

September 22, 2010

Via Electronic Delivery

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

Re: In the Matter of the Application of Mobilitie, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services in the State of South Dakota and Local Exchange Services Within the Exchanges Served by Qwest Corporation in South Dakota

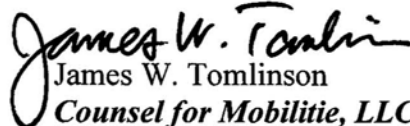
Dear Ms. Van Gerpen:

Please find attached the “**Application of Mobilitie, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services in the State of South Dakota and Local Exchange Services Within the Exchanges Served by Qwest Corporation in South Dakota.**” A check in the amount of \$250 for the application filing fee will be sent separately. Also included with the Application are separate electronic files that contain:

- the Application’s non-confidential Exhibits 1 and Exhibits 3 - 5;
- the Application’s confidential Exhibit 2; and
- a Petition for Confidential Treatment of Exhibit 2.

Please contact me with any questions you may have regarding this Application.

Very truly yours,


James W. Tomlinson
Counsel for Mobilitie, LLC

**Before the
South Dakota Public Utilities Commission
Pierre, South Dakota 57501**

In the Matter of the)
)
Application of Mobilitie, LLC for a)
Certificate of Authority to Provide)
Interexchange Telecommunications) TC10-____
Services in the State of South Dakota and)
Local Exchange Services within the)
Exchanges Served by Qwest Corporation)
in South Dakota)

APPLICATION

In accordance with SDC L 49-31-3, 49-31-69 and 49-31-76 and ARS D 20:10:24:02, 20:10:32:02 and 20:10:32:03, Mobilitie, LLC (“Mobilitie”) hereby submits this Application to provide (1) interexchange telecommunications service in the State of South Dakota and (2) local exchange services within the exchanges served by Qwest Corporation in the State of South Dakota. In support of its Application, Mobilitie hereby states as follows:

I. INFORMATION IN SUPPORT OF APPLICATION FOR INTEREXCHANGE TELECOMMUNICATIONS SERVICES

Pursuant to SDCL 49-31-3 and ARSD 20:10:24:02 and in support of its Application to provide interexchange services in the State of South Dakota, Mobilitie provides the following information:

(1) The applicant’s name, address, telephone number, facsimile number, web page URL, and E-mail address

Name:	Mobilitie, LLC
Address:	660 Newport Center Drive Suite 200 Newport Beach, CA 92660
Telephone Number:	(949) 515 – 1500
Facsimile Number:	(949) 274 – 7583
Web Page URL:	http://www.mobilitie.com
E-mail address:	legal@mobilitie.com

(2) A description of the legal and organizational structure of the applicant's company

Mobilitie is organized as a limited liability company under the laws of the State of Nevada.

(3) The name under which the applicant will provide interexchange services if different than in subdivision (1) of this section

Mobilitie will provide interexchange services under the name "Mobilitie."

(4) A copy of the applicant's certificate of authority to transact business in South Dakota from the Secretary of State

A copy of the Mobilitie's certificate of authority to transact business in South Dakota is attached hereto as **Exhibit 1**.

(5) 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

Mobilitie currently does not have a principal office in South Dakota. Mobilitie's registered agent in South Dakota is:

National Registered Agents, Inc.
300 South Phillips Avenue
Suite 300
Sioux Falls, SD 57104

(6) A list and specific description of the telecommunications services the applicant intends to offer

Mobilitie seeks authority to provide wireline, facilities-based and resold interexchange services (the "Services"). Mobilitie proposes to provide the Services through a combination of its own facilities and facilities leased from other telecommunications carriers. Mobilitie's intends to market and provide the Services to wireless services providers ("WSPs"). Mobilitie's Services will be both intrastate and interstate and will rely on a technical platform known as a "Distributed Antenna System," or "DAS."

The Services are customized to the transport and backhaul needs of individual customers. Tariffed rates will be available for all non-custom services. The tariffed rates contained in the proposed initial tariff attached to this Application are based on the locality of service, type of service and the term plan selected.

