

**ATTACHMENT**

**E-MAIL BETWEEN NAL AND USAC**

[The following is the verbatim email exchange between Jorge Bellas, Managing Partner of North American Local, LLC, and Leah Gsell, Universal Service Administration Company (USAC), on February 28, 2022]

**From:** Leah Gsell <[Leah.Gsell@usac.org](mailto:Leah.Gsell@usac.org)>  
**Sent:** Monday, February 28, 2022 3:38 PM  
**To:** [jbellas@northamericanlocal.com](mailto:jbellas@northamericanlocal.com)  
**Cc:** Debby Smith <[Debby.Smith@usac.org](mailto:Debby.Smith@usac.org)>  
**Subject:** RE: South Dakota

Hi Jorge,

You are correct—we based our decision on the understanding that North American Local was **not** facilities-based. Yes, if we can confirm that the ETC Order from the PUC was based on the company being facilities-based, we can approve the SAC request. I agree that it's not likely to happen today, but hope this understanding helps us move forward. Let me touch base with Debby (she is out today) and see if she has any thoughts on the documentation that we would request.

Thanks,  
Leah

**From:** [jbellas@northamericanlocal.com](mailto:jbellas@northamericanlocal.com) <[jbellas@northamericanlocal.com](mailto:jbellas@northamericanlocal.com)>  
**Sent:** Monday, February 28, 2022 4:26 PM  
**To:** Leah Gsell <[Leah.Gsell@usac.org](mailto:Leah.Gsell@usac.org)>  
**Cc:** Debby Smith <[Debby.Smith@usac.org](mailto:Debby.Smith@usac.org)>  
**Subject:** RE: South Dakota

Hey Leah;

I think I just realized the reason for the disconnect. North American has been a facilities-based carrier since 2010 and South Dakota knows that based on our ETC application and the various interrogatories from Staff over there. We understand that a non-facilities based company cannot be eligible for Lifeline support without an approved compliance plan but it didn't even cross my mind we were talking about the facilities aspect. The original response we received from HC Orders after our SAC request centered on the requirement of an approved compliance plan so I just assumed it was that which caused the SAC holdup.

Re-reading our S.D. Approval Order with that perspective, North American was designated as an ETC for purposes of Lifeline support and it was recognized that North American is a facilities based carrier, but North American could also use, as necessary, the facilities of other

carriers. This does not change the fact that North American is a facilities-based carrier and this fact was clearly established in our ETC case.

While it may be possible to have our ETC Order modified to more clearly state that we are a facilities-based carrier, I don't think there's any way we'll accomplish that before midnight tonight. Will a revised or amended Approval Order from the PUC as a facilities-based ETC help us make our case in your opinion?

Thanks again for staying in contact and I wish I had understood sooner why we are where we are. Hope I haven't wasted a bunch of your time.

Jorge Bellas, Managing Partner  
North American Local, LLC  
850.449.5328

**From:** Leah Gsell <[Leah.Gsell@usac.org](mailto:Leah.Gsell@usac.org)>  
**Sent:** Monday, February 28, 2022 11:57 AM  
**To:** [jbellas@northamericanlocal.com](mailto:jbellas@northamericanlocal.com)  
**Cc:** Debby Smith <[Debby.Smith@usac.org](mailto:Debby.Smith@usac.org)>  
**Subject:** RE: South Dakota

Hi Jorge,

I don't think a call would be effective. We understand your concerns, but this is in the FCC's hands. We will be reaching out to the FCC to see if we can learn more about the status of your compliance plan, and to ensure that we are correctly determining whether compliance plans are required for non-facilities based companies.

I will provide you with a response as soon as possible.

Thanks,  
Leah