

## Attachments

**REDACTED – FOR PUBLIC INSPECTION**

**ATTACHMENT - LINE 112**

**Five-Year Network Improvement Plan and  
Progress Report**

**ATTACHMENT REDACTED IN ENTIRETY**

**West River Cooperative Telephone Company's Demonstration of Compliance with  
Applicable Service Quality Standards and Consumer Protection Rules:**

In establishing this certification in its *2005 ETC Order*,<sup>1</sup> the FCC found that an ETC must make "a specific commitment to objective measures to protect consumers."<sup>2</sup> The FCC found that for wireless ETCs, compliance with CTIA's Consumer Code for Wireless Service would satisfy this requirement" and that the sufficiency of other commitments would be considered on a case-by-case basis.<sup>3</sup> In this context, the FCC stated, "to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement."<sup>4</sup>

**West River Cooperative Telephone Company** ("Company") hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under both federal and South Dakota state law. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff pursuant to the requirements of the South Dakota Administrative Rule 20:10:27:07 which discloses rates, terms and conditions of service to customers; (2) adherence to state requirements that the Company satisfies and certifies

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<sup>1</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) ("*2005 ETC Order*").

<sup>2</sup> *Id.* at para. 28.

<sup>3</sup> *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: "(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy." *Id.* at n. 71.

<sup>4</sup> *Id.* at n. 72.

annually that it complies with consumer protection and service quality standards pursuant to South Dakota Administrative Rules (20:10:32:54.06), including South Dakota Administrative Rules regarding transmittal of bills (20:10:07:03), billing requirements (20:10:34:09), billing disputes (20:10:07:04), refunds for service interruptions (20:10:07:05) service quality standards for local exchange companies (20:10:33), and notification of adverse changes in rates, terms, or conditions (South Dakota Codified Law 49-31-12.8); (3) truth-in-billing requirements, and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

The Company provides service in North Dakota and is subject to consumer protection obligations under North Dakota state law as a telecommunications carrier subject to North Dakota Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to North Dakota Administrative Code Article 69, including customer requests for lowest price service alternatives (69-09-05-01), discontinuance of telecommunications services (69-09-05-02), deposits and guarantees (69-09-05-03); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable state requirements governing the protection of customers' privacy.

The Company is subject to consumer protection obligations for broadband services under federal law. These obligations include, but are not limited to, the following: public disclosure of accurate information regarding network management practices, performance, and commercial terms of broadband internet access services; as a means of providing sufficient information for consumers to make informed choices

regarding use of such services, and for content, application, service and device providers to develop, market, and maintain internet offerings as specified in F.C.C. 47 C.F.R. Part 8 §8.3. The Company furthermore will comply with all requirements set forth in the *2015 Open Internet Order* when it becomes effective.

## **West River Cooperative Telephone Company's Demonstration of Ability to Function in Emergency Situations**

West River Cooperative Telephone Company ("Company") hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2),<sup>1</sup> South Dakota Administrative Rule 20:10:32:54.07 and North Dakota Administrative Code 69-09-05-12. The Company's voice and broadband network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require. The Company maintains a contingency plan to prevent or minimize service interruptions due to the catastrophic loss of a central office switch, toll switching office, or tandem switching office, pursuant to South Dakota Administrative Rule 20:10:33:18. The plan is available for review upon request.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. As required by South Dakota Administrative Rule 20:10:33:19, the Company's central office can maintain 8 hours, plus or minus 15 percent, of battery reserve rated for peak traffic load

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<sup>1</sup> Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

requirements, and a permanent auxiliary or mobile power unit is installed which can be delivered and connected within four hours. The Company has battery backup at all office locations and in its electronic equipment sites capable of running for a minimum of 8 hours, plus or minus 15 percent, in compliance with the State rules. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office locations. They will continue to run as long as the Company has access to fuel. The Company tests the batteries at least once per year. The Company complies with the FCC's backup power requirements, effective October 16, 2015.

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**(700) Price Offerings including Voice Rate Data  
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<010>	Study Area Code	391689
<015>	Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
<020>	Program Year	2017
<030>	Contact Name - Person USAC should contact regarding this data	Colgan Huber
<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	chuber@wrctc.coop

<701> Residential Local Service Charge Effective Date

1/1/2016

<702> Single State-wide Residential Local Service Charge

<703>

[illegible]



REDACTED FOR PUBLIC INSPECTION

<b>(710) Broadband Price Offerings</b> <b>Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	391689
<015>	Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
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<030>	Contact Name - Person USAC should contact regarding this data	Colgan Huber
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<039>	Contact Email Address - Email Address of person identified in data line <030>	chuber@wrctc.coop

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# West River Cooperative Telephone Co.

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801 Coleman Ave.      P. O. Box 39      Bison, SD 57620

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September 9, 2015

Charles W. Murphy, Chairman  
Standing Rock Sioux Tribe  
PO Box D  
Fort Yates, ND 58539

Dear Mr. Murphy:

The Federal Communications Commission (FCC), as part of its 2012 Order reforming the federal universal service mechanisms related to telecommunications and information services, adopted new "Tribal Engagement" provisions that are intended to improve communications and foster a greater understanding between service providers and Tribal entities of the factors necessary to deploy and sustain telecommunication services on Tribal lands. *See* FCC Public Notice, Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Engagement Obligation Provisions of the Connect America Fund, DA 12-1165, released July 19, 2012.

