and resold local exchange and interexchange telecommunications services in order to provide emergency call routing, transport, and related functionalities to state and municipal governmental agencies to support PSAP operations.

3. As further indicated in its Application, NGA 911 intends to offer its services through the use of a combination of its own facilities and facilities to be leased from a variety of telecommunications carriers and proposes to complete an interconnection agreement to provide connectivity and interconnection between Applicant's NG 9-1-1 system and other local exchange carriers in South Dakota.

4. NGA 911's Application further provides that it will provide only non-switched services and will not provide traditional switched local exchange service to retail end users.

5. In general, SDTA does not oppose the granting of the Certificate of Authority requested by NGA 911 in this Docket provided that the Commission makes the necessary findings to justify granting the Certificate and provided that any final order issued by the Commission is consistent with and recognizes the terms set forth herein.

6. NGA 911's Application seeks authority to provide services throughout the entire State of South Dakota and thus seeks a statewide certification from this Commission. Regarding the geographic scope of any certificate granted to NGA 911 in this proceeding, SDTA does not oppose a certification extending to all areas of the State, provided that the certification is appropriately limited to cover only those specific telecommunications services that are necessary for NGA 911 to provision its 9-1-1 emergency services, including the NG 9-1-1 related services as described in its Application. NGA 911 agrees that its certification should be so limited and affirms that it does not intend to provide in South Dakota any retail "telephone exchange services" to either residential or business end user customers or to provide any wholesale "exchange access services" to other carriers or service providers (as such terms are defined under 47 U.S.C. § 153). NGA 911 also agrees that if at any time in the future it chooses to provide these additional services within any rural telephone company service area in South Dakota, it will come back before the Commission with an amended application seeking additional local exchange service authority. This further proceeding would give the Commission the ability to consider and determine whether or not it should apply the rural safeguard protections provided by 47 U.S.C. § 253(f), SDCL § 49-31-73 and ARSD §§ 20:10:32:15 through 20:10:32:17 within any rural telephone company service area affected by the amended application.

7. NGA 911, as part of its Application, has requested a waiver of the service obligations imposed on providers of local exchange services in South Dakota pursuant to ARSD 20:10:32:10. SDTA does not object to this waiver request and agrees that the Commission should grant such waiver to the extent the service requirements/obligations listed are not related to NGA 911's provisioning of 9-1-1 emergency services.

8. With the submission of this Joint Stipulation, the Parties request that the Commission approve the requested certification(s), subject to the agreed upon limitations set forth herein.

IN WITNESS WHEREOF, the undersigned have caused this Joint Stipulation to be
duly executed as of the date hereof.

South Dakota Telecommunications Association

Signature:  _____

Name: Richard D. Coit

Title: Executive Director and General Counsel

Date: 3/27/2019

NGA 911, L.L.C.

Signature:  _____

Name: Michelle Bland

Title: Sr VP, operations

Date: 3/26/19