

Docket Number: TC17-001
Subject Matter: First Data Request
Request to: Wide Voice, LLC
Request from: South Dakota Public Utilities Commission Staff
Date of Request: January 13, 2017
Responses Due: February 3, 2017

- 1-1.** Refer to ARSD 20:10:32:03 (6). Provide a description of the applicant's experience providing any telecommunications services in South Dakota or in other jurisdictions, including the types of services provided, and the dates and nature of state or federal authorization to provide the services.

Wide Voice provides wholesale hosting, connectivity and end user services to some of the largest unified communications and enhanced service providers in the country. These Fortune 500 customers rely on Wide Voice to provide nationwide connectivity for their mission critical applications. These applications serve both internal users as well as are resold to its customers. Service types include:

- access to collaboration services
- access services for audio conferencing, short messaging, and voicemail
- dial-in access for customer API services
- access services for enhanced voicemail/concierge services
- Wide Voice also provides access services to hosted solution providers providing dial-in and dial out connectivity to their customers which include call centers, customer support lines, and other applications that require connectivity to the PSTN to deliver their services.
- Competitive tandem access services

Some or all of these services are currently being provided in CA, PA, NY, NV, ND, FL, MA, CO, WA, RI, NJ, DC, MD, and VA.

- 1-2.** Refer to item 7 in the application, which states Wide Voice does not have any affiliates, subsidiaries, or parent organizations. Is there any relationship between Wide Voice, LLC and WideVoice Communications, Inc., which was reported to own 24% of Native American Telecom in docket TC11-087. Please explain.

Pat Chicas owns 10% of Wide Voice, LLC, and 10% of Widevoice Communications, Inc. Pat Chicas' 2.4% (10% of 24%) interest in Native American Telecom is well below the 10% threshold associated with ownership or control of an entity.

- 1-3.** Refer to ARSD 20:10:24:02 (7). Provide a detailed statement of how the applicant will provide its services.

Wide Voice plans to utilize its existing switches outside of SD to provide service within SD. It will connect to these switches, and to its customers, by means of services offered by other providers.

For line side connectivity, Wide Voice, LLC will allow retail and wholesale customers to utilize their broadband and dedicated IP services as transport as well as offer resold, lease line side transport services from the incumbent to include analog and digital loops and t-carrier services at the DS1-DS3 level.

For trunking and interconnect facilities, Wide Voice, LLC will primarily utilize leased transport services from the incumbent LEC, other CLEC's and CAP's. Wide Voice, LLC may also use private, point-to-point microwave radio transport in select opportunities and markets.

For switching and call routing, Wide Voice, LLC operates a geographically diverse, Class 4 and Class 5 Telephony Services Topology. The network consists of Trunking and Signalling Gateways provided by GenBand with Call Routing, Call Management, Call Feature Service and Border Control by WydeVoice. The network is "VoIP/TDM agile", accepting or providing TDM or VoIP connectivity on both the line and trunk side of the network.

- 1-4.** Refer to item 9 in the application.

- a. Confirm that Wide Voice will only offer local exchange service in the CenturyLink territories, and will obtain future Commission approval for any future local exchange service offerings beyond the CenturyLink territories.

Wide Voice will only provide *retail, end user* local exchange service in CenturyLink territories, and will obtain future Commission approval for any future local exchange service offerings beyond the CenturyLink territories.

- b. Provide a map or narrative describing where Wide Voice will offer interexchange long distance services.

Wide Voice's retail interexchange long distance services will be offered wherever the Company provides retail local exchange service. Additionally, Wide Voice will offer competitive tandem access services that will be used in connection with long distance interexchange services provided by other carriers.

- 1-5.** Refer to item 11 in the application. How will access to local operator services, directory assistance, and telecommunications relay services be made available?

When Wide Voice customers use those services, the call goes to the Company's vendor, US Directory Assistance. TRS service is supported via 711 dialing.

- 1-6.** Refer to the financial statements provided in Exhibit C. Pursuant to ARSD 20:10:24:02 (9) and ARSD 20:10:32:03 (12), provide,
- Wide Voice's most recent **12** month period income statement (audited if available),
 - Wide Voice's most recent 12 month period cash flows statement (audited if available), and
 - Wide Voice's balance sheet as of December 31, 2016 (audited if available).

