

## Attachments





**MIDSTATE TELECOM**  
(SAC 399011)

**Certification of Compliance with Applicable Service Quality Standards and  
Consumer Protection Rules**

Service Quality Standards

The Company:

- Provides voice grade access to the public switched network.
- Provides flat rated local exchange service with no additional charge to end users.
- Provides access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911.
- Provides toll blocking and toll limitation services.
- Advertises the availability of its services and the charges using media of general distribution and on its website.
- Maintains a business office providing customers with access to a customer service representative either in person or via a local telephone call or toll-free telephone number during normal business hours.
- Directs after hour calls to the Company's help desk.
- Directs trouble reports to the on-call technician.
- Tracks all service orders to ensure they are completed in a timely manner.
- Measures its service connection and service interruption performance on a regular basis.
- Trains employees to:
  - Answer all incoming calls promptly.
  - Respond to all inquiries for information promptly and courteously.
  - Investigate thoroughly all customer complaints and handle appropriately according to the Company's guidelines for resolution of customer complaints.
  - Be knowledgeable about products and service offerings so they can assist the customer with selecting the best service option.
- Has a process for periodic inspection, testing and preventive maintenance of its equipment to permit the rendering of safe, adequate and continuous service at all times.

Consumer Protection Rules

The Company has established operating procedures designed to facilitate compliance with applicable consumer protection rules which include compliance with the Customer Proprietary Network Information (CPNI) rules. The operating procedures include:

- Appointment of a compliance officer.
- A manual detailing the specific procedures for protecting consumer information.
- Employee training on an annual basis.
- A disciplinary process for improper use of consumer information.

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**Functionality in Emergency Situations**

Back-Up Power

With our current infrastructure, there are two locations within our network where backup battery is a concern; Central Offices and ONT locations at the customer premise. Each are addressed below:

**Central Offices (CO)**

Midstate Telecom has three Central Offices serving 100% of our customer base. The switching and transport systems inside these COs are powered by DC power with current draws ranging from approximately 15 amps to 45 amps. The runtime of each battery system is slightly different based on current draw and battery size but they range from approximately 12 hours to approximately 40 hours. We possess a 60KW portable generator for deployment of any outage we anticipate to be longer than the battery run times, thus ensuring Central Office operation throughout a power outage.

**ONT**

The ONTs are located at every customer premise in our Midstate Telecom service area. We have approximately 1023 deployed ONTs delivering service to 100% of our subscribers. Any ONT located within the city limits are equipped with a minimum of an expected runtime of 8 hours. Knowing the power failures outside the city limits can be longer, we deploy a larger battery providing additional runtime. These batteries are 20AH and deliver an expected runtime of greater than 16 hours.

Rerouting of Traffic around Damaged Facilities

All core network connections are ring protected and any established traffic is automatically rerouted without impact to these customers. Any call not yet established for in a "Setup" state during a reroute situation (fiber cut, Central Office failure, etc.) would fail and these callers would need to re-acquire dial tone and re-place the call. The routes would be available in less than one second, thus any subsequent call attempts would be successful.

Our connection to the outside world is via our centralized equal access provider: South Dakota Network (SDN). The Kimball office is positioned in the logical center of our network and houses a node on the above mentioned statewide DWDM MPLS network. This network utilizes alternate fiber routes throughout the state of South Dakota functioning in a mesh environment to deliver our traffic to the SDN location in Sioux Falls, South Dakota. As for our Intra-company Inter-exchange facilities, they include: three EPS rings (Calix), one OC 48 ring (Fujitsu), and one MPLS ring (Brocade) functioning in a mesh environment.

**Midstate Communications, Inc.  
Description of Tribal Engagement**

Midstate Communications, Study Area 399011 (formerly Midstate Telecom) provides services in areas of the Lower Brule Sioux Tribe. Midstate, periodically, and when requested, actively engages in discussions with Tribal leaders that include deployment of services to Tribal anchor institutions, and feasibility and sustainability planning of those services. Midstate markets its services in a culturally sensitive manner, including advertisements and written notifications via certified mail of required filings of services and rates. Midstate is in compliance with right of way processes, land use permitting, facilities siting and environmental and cultural preservation review processes. Midstate is in compliance with Lower Brule Sioux Tribe business and licensing requirements.



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Sent Return Receipt Requested

July 28, 2016

Lower Brule Chairman  
Lower Brule Tribe  
PO Box 187  
Lower Brule, SD 57548-0187

Dear Chairman:

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 Midstate Communications would, as soon as possible, like to begin discussions with the Lower Brule Tribe in a manner consistent with the FCC rules. Accordingly, we would request a meeting with the Tribe and it is our hope that this meeting could be held sometime prior to the end of October, 2015. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on Tribal lands.

While Midstate Communications 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. Midstate Communications asks that the Lower Brule 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) 778-6221, or through an e-mail directed to mark@midstaff.net.