(7) A detailed statement of how the applicant will provide its services

Mobilitie intends to provide its DAS services through a combination of its own facilities and facilities to be leased from other telecommunications carriers. Mobilitie's DAS service consists of the following components:

- **Base Station Hotel:** The Base Station Hotel is the central location where all WSP Base Transceiver Station ("BTS") equipment is installed. The Base Station Hotel also contains the Optical Conversion Equipment.
- **Optical Conversion Equipment:** This unit converts the radio frequency ("RF") output from the BTS to an optical signal. This optical signal is then transmitted via fiber optic cable to specific Remote Node locations.
- **Remote Nodes:** Each Remote Node then converts the optical signal back to RF. This RF signal is transmitted over an omnidirectional antenna which is typically mounted on a light post, bus stop or other municipality infrastructure. This broadband antenna broadcasts the signal for all WSP technologies.
- **Access Points:** A high power Access Point can be added to each Remote Node for provisioning of 802.11 data services (*e.g.*, Wi-Fi). Data traffic is then routed to the internet through standard data equipment located in the Base Station Hotel.

(8) A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant

Mobilitie seeks authority to offer interexchange telecommunications services throughout the entire State of South Dakota.

(9) For the most recent 12 month period, financial statements of the applicant including a balance sheet, income statement, and cash flow statement. The applicant shall provide audited financial statements, if available

Mobilitie is financially qualified to render the proposed service. In particular, Mobilitie has access to the financing and working capital necessary to fulfill any obligations it may undertake with respect to the operation and maintenance of all requested services. Mobilitie's most recent financial statements are attached separately as **Exhibit 2**, along with a corresponding petition for confidential treatment.

(10) The names, addresses, telephone number, facsimile number, e-mail address, and toll free number of the applicant's representatives to whom all inquiries must be made regarding complaints and regulatory matters and a description of how the applicant handles customer service matters

Mobilitie's toll-free number for customer service matters is (877) 999 – 7070.

Mobilitie's contact for complaints and regulatory matters is:

Yvonne Schroder de Orr
Senior Vice President / General Counsel
Mobilitie, LLC
660 Newport Center Drive
Suite 200
Newport Beach, CA 92660
Tel.: (949) 999 – 5778
Fax: (949) 274 – 7583
E-Mail: yvonne@mobilitie.com

Mobilitie does not offer traditional residential or business telephone service. For that reason, the company does not utilize a customer service plan like that which may normally be used by providers of such services. Mobilitie instead provides wholesale service to a small

number of sophisticated users of a specialized telecommunications service, and Mobilitie strives to resolve customer problems directly with its carrier customers in an expeditious, efficient and customized manner. Mobilitie would be willing to provide additional information concerning this issue in response to specific inquiries from the Commission.

(11) Information concerning how the applicant plans to bill and collect charges from customers

Mobilitie intends to itself render invoices to its customers and will not utilize billing agents.

(12) 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 interexchange customers

Mobilitie's customer base will consist of large, sophisticated businesses – primarily wireless service providers – and not residential customers. Mobilitie intends to solicit new customers from its existing customer base for other services and through business-to-business marketing, such as professional trade shows. Mobilitie does not intend to offer presubscribed switched interexchange services, and therefore, anti-slamming measures are inapplicable for Mobilitie.

(13) 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

Mobilitie's proposed initial tariff is attached hereto as **Exhibit 3**.

(14) Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer. The notification must be made at least thirty days in advance of the change

As set forth in Section 4.4 of Mobilitie's proposed initial tariff (**Exhibit 3**), notice of any materially adverse change to any rate, term or condition of any telecommunications service will

be provided in writing (via U.S. Mail) to customers at least 30 days prior to the effective date of the change.

(15) 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

As of the date of this Application, Mobilitie has been granted authority to provide telecommunications service in 26 states, which include the following: Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oregon, Rhode Island, Texas, Vermont, Virginia, Washington and Wisconsin. Mobilitie has also applied to provide service in California, Georgia, North Carolina and Utah, and expects to be granted authority to operate in these states by the end of 2010.

Mobilitie has not been denied a request to operate as a telecommunications services provider in any state, nor has its authority been revoked. Mobilitie did, however, forfeit its authority to operate in New Hampshire in May 2009 because it did not generate revenue from serving customers in New Hampshire within New Hampshire's statutory timeframe. The forfeiture was not for any transgression. Mobilitie intends to reapply for certification in New Hampshire under normal procedures.

Mobilitie is in good standing with the appropriate regulatory agency in the all of the states where it is registered or certified (listed above).

(16) A description of how the applicant intends to market its services, its target market, whether the applicant engages in any multilevel marketing, and copies of any company brochures used to assist in the sale of services

Mobilitie's target market consists of wireless service providers. Mobilitie intends to market its telecommunications service to its existing customer base for other services and through business-to-business marketing, such as professional trade shows. Mobilitie currently does not have a brochure for its DAS services, but information concerning this service offering is available on the company's web site at: <http://www.mobilitie.com/services.aspx?div=b3>. Because DAS networks are tailored to meet the individual and specific needs of each customer, Mobilitie's marketing team typically conducts its sales activity through meetings and direct contact with prospective customers. Mobilitie does not engage in multilevel marketing.

