

Attachments

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*,¹ the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”² 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.³ 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.”⁴

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

¹ *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*”).

² *Id.* at para. 28.

³ *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.

⁴ *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),¹ 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

¹ 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.

REDACTED FOR PUBLIC INSPECTION

**(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.
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<020> Program Year 2018

<030>	Contact Name - Person USAC should contact regarding this data	Colgan Huber
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<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211 ext.
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<039> Contact Email Address - Email Address of person identified in data line <030> chuber@wrctc.coop

1/1/2017

<703>

[illegible]

REDACTED FOR PUBLIC INSPECTION

(710) Broadband Price Offerings Data Collection Form	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.
<020>	Program Year	2018
<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

[illegible]



West River Cooperative Telephone Co.

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

December 14, 2016

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 "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 Cheyenne River 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 Cheyenne River 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) 244-5213, or through an email directed to cnash@wrctc.coop. Please respond by December 31, 2016.

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

Sincerely,

Colle Nash, General Manager

CN:pk



West River Cooperative Telephone Co.

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

December 14, 2016

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) 244-5213, or through an email directed to cnash@wrctc.coop. Please respond by December 31, 2016.

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

Sincerely,

Colle Nash, General Manager

CN:pk

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 2016, 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, the Company offers broadband service at the highest available speed.

REDACTED – FOR PUBLIC INSPECTION

ATTACHMENT - LINE 3017

ATTACHMENT REDACTED IN ENTIRETY

Appendix A- Five-Year Plan

Study Area Code	391689
Study Area Name	West River Cooperative Telephone Company
Company Contact Name	Colgan Huber
Contact Telephone Number	605-244-5213
Contact Email Address	chuber@wrctc.coop

(This column would not show in App A. Put in Narrative)

Project	Start Date	Completion	Status/Progress	Areas	Population	Total Dollars	2016 Actual Capital Expenditures	Note Reason for Any Significant Variances or Missed Dates
FTTH	6/1/2015	6/30/2016	Complete	Newell - Rural	144			Done in 2015
FTTH Electronics	6/1/2015	6/30/2016		Newell - Rural	144			
FTTH	6/1/2015	6/30/2016	Complete	Lemmon - Rural	176			Done in 2015
FTTH Electronics	6/1/2015	6/30/2016		Lemmon - Rural	176			
FTTH	6/1/2016	6/30/2017	In Progress	Bison & Meadow - Rural	172			More Electronics needed in 2016
FTTH Electronics	6/1/2016	6/30/2017		Bison & Meadow - Rural	172			CALIX E7 Cabinet Upgrades
Switch Enhancement	9/1/2016	6/30/2017	In Progress	All Exchanges	3,298			N/A for 2016
FTTH	6/1/2017	6/30/2018	In Progress	Camp Crook - Rural	49			Ahead of schedule!
FTTH Electronics	6/1/2017	6/30/2018		Camp Crook - Rural	49			
General Support Upgrades	1/1/2015	12/31/2019		All Exchanges	3,298			
Totals								

Appendix B - Progress Report on Two-Year Plan

Study Area Code	391689
Study Area Name	West River Cooperative Telephone Company
Company Contact Name	Colgan Huber
Contact Telephone Number	605-244-5213
Contact Email Address	chuber@wrctc.coop

Regulated Capital Expenditures (CapEX)					
Account	Description	2016 As Filed 1, 2016	July	2016 Actual Expenditures	Difference
2111 & 2121	Land & Building	\$			
2112-2114	Vehicles	\$			
2122-2124	Support Assets	\$			
2210	Switching Equipment	\$			
2232	Circuit Equipment	\$			
2410	Cable & Wire Facilities	\$			
	Total Capital Expenditures	\$			

Regulated Operating Expense (OpEx)					
Account	Operating Expenses	2016 As Filed 1, 2016	July	2016 Actual Expenditures	Difference
6110-6120	General Support Maintenance	\$			
6210	Switching Maintenance	\$			
6230	COE Transmission Maintenance	\$			
6410	Cable & Wire Facilities	\$			
6530	Non-Specific (Testing, Plant Op., Engineering)	\$			
6561-2110	General Support Depreciation	\$			
6561-2210	Switching Depreciation	\$			
6561-2230	Circuit Equip Depreciation	\$			
6561-2410	Cable & Wire Depreciation	\$			
6610-6620	Customer Operations	\$			
6711-6720	Corporate Operations	\$			
7240	Ad Valorem Expense	\$			
	Total Operating Expenses	\$			