

BEFORE THE PUBLIC UTILITIES COMMISSION OF SOUTH DAKOTA

**IN THE MATTER OF THE PETITION
FOR AUTHORITY OF 365 WIRELESS,
LLC TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES**

DOCKET NO. TC-12-037

**RESPONSE TO INTERROGATORIES FROM SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION STAFF**

1-1) 365 Wireless’s response to ARSD 20:10:32:03(10)(b) states customer service support will be available during normal 9:00 to 5:00 EST business hours. Keeping in mind 5:00 EST can mean as early as 3:00 for some South Dakota customers, are there any plans in place to provide customer service outside of these hours?

Response:

Customer Service Hours

365 Wireless acknowledges that the current schedule for its Customer Service Support operation (9:00 a.m. to 5:00 p.m. EST) may be an issue for certain South Dakota Customers along with other Customers located in other than Eastern Time zones. In order to be competitive in the Business services marketplace, 365 will be compelled to meet the needs of customers outside the hours listed above. Fortunately, our Customer Service Support operation and Network Operations Center (NOC) are scalable to meet the needs of customers who require extended support hours. As we begin to market services to customers who require a wider support window, we will likely be required to expand our support hours concurrent with or prior to the marketing of services outside our region in order to be competitive.

1-2) ARSD 20:10:32:03(12) requires a statement of cash flow. In the absence of this statement, it is required to request a written waiver of this rule pursuant to ARSD 20:10:32:03(23).

Response:

Waivers

Pursuant to ARSD 20:10:32:03(23) Applicant respectfully requests a waiver of the requirement to provide a Statement of Cash Flow. Applicant is not yet cash flow positive as would be expected of a newly formed telecommunications entity that is currently seeking state commission certifications and deploying telecommunications assets throughout the United States. As the Commission understands, Applicant's ability to generate revenue is predicated on both state certifications and asset deployment.

Further, Applicant asserts that a Statement of Cash flow from a new business entity is not as helpful to the Commission in evaluating Applicant's financial capabilities as other financial documentation such as that Applicant has already provided. As stated in the Executive Summary of Financials, Applicant anticipates achieving a financial breakeven point later this year. The operations proposed by the Applicant are economically feasible and Applicant is financially qualified to provide the interexchange services requested in this Application.

In EXHIBIT "C" which is part of Applicant's original Application, Company has provided all current financial statements that will allow Commission to properly assess Company's financial qualifications.

1-3) In regards to ARSD 20:10:32:03(18), how does 365 Wireless plan to deliver bills to customers (mail, email, etc.) and collect charges from customers?

Response:

Where possible, Applicant will bill Customers via email but will also make traditional printed invoices available where necessary. Applicant intends to collect charges from customers via electronic means.

1-4) In regards to ARSD 20:10:32:03(21), where does 365 Wireless plan to make available its local exchange tariff?

Response:

Tariff Availability

For local exchange services, Applicant will make available its tariff for such services that describes the rates, terms, and conditions of service associated with Applicant's provisioning of these services. Applicant will make its tariff for local exchange

services available to the Commission, if desired, for inclusion on its web site and will also make said tariff available to any customer requesting same via electronic means. In addition, the tariff is available for inspection at the Company's principal place of business address at 1500 Trotters Cove, Atlanta, GA 30338.

1-5) Does the company agree to the condition that the company not offer any prepaid services (including prepaid calling cards) and not accept or require deposits or advance payments without prior approval of the Commission for local exchange service? Keep in mind that billing for monthly service is an advance payment if collected before service is rendered.

Response:

Statement Regarding Prepaid Services and Advance Payments

Applicant asserts that it will not offer prepaid services (including prepaid calling cards) and that it will neither require nor accept any form of advance payments or deposits for local exchange services including billing in advance for monthly service. Applicant further states that it will seek prior Commission approval before any change in this policy.