(17) Federal tax identification number and South Dakota sales tax number

Mobilitie's federal tax identification number is 65-1212646. Mobilitie's South Dakota sales tax number is 035388.

(18) The number and nature of complaints filed against the applicant with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered

There have been no complaints filed against Mobilitie with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act or the act of charging customers for services that have not been ordered.

(19) A written request for waiver of those rules the applicant believes to be inapplicable

Mobilitie requests no waivers of the Commission's rules applicable to interexchange carriers.

(20) Other information requested by the Commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the interexchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws

Mobilitie has the technical and managerial qualifications necessary to provide the proposed services in its service territory. Attached as **Exhibit 4** are the biographies of Mobilitie's key management and technical personnel. These biographies reflect that Mobilitie possesses significant technical and managerial expertise for operating a telecommunications company, consistent with the Commission's requirements.

II. INFORMATION IN SUPPORT OF APPLICATION FOR COMPETITIVE LOCAL EXCHANGE SERVICES

Pursuant to SDCL 49-31-69 and 49-31-76 and ARSD 20:10:32:03 and in support of its Application to provide local exchange services within the exchange areas served by Qwest Corporation, Mobilitie provides the following information:

(1) The applicant's name, address, telephone number, facsimile number, web page URL, and e-mail address

Name:	Mobilitie, LLC
Address:	660 Newport Center Drive Suite 200 Newport Beach, CA 92660
Telephone Number:	(949) 515 – 1500
Facsimile Number:	(949) 274 – 7583
Web Page URL:	http://www.mobilitie.com
E-Mail:	legal@mobilitie.com

(2) A description of the legal and organizational structure of the applicant's company

Mobilitie is organized as a limited liability company under the laws of the State of Nevada.

(3) The name under which applicant will provide local exchange services if different than in subdivision (1) of this section

Mobilitie will provide local exchange services under the name "Mobilitie."

(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;

Mobilitie currently does not have a principal office in South Dakota. Mobilitie's registered agent in South Dakota is:

National Registered Agents, Inc.
300 South Phillips Avenue
Suite 300
Sioux Falls, SD 57104

(5) A copy of its certificate of authority to transact business in South Dakota from the secretary of state

A copy of the Mobilitie's certificate of authority to transact business in South Dakota is attached hereto as **Exhibit 1**.

(6) A description of the applicant's experience providing any telecommunications 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

Although it has not yet commenced switched, local service operations in any jurisdiction, as of the date of this Application, Mobilitie has been granted authority to provide telecommunications service in 26 states, which include the following: Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oregon, Rhode Island, Texas, Vermont, Virginia, Washington and Wisconsin. Mobilitie also has applied to provide service in California, Georgia, North Carolina and Utah, and expects to be granted authority to operate in these states by the end of 2010.

Mobilitie has the technical and managerial qualifications necessary to provide the proposed services. Attached as **Exhibit 4** are the biographies of Mobilitie's key management and technical personnel. These biographies reflect that Mobilitie possesses significant technical and managerial expertise for operating a telecommunications company, consistent with the Commission's requirements.

(7) Names and addresses of applicant's affiliates, subsidiaries, and parent organizations, if any

Mobilitie's corporate family organizational chart is attached hereto as **Exhibit 5**. All of Mobilitie's affiliates share the same address as Mobilitie.

(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) Information indicating the classes of customers the applicant intends to serve

Mobilitie's intends to market and provide its DAS services to wireless services providers. Mobilitie does not intend to serve residential or business customers at present.

(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

Mobilitie intends to provide service primarily using its own facilities. Mobilitie may, however, utilize facilities leased from other carriers from time to time in order to provide its 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

Mobilitie's proposed local exchange services will rely on a technical platform known as a Distributed Antenna System ("DAS"), which consists of the following components (all of which are either owned by Mobilitie or Mobilitie's customer):

- **Base Station Hotel:** The Base Station Hotel is the central location where all WSP Base Transceiver Station ("BTS") equipment is installed. The Base Station Hotel also contains the Optical Conversion Equipment.
- **Optical Conversion Equipment:** This unit converts the radio frequency ("RF") output from the BTS to an optical signal. This optical signal is then transmitted via fiber optic cable to specific Remote Node locations.