Audited financials for the requested periods are not available, but the unaudited information is attached.

- 1-7.** Refer to item 14 in the application.
- Provide copies of any company brochures that will be used to assist in sale of the long distance services.
 - Provide copies of any company brochures that will be used to assist in sale of the local services.

Wide Voice does not produce any brochures in connection with these services.

- 1-8.** Refer to item 15 in the application. Does Wide Voice believe the interconnection and/or resale agreements with a rural telephone company would constitute local exchange service and require Wide Voice to meet the service obligations imposed pursuant to ARSD 20:10:32:15? Provide appropriate legal analysis to justify Wide Voice's position.

Such agreements would be a prelude to providing retail, end user local exchange service, and the service obligations imposed pursuant to ARSD 20:10:32:15 would apply.

- 1-9.** Refer to ARSD 20:10:24:02 (10). Provide the toll free number for inquiries regarding regulatory matters and a detailed description of how Wide Voice handles customer service matters.

Wide Voice is directly responsible for all customer inquiries and complaints. The telephone number for customer inquiries and complaints is provided by Wide Voice on the customer's bill. Wide Voice's Customer Service Department may be accessed through a toll-free number: 1-844-844-8444. Customer service is available seven days a week, twenty-four hours a day.

- 1-10.** Refer to item 22 in the application. Does the phrase "as warranted by the nature of the change" refer to whether Wide Voice will notify customers directly or via a bill insert? Confirm that any notification will be made at least thirty days in advance of the change.

Yes – the Company will notify customers at least thirty days in advance of the change, and it will either be directly (i.e., direct customer contact) or via bill insert.

- 1-11.** Does Wide Voice agree to not offer any prepaid services including prepaid calling cards and not accept or require any deposits or advance payments, for both its local and long distance services, without prior approval of the Commission? If not, will Wide Voice agree to obtain an indemnity bond for \$25,000 to run in favor of South Dakota consumers?

Yes.

- 1-12.** Provide a brief history explaining why Wide Voice withdrew certificate of authority applications in both TC09-083 and TC11-088 and a narrative explaining any circumstances which have changed in the years since.

TC09-083 was an application by WideVoice Communications, Inc., rather than the applicant under consideration in this docket. In TC11-088, the Company's application was met with opposition by intervenors. Such intervention in SD turns the certification process into a lengthier, much more costly proceeding which ultimately caused the Company to put its resources elsewhere and pursue certifications in other states. The Company is now certified in all states except MS, IA, and SD. The Company is also in a better position to address the concerns of any potential intervenors, and its business plan is better developed and more diverse than in previous applications.

- 1-13.** Does Wide Voice plan to engage in any access stimulation or revenue sharing agreements in South Dakota? Please explain.

Yes. Wide Voice will service applications of all types (with the exception "adult chat" or related services), and some of these applications are high volume.

- 1-14.** Does Wide Voice have any current business relationship with Free Conference Corporation? Please explain.

Free Conference Corporation is a primary end user services customer of Wide Voice across its service territory.

- 1-15.** Provide detail on any current litigation in Wide Voice's other jurisdictions regarding access stimulation or revenue sharing agreements.

Wide Voice is a party in case 1:2016cv06976 filed July 5, 2016, in US District Court for the Northern District of Illinois.

- 1-16.** Provide confirmation that Wide Voice intends to comply with all traffic stimulation provisions of the ICC Reform Order?

Yes. The Company is fully aware of, and complies with, all traffic stimulation provisions of the ICC Reform Order.

- 1-17.** Refer to ARSD 20:10:32:03 (10)(b). Provide information regarding Wide Voice's ability to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirements.

In all locations where Wide Voice has equipment and facilities, the Company has manned locations where it has contracts in place for all necessary maintenance and support.

- 1-18.** Refer to ARSD 20:10:24:02 (6) and ARSD 20:10:32:03 (8)(d). Provide more detail on the types of services the applicant intends to offer.

See response to 1-1.