Pursuant to the FCC's rules related to Tribal Engagement, West River Cooperative Telephone Company would, as soon as possible, like to begin discussions with the Standing Rock Sioux Tribe in a manner consistent with the FCC rules. Accordingly, we would request a meeting with the Tribe. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on Tribal lands. While West River Cooperative Telephone Company leaves to your discretion attendees from the tribe at this requested meeting, it is important that at least some of the tribal representative attendees at the meeting are "decision-makers," as this can change the perspectives of the discussions. West River Cooperative Telephone Company asks that the Standing Rock Sioux Tribe provide a name and contact information for a Tribal representative who can assist in scheduling and arranging a meeting with the appropriate Tribal government staff and leaders to discuss deployment and sustainability of telecommunications services on Tribal lands. This information may be provided to the undersigned by calling (605) 244-2513, or through an email directed to [rmetzger@wrctc.coop](mailto:rmetzger@wrctc.coop). Please respond by December 31, 2015.

Thank you for your cooperation in this matter. We look forward to discussing these important matters with you.

Sincerely,

Reed D. Metzger, General Manager

RDM:pk



# West River Cooperative Telephone Co.

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801 Coleman Ave.    P. O. Box 39    Bison, SD 57620

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September 9, 2015

Mr. Kevin Keckler, Sr., Tribal Chairman  
Cheyenne River Sioux Tribal Government  
PO Box 590  
Eagle Butte, SD 57625

Dear Mr. Keckler:

The Federal Communications Commission (FCC), as part of its 2012 Order reforming the federal universal service mechanisms related to telecommunications and information services, adopted new "Trial Engagement" provisions that are intended to improve communications and foster a greater understanding between service providers and Tribal entities of the factors necessary to deploy and sustain telecommunication services on Tribal lands. See FCC Public Notice, Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Engagement Obligation Provisions of the Connect America Fund, DA 12-1165, released July 19, 2012.

Pursuant to the FCC's rules related to Tribal Engagement, West River Cooperative Telephone Company would, as soon as possible, like to begin discussions with the Standing Rock Sioux Tribe in a manner consistent with the FCC rules. Accordingly, we would request a meeting with the Tribe. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on Tribal lands. While West River Cooperative Telephone Company leaves to your discretion attendees from the tribe at this requested meeting, it is important that at least some of the tribal representative attendees at the meeting are "decision-makers," as this can change the perspectives of the discussions. West River Cooperative Telephone Company asks that the Standing Rock Sioux Tribe provide a name and contact information for a Tribal representative who can assist in scheduling and arranging a meeting with the appropriate Tribal government staff and leaders to discuss deployment and sustainability of telecommunications services on Tribal lands. This information may be provided to the undersigned by calling (605) 244-2513, or through an email directed to [rmetzger@wrctc.coop](mailto:rmetzger@wrctc.coop). Please respond by December 31, 2015.

Thank you for your cooperation in this matter. We look forward to discussing these important matters with you.

Sincerely,

Reed D. Metzger, General Manager

RDM:pk

**West River Cooperative Telephone Company (SAC 391689)**

**Response to Line 1030 – Broadband Comparability Compliance**

West River Cooperative Telephone Company (“Company”) provides 10/1 Mbps unlimited broadband, which is available to all customers in its study area, at a rate of \$134.99/month. This rate is higher than the FCC’s benchmark rate for 10/1 Mbps unlimited broadband. The Company is located in a very rural part of South Dakota, and the costs to deploy broadband are much higher than in more densely populated areas. The Company’s customer density is very low, which makes it difficult for the company to recoup costs of deploying broadband networks. As such, the Company chose a rate that it felt was both reasonable for its customers and provided some ability for the company recover its investments.

**West River Cooperative Telephone Company (SAC 391689)**

**Response to Line 3010 – Milestone Certification (47 CFR §54.313(f)(1)(i))**

West River Cooperative Telephone Company hereby certifies that throughout 2015, it took reasonable steps to provide upon reasonable request broadband service at actual speeds of at least 10 Mbps downstream/1 Mbps upstream, with latency suitable for real-time applications, including Voice over Internet Protocol, and usage capacity that is reasonably comparable to comparable offerings in urban areas and that requests for such service are met within a reasonable amount of time. If a request for broadband service at actual speeds of at least 10 Mbps downstream/1 Mbps upstream is unreasonable, and offering broadband service at actual speeds of at least 4 Mbps downstream/1 Mbps upstream is reasonable, the Company offers broadband service at actual speeds of at least 4 Mbps downstream/1 Mbps upstream.

**REDACTED – FOR PUBLIC INSPECTION**

**ATTACHMENT - LINE 3017**

**ATTACHMENT REDACTED IN ENTIRETY**