- Remote Nodes: Each Remote Node then converts the optical signal back to RF. This RF signal is transmitted over an omnidirectional antenna which is typically mounted on a light post, bus stop or other municipality infrastructure. This broadband antenna broadcasts the signal for all WSP technologies.
- Access Points: A high power Access Point can be added to each Remote Node for provisioning of 802.11 data services (*e.g.*, Wi-Fi). Data traffic is then routed to the internet through standard data equipment located in the Base Station Hotel.

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

Mobilitie's DAS services utilize optical technology, including multi-wavelength optical technology over dedicated transport facilities to provide customers with links to radiate RF coverage. The DAS services connect customer-provided wireless capacity equipment to customer- or Mobilitie-provided bi-directional RF-to-optical conversion. The conversion equipment allows Mobilitie to accept RF traffic from the customer and then send bi-directional traffic transmission across the appropriate optical networks. At the remote end, customer- or Mobilitie-provided RF-to-optical conversion equipment allows bi-directional conversion between optical signals and RF signals. RF signals can be received and radiated at this remote node. Hence, Mobilitie acts as a short-haul, wireline-based wholesaler for wireless carriers.

(9) A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant

Mobilitie requests authority to provide local exchange services within the exchanges served by Qwest Corporation in South Dakota.

(10) Information regarding the technical competence of the applicant to provide its proposed local exchange services including:

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

Mobilitie has the technical and managerial qualifications necessary to provide the proposed services in its service territory. Attached as **Exhibit 4** are the biographies of Mobilitie's key management and technical personnel. These biographies reflect that Mobilitie possesses significant technical and managerial expertise for operating a telecommunications company, consistent with the Commission's requirements.

(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

Mobilitie has a toll-free number for customer service matters : (877) 999 – 7070. Mobilitie does not offer traditional residential or business local telephone service. Instead, Mobilitie will provide telecommunications service to a small number of larger, sophisticated carriers – primarily wireless service providers. These customers require service that is safe and meets exacting standards for reliability. The company does not utilize a customer service plan like that which may normally be used by local exchange providers. Mobilitie strives to resolve customer problems directly with its carrier customers in an expeditious, efficient and customized manner. Mobilitie would be willing to provide additional information concerning this issue in response to specific inquiries from the Commission.

(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

As detailed in response to question 23 below, due to the nature of its DAS service offering, Mobilitie requests a waiver of the Commission's rules that require it to provide customers with access to emergency services, operator services, interexchange services, directory assistance and telecommunications relay services. Mobilitie's customers, wireless service providers, make these services available to end users either using their own facilities or through contractual arrangements with other carriers.

(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

Mobilitie is financially qualified to render the proposed service. In particular, Mobilitie has access to the financing and working capital necessary to fulfill any obligations it may undertake with respect to the operation and maintenance of all requested services. Mobilitie's most recent financial statements are attached separately as **Exhibit 2**, along with a corresponding petition for confidential treatment.

(13) Information detailing the following matters associated with interconnection to provide proposed local exchange services:

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

Mobilitie's proposed service offerings, DAS networks, do not require interconnection with incumbent LECs because Mobilitie's wireless service provider customers already are interconnected with South Dakota incumbent LECs.

(b) The likely timing of initiation of interconnection service and a statement as to when negotiations for interconnection started or when negotiations are likely to start

For the reasons discussed above, Mobilitie does not intend to request interconnection with any LEC.

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

For the reasons discussed above, Mobilitie has made no requests for interconnection with any LEC.

(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

Mobilitie's proposed initial tariff, which provides additional detail about its service offerings, is attached hereto as **Exhibit 3**. This document contains the price schedule and terms and conditions of Mobilitie's DAS service offering in South Dakota.

As a general matter, Mobilitie will provide telecommunications service to a small number of large, sophisticated carriers – primarily wireless service providers. Mobilitie intends to solicit customers for its telecommunications services from its existing customer base and through business-to-business marketing, such as professional trade shows. Mobilitie would be willing to provide additional information concerning this issue in response to specific inquiries from the Commission.

(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 § 20:10:32:15 and applicant's plans for meeting the service obligations

Not applicable. Mobilitie does not seek authority to provide local exchange service in the service area of any rural telephone company in South Dakota.

(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

As of the date of this Application, Mobilitie has been granted authority to provide telecommunications service in 26 states, which include the following: Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oregon, Rhode Island, Texas, Vermont, Virginia, Washington and Wisconsin. Mobilitie has also applied to provide service in California, Georgia, North Carolina and Utah, and expects to be granted authority to operate in these states by the end of 2010. Mobilitie has never been denied registration or certification or any state.

