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February 11, 2025

Via E-Filing

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

Re: Notification Regarding an Assignment of Certain Assets of FiberComm, L.C. to ImOn Communications, LLC

Dear Director Van Gerpen:

FiberComm, L.C. ("FiberComm") and its direct parent ImOn Communications, LLC ("ImOn" and together with FiberComm, the "Parties"), by undersigned counsel, hereby notify the South Dakota Public Utilities Commission (the "Commission") of the proposed assignment of certain assets and customers from FiberComm to ImOn (the "*Subsidiary to Parent Assignment*"). It is the Parties' understanding that Commission approval is not required for the *Subsidiary to Parent Assignment*, and accordingly, the Parties submit this letter for informational purposes.

In support of this filing, the Parties provide the following information:

Description of the Parties



FiberComm, a direct, wholly owned subsidiary of ImOn,¹ is an Iowa limited liability company with a principal office located at 1605 9th Street, Sioux City, Iowa 51101. FiberComm is authorized to provide competitive local exchange, interexchange, and/or VoIP services in Iowa, South Dakota, and Nebraska. In South Dakota, doing business as "ImOn,"²

¹ The Commission was provided notice of the transfer of control of FiberComm to ImOn on January 26, 2023.

² The Commission was provided notice of FiberComm's use of the trade name "ImOn" on November 26, 2024.

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FiberComm is authorized to provide competitive local exchange telecommunications services pursuant to a certificate granted in Docket No. TC-98-147 on March 30, 1999. In addition, FiberComm holds domestic and international Section 214 authorization from the Federal Communications Commission.

ImOn, the direct parent of FiberComm, is an Iowa limited liability company with a principal office located at 101 3rd Avenue SW, Suite 400, Cedar Rapids, Iowa 52404. Founded in 2007, ImOn's primary service offerings include voice, high-speed Internet, data transport, and interconnected VoIP services. ImOn is currently authorized to provide competitive local exchange and/or interexchange telecommunications services in the Iowa, Nebraska, and South Dakota. In South Dakota, ImOn is authorized to provide facilities-based and resold competitive local exchange and interexchange telecommunications services pursuant to a certificate granted in Docket No. TC-24-040 on December 4, 2024. In addition, ImOn holds domestic and international Section 214 authorization from the Federal Communications Commission.

Additional information concerning the Parties' legal, technical, managerial, and financial qualifications have been previously submitted to the Commission and is therefore already a matter of public record. The Parties request that the Commission take official notice of these existing descriptions of the Parties' qualifications and incorporate them by reference herein.

Designated Contacts

Questions, correspondence, or other communications concerning this Notification should be directed to:

Catherine Wang
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with a copy for the Parties to:

Patrice M. Carroll
ImOn Communications, LLC
101 3rd Avenue SW, Suite 400
Cedar Rapids, Iowa 52404
319-261-4601 (tel)
patrice.carroll@imon.net

Description of the *Subsidiary to Parent Assignment*

FiberComm will assign to ImOn certain assets and customers, including communications optical fiber, certain customer contracts, rights in third party fibers, and associated telecommunications equipment used to provision services or facilities to the affected customers in South Dakota. The affected customers were sent a notice at least 30 days prior to the *Subsidiary to Parent Assignment*. A sample of the notice provided to customers is attached as **Exhibit A**.

In addition, FiberComm will assign to ImOn its interconnection agreements with U.S. West Communications, Inc. (Qwest/CenturyLink) and Long Lines Metro, LLC, a CLEC affiliate of Jefferson Telephone LLC dba Long Lines Ltd.

To ensure seamless and uninterrupted service, all of the customers assigned to ImOn will continue to receive service from ImOn under the same rates, terms and conditions of service as with FiberComm. Future changes in the rates, terms and conditions of service to the affected customers will be undertaken in the ordinary course of business pursuant to customer contracts and applicable federal and state requirements. The *Subsidiary to Parent Assignment* will not disadvantage customers or cause confusion or disruption to customers since ImOn will operate through the same customer service, technical, operational, and managerial personnel as FiberComm.

Public Interest Considerations

The Parties respectfully submit that the *Subsidiary to Parent Assignment* serves the public interest. The *Subsidiary to Parent Assignment* will result in the assignment of customers and assets between affiliated companies without service interruption to customers. ImOn will provide services at the same rates and on the same terms and conditions as provided by FiberComm (subject to future changes in the ordinary course of business pursuant to applicable law and contract provisions). Given that the Parties share the same management team, customers will continue to benefit from that team's knowledge and experience in the South Dakota market.

Conclusion

For the foregoing reasons, the Parties submit that the public interest, convenience and necessity would be furthered by the *Subsidiary to Parent Assignment* of FiberComm's assets to ImOn.

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We would appreciate acknowledgement of receipt and acceptance of this filing, which is being submitted electronically. Please do not hesitate to contact us if you have any questions regarding this submission.

Respectfully submitted,

/s/ Danielle Burt

Catherine Wang

Danielle Burt

Counsel for the Parties

EXHIBIT A

Sample Customer Notice



PO Box 416 Sioux City, IA 51102

712-224-2020

www.fibercomm.net



October 25, 2024

Dear Valued Customers,

Subject: Transfer of Your Service to ImOn Communications, LLC

We are writing to inform you that FiberComm, L.C. (“FiberComm”) is transferring your service to its direct parent ImOn Communications, LLC (“ImOn”) on or about December 31, 2024, subject to any necessary regulatory approvals (“Transfer Date”). This transfer is part of a transaction whereby FiberComm is assigning its network infrastructure and customers located in Iowa, Nebraska, and South Dakota to ImOn. While ImOn will be the company that you receive service from after the Transfer Date, it will continue to operate in the same way that FiberComm operates today and you will continue to be able to manage your service and account in the same way you do today.

Your services and the associated pricing and terms and conditions of service will not change as a result of the transfer of your service to ImOn. Any future changes to the rates and terms and conditions of your services will be made in accordance with your service agreement and you will be notified of any such changes by ImOn pursuant to the terms of that agreement and applicable law. There is no charge associated with this change, and any preferred carrier freeze you have will remain in place. If your services are not provided pursuant to a service agreement or other contract, then you may have the right to change service providers but must notify ImOn if you plan to do so prior to the Transfer Date. If your services are provided under a service agreement or other contract, then the terms of that contract will continue to apply, and you may be responsible for fees or other charges should you choose to change to a new service provider as set forth in the terms of that contract.

Your billing and account information will not change, and we will continue to resolve any issues you may have with your account or service using the same toll free customer service number, which is 1-800-836-2472.

We look forward to continuing to provide you with the superior service you are accustomed to receiving and to the opportunity to provide you additional services.

Sincerely,

FiberComm and ImOn

VERIFICATION

I, Patrice M. Carroll, being duly sworn, depose and state that I am President and Chief Executive Officer of ImOn Communications, LLC and its subsidiary FiberComm, L.C. (together, the "Company"); that I am authorized to make this Verification on behalf of the Company; that the facts above set forth with respect to the Company are true and correct to the best of my knowledge, information, and belief; and that I expect to be able to prove the same at a hearing held on this matter.



Patrice M. Carroll
President and Chief Executive Officer
ImOn Communications, LLC
FiberComm, L.C.

Sworn and subscribed to me this 10 day of February, 2025.



Notary Public

My commission expires October 8, 2027