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

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Mark Benton, GM

Midstate Communications, Inc.



**Midstate Telecom, Inc.**

**Lifeline Terms and Conditions**

Midstate Telecom, Inc offers Lifeline program-supported service to qualified low-income residential consumers for one telephone line or qualifying broadband internet access service (BIAS) per eligible household. The Lifeline program provides discounts to eligible low-income consumers to help them establish and maintain telephone or qualifying BIAS service. Eligible consumers can receive \$9.25 per month in discounts. In addition, the Federal Universal Service Charge is not assessed to consumers participating in Lifeline. Toll Blocking prevents the placement of all long distance calls for which a subscriber would be charged. Toll blocking is available to eligible consumers at no cost. Also, by choosing this option, consumers are usually not charged a deposit.

**Lifeline Program Eligibility Information**

**Program Based Eligibility**

Consumers are eligible for Lifeline if they, one of their dependents or their household participate in one of the following qualifying assistance programs:

- Federal Public Housing Assistance (Section 8)
- Supplemental Nutrition Assistance Program (SNAP)
- Medicaid
- Supplemental Security Income (SSI)
- Veteran’s Pension and Survivor Benefit

Lifeline applicants must present documentation demonstrating eligibility either through participation in one of the qualifying federal assistance programs or through income-based means.

Acceptable documentation of program-based eligibility includes: current or prior year’s statement of benefits from a qualifying state, federal or Tribal program; notice letter of participation in a qualifying state, federal or Tribal program; program participation documents; or another official document evidencing the consumer’s participation in a qualifying state, federal or Tribal program.

**Income Based Eligibility**

In addition, consumers are eligible for Lifeline if their household income is at or below 135% of the federal poverty guidelines.

2017 Federal Poverty Guidelines – 135%

<b>Household Size</b>	<b>48 Contiguous States and D.C.</b>	<b>Alaska</b>	<b>Hawaii</b>
1	\$16,281	\$20,331	\$18,711
2	\$21,924	\$27,392	\$25,205
3	\$27,567	\$34,452	\$31,698
4	\$33,210	\$41,513	\$38,192
5	\$38,853	\$48,573	\$44,685
6	\$44,496	\$55,634	\$51,179
7	\$40,139	\$62,694	\$57,672
8	\$55,782	\$69,755	\$64,166
For each additional person, add	\$5,643	\$7,061	\$6,494

Acceptable documentation of income eligibility includes: prior year's state, federal or Tribal tax return; current income statement from an employer or paycheck stub; social security statement of benefits; Veterans Administration statement of benefits; retirement/pension statement of benefits; unemployment/workmen's compensation statement of benefits; federal or Tribal notice of letter participating in General Assistance; or a divorce decree or child support award or other official document containing income information.

### **Tribal Eligibility**

A subscriber who lives on Tribal lands and is an eligible resident of Tribal lands is eligible for Tribal Lifeline service or Tribal Link Up if the subscriber, one or more of the subscriber's dependents, or the subscriber's household participates in any of the above-listed qualifying assistance programs or one of the following Tribal-specific federal assistance programs: Bureau of Indian Affairs General Assistance; Tribally Administered Temporary Assistance for Needy Families; Head Start (if income eligibility criteria are met); or the Food Distribution Program on Indian Reservations (FDPIR). Tribal subscribers may also qualify if the household income is at or below 135% of the Federal Poverty Guidelines.

### **Lifeline Program Service**

Midstate Telecom, Inc's Voice Lifeline service includes unlimited local minutes-of-use within the toll-free calling area. Midstate Telecom, Inc's Voice Lifeline Plan does not include any free minutes-of-use for toll. Toll is billed at the standard toll rate depending on which interexchange carrier the consumer subscribes to for toll service. As part of the Lifeline service, Toll blocking is available to eligible consumers at no cost.

BIAS minimum speed and usage allowance standards are required for the service to qualify.

Lifeline recipients may transfer the Lifeline benefit to a new company once every sixty days for telephone service and once every 12 months for BIAS.

### **Rates**

Subscribers may receive the Lifeline credit on any type or grade of local service, including bundled services that are normally offered by Midstate Telecom, Inc. Advertised rates do not include any applicable taxes or surcharges.

### **Recertification of Lifeline Eligibility**

Lifeline recipients are required to recertify their eligibility annually. Failure to properly recertify a recipient's continued eligibility for the Lifeline program will result in termination of the Lifeline recipient's monthly Lifeline discount and de-enrollment from the Lifeline Program.

### **Additional Lifeline Program Information**

The Lifeline program is limited to one benefit per household, consisting of either wireline or BIAS. A household is defined, for purposes of the Lifeline program, as an individual or group of individuals who live together at the same address and share income and expenses. Lifeline is a government benefit program, and consumers who willfully make false statements in order to obtain the benefit can be punished by fine or imprisonment or can be barred from the program.