Mobilitie is in good standing in each of the states in which it has been granted authority to provide telecommunications service. Mobilitie did, however, forfeit its authority to operate in New Hampshire in May 2009, because it did not generate revenue from serving customers in New Hampshire within New Hampshire's statutory timeframe. The forfeiture was not for any transgression. Mobilitie intends to reapply for certification in New Hampshire under normal procedures.

(17) The names, addresses, telephone numbers, e-mail addresses, and facsimile numbers of the applicant's representatives to whom all inquiries must be made regarding customer complaints and other regulatory matters

Mobilitie's contact for complaints and regulatory matters is:

Yvonne Schroder de Orr
Senior Vice President / General Counsel
Mobilitie, LLC
660 Newport Center Drive, Suite 200
Newport Beach, CA 92660
Tel.: (949) 999 – 5778
Fax: (949) 274 – 7583
E-Mail: yvonne@mobilitie.com

(18) Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services

Mobilitie intends to itself render invoices to its customers and will not utilize billing agents.

(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

Mobilitie's customer base will consist of large sophisticated business, primarily wireless service providers, and no residential customers. Mobilitie intends to solicit new customers from its existing customer base for other services and through business-to-business marketing, such as professional trade shows. Mobilitie does not intend to offer presubscribed switched services, and therefore, anti-slamming measures are inapplicable for Mobilitie.

(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

There have been no complaints filed against Mobilitie with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act or the act of charging customers for services that have not been ordered.

(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

Mobilitie's proposed initial tariff is attached hereto as **Exhibit 3**.

(22) Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer. The notification must be made at least thirty days in advance of the change

As set forth in Section 4.4 of Mobilitie's proposed initial tariff (Exhibit 3), notice of any materially adverse change to any rate, term or condition of any telecommunications service will

be provided in writing (via U.S. Mail) to customers at least 30 days prior to the effective date of the change.

(23) A written request for waiver of those rules believed to be inapplicable

Mobilitie requests a waiver of ARSD 20:10:32:10, which requires that South Dakota local exchange carriers make the following services available to their customers: (1) access to the public switched network; (2) access to emergency services such as 911 or enhanced 911; (3) access to a local directory and directory assistance; (4) access to operator services; (5) telecommunications relay service capability or access necessary to comply with state and federal regulations; (6) nonpublished service upon written or verbal request of the customer; and (7) access to interexchange services.

Given the nature of Mobilitie's DAS service offering, the company is unable to comply with this requirement. This requirement is not necessary because Mobilitie's customers, wireless service providers, make these services available to end users either using their own facilities or through contractual arrangements with other carriers. Mobilitie simply acts as a short-haul, wireline-based wholesaler for such companies. Moreover, the requested waiver is not contrary to universal service, public safety and welfare or quality of service because Mobilitie's DAS networks are fully compatible with these services even though Mobilitie itself does not provide them to its carrier customers. Finally, the requested waiver is in the public interest because Mobilitie would be required to completely redesign its DAS offering to support the listed services, which redesign would render Mobilitie's DAS services economically infeasible to deploy.

(24) Federal tax identification number and South Dakota sales tax number

Mobilitie's federal tax identification number is 65-1212646. Mobilitie's South Dakota sales tax number is 035388.

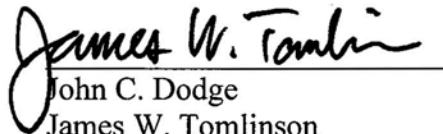
(25) Other information requested by the Commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the local exchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws

Mobilitie would be pleased to provide any additional information in response to specific inquiries from the Commission.

* * *

WHEREFORE, Mobilitie, LLC respectfully requests that the Commission grant it authority to provide (1) interexchange telecommunications service in the State of South Dakota and (2) local exchange services within the exchanges served by Qwest Corporation in the State of South Dakota.

Dated: September 22, 2010.



John C. Dodge
James W. Tomlinson
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Ave., N.W., Suite 800
Washington, D.C. 20006-3401
Tel: (202) 973 - 4200
Fax: (202) 973 - 4499

Yvonne Schroeder de Orr
Senior Vice President / General Counsel
660 Newport Center Drive, Suite 200
Newport Beach, CA 92660
Tel.: (949) 999 - 5778
Fax: (949) 274 - 7583

Attorneys for Mobilitie, LLC