

May 25, 2016

VIA ELECTRONIC FILING

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

**Re: Mobilite Management, LLC (Docket No. TC16-005):
Response to First Data Request**

Dear Ms. Van Gerpen:

Mobilite Management, LLC ("Mobilite Management," or "Applicant"), by its undersigned counsel, hereby responds to the First Data Request of the South Dakota Public Utilities Commission staff, dated May 13, 2016 ("First Data Request").

Mobilite Management responds to the First Data Request as follows:

1-1. Provide the web page URL of the company pursuant to ARSD 20:10:32:03(1).

Response: Mobilite Management's web page is: www.mobilite.com.

1-2. In reference to ARSD 20:10:32:03(8)(b), provide information indicating the timeframe by which applicant will provide service.

Response: At this time Mobilite Management is unable to provide a specified timeframe by which the Applicant will provide service as such a date is contingent upon the finalization of any necessary interconnection and/or resale agreements with underlying providers, and the grant of the Commission's authority to provide telecommunications services in the state. However, Applicant ensures that it will endeavor to provide services to South Dakota customers as soon as possible following the Commission's grant of authority.

1-3. Provide more information for ARSD 20:10:32:03(9). Specifically, provide the ILEC territories the company is looking for certification as a local exchange carrier.

Response: As stated in its Application, Mobilite Management seeks certification as a local exchange carrier to provide such services in the territories of all ILECs to the extent open to competition. Additionally, Applicant further clarifies that it does not seek to operate in areas of the state designated as rural service areas.

- 1-4. In reference to ARSD 20:10:32:03(10)(b), provide information regarding policies, personnel, or arrangements made by the applicant which demonstrates the applicant's ability to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirements.**

Response: Applicant will maintain a toll-free number (877-999-7070) and email (solutions@mobilitie.com) for customers to report necessary facility and equipment maintenance. Initially, Mobilitie Management does not plan to have personnel located in South Dakota to address installation and repair issues as the Applicant does not believe that any maintenance or repair issues will require the presence of in-state personnel. However, depending on the nature of facilities deployed in the state, Mobilitie Management will maintain personnel in the state as necessary to address any installation and repair issues. Nevertheless, Mobilitie Management will ensure that it will comply with all applicable Commission quality of service requirements.

- 1-5. In regard to (14) of the application, provide examples of the information on your website, to be placed into the docket, which are used to assist in sale of the services. Also, professional trade shows are listed as a means to recruit new customers: provide the brochures or similar used in that setting for Mobilitie Management.**

Response: Please see **Attachment A** for sample brochures used by Applicant as a means to recruit new customers. Given the dynamic nature of Mobilitie Management's website, Applicant cannot provide samples of the information provided on the website. Nevertheless, for purposes of having such information placed in the docket, Mobilitie Management directs staff to visit its webpage, www.mobilitie.com, wherein Applicant provides an array of information used to assist in the sale of its services including: service offerings, targeted industries, experience, and contact information.

- 1-6. In reference to ARSD 20:10:32:03(19), what policies does the company have relating to the solicitation of new customers?**

Response: Mobilitie Management adheres to all federal and state specific anti-slamming rules. Applicant will ensure that its customers knowingly and affirmatively accept the Applicant's services. Mobilitie Management will provide its customers with clear order forms indicating the service(s) chosen by the particular customer. All affected employees are aware of these procedures, and will be immediately disciplined, including termination, if the procedures are not followed. Applicant markets and sells its services exclusively through its website and its own sales representatives, and does not utilize telemarketers or third-party sales agents.

- 1-7. Explain further the last sentence of (19).**

Response: Initially, Mobilitie Management does not intend to offer switched services and does not intend to offer long distance services in the state. In addition, Mobilitie Management anticipates providing service based on specific customer demand and customer-driven installation and deployment requirements. Such services would likely only be provided pursuant to a specific customer authorization, and a signed contract. Accordingly, federal and state anti-slamming provisions are likely inapplicable to the Applicant's services. Nevertheless, to the extent applicable and consistent with the Commission's procedures, Applicant will adhere to all federal and state specific anti-slamming rules.

1-8. Confirm that the company will not switch any customers without their consent.

Response: Mobilitie Management hereby confirms that it will not engage in any unauthorized switching or slamming practices.

1-9. Pursuant to ARSD 20:10:32:04, has the company notified all telecommunications companies that currently hold a certificate of authority in the service territory the company is requesting its COA to provide local exchange in of the pending application?

Response: Yes. Please see **Attachment B** for a sample of the notice letter, and a list of the providers to which Mobilitie Management provided notice of its Application.

1-10. Will the company be requiring any prepayments or deposits of its retail customers? If yes, is the company willing to provide \$25,000 surety bond?

Response: No. Mobilitie Management will not require any prepayments or deposits of its retail customers. Accordingly, the Applicant is not required to provide a \$25,000 surety bond.

Please contact the undersigned should you have any questions regarding this letter.

Respectfully submitted,



Keenan P. Adamchak

Counsel for Mobilitie Management, LLC

Enclosures