

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

IN THE MATTER OF THE REQUEST OF)
CLARITY TELECOM, LLC DBA VAST)
BROADBAND STUDY AREA: ILEC-391652 AND)
CLEC-399006 FOR CERTIFICATION)
REGARDING ITS USE OF FEDERAL UNIVERSAL)
SERVICE SUPPORT)

ORDER GRANTING
CERTIFICATION

TC17-044

On June 30, 2017, the South Dakota Public Utilities Commission (Commission) received a filing from Clarity Telecom, LLC dba Vast Broadband (Company) regarding its request for certification regarding its use of federal universal service support. The purpose of this filing was to provide information constituting the Company's plan for the use of its federal universal service support and to otherwise verify that the Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. Pursuant to 47 C.F.R. § 54.314(a), in order for an eligible telecommunications carrier (ETC) to receive support pursuant to the Federal Communications Commission's (FCC's) high-cost program, a state must file an annual certification with the Universal Service Administrative Company (USAC) and the FCC stating that all federal high-cost support provided to the ETC "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." The Company filed a supplemental petition on September 8, 2017, and a second supplemental petition on September 20, 2017.

On July 6, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of July 21, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No parties sought intervention. On August 11, 2017, August 23, 2017, and September 6, 2017, the Company responded to Commission staff's data requests. This docket was originally before the Commission on August 29, 2017, and on September 12, 2017, and was deferred at those times.

At its regularly scheduled meeting of September 26, 2017, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 U.S.C. § 254. The Commission unanimously voted to approve the Company's request for certification. The Commission finds that the Company is eligible to receive federal support. The Commission finds that all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is therefore

ORDERED, that the Company is eligible to receive federal support as all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is further

ORDERED, that the Commission approves the Company's request for certification.

Dated at Pierre, South Dakota, this 26th day of September, 2017.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.	
By: <u>Adam DeHueck</u>	
-	
Date: <u>9/26/17</u>	
-	
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner