

Docket Number: TC16-001
Subject Matter: Sixth Data Request
Request to: IM Telecom, LLC dba Infiniti Mobile
Request from: South Dakota Public Utilities Commission Staff
Date of Request: January 26, 2017
Responses Due: February 8, 2017

- 6-5. Provide the extent to which the applicant, applicant's affiliates, or applicant's principals have been subject to any civil, criminal, or administrative action in connection with the provisioning of telecommunications services.

Response to 6-5: Infiniti Mobile does not have any bona fide affiliation or connection with any other legal entity or person beyond common ownership. Infiniti Mobile owns or holds no ownership interest in any other legal entity. Likewise, no other legal entity owns units of ownership of and/or holds management authority in Infiniti Mobile, which is a wholly independent, standalone legal entity. To the extent further response is required, there have never been any criminal proceedings brought against Infiniti Mobile or Trevan Morrow, its sole owner, with respect to the provision of telecommunication services. With respect to administrative action, only 'garden-variety' USAC, FCC audits based on income flow and gross revenue thresholds, as well as a PQNA (which all companies undergo once to twice per year) have been brought with respect to Infiniti Mobile's provision of telecommunication services. With respect to civil actions, one civil suit was lodged against Infiniti Mobile in the District Court of Oklahoma County, in the State of Oklahoma (Case No. CJ-2016-3647), the claims of which the plaintiff (RF Design Services, LLC) dismissed with prejudice as against Infiniti Mobile. This civil suit, alleging a breach of contract, arose following the plaintiff's misidentification of IM Telecom, LLC d/b/a Infiniti Mobile with another legal entity: IM Broadband d/b/a Infiniti Broadband. As stated, the suit was resolved, closed, and dismissed with prejudice. No civil suit has been lodged against Trevan Morrow with respect to the provisioning of telecommunications services to date.