

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

In the Matter of the Petition of)	
North American Local, LLC for)	Docket No. TC19-009
Designation as an Eligible Telecommunications)	
Carrier in the State of South Dakota)	

**North American Local, LLC
Responses To Second Discovery Requests
of the South Dakota Telecommunications Association (“SDTA”)**

North American Local, LLC (“NAL”) hereby submits its response to the Second Discovery Requests of the South Dakota Telecommunications Association (“SDTA”).¹

REQUEST 1: For each Interrogatory, identify each person who assisted in the preparation of these responses or who provided information for the purpose of preparing these responses.

NAL Response:

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REQUEST 2: Is it necessary to update your response to any data/discovery request made by any party to this docket? If so, please provide updated responses.

NAL Response: NAL will update previous discovery responses as necessary.

REQUEST 3: Provide a copy to SDTA of all documents marked “Confidential” that were filed with the PUC or served upon PUC Staff.

NAL Response: NAL will coordinate with SDTA on previously submitted Confidential discovery response.

¹ On February 12, 2021, SDTA served NAL with a copy of its Second Discovery Requests.

REQUEST 4: Provide a copy to SDTA of all discovery exchanged between North American Local, LLC and other interveners in PUC docket TC19-009.

NAL Response: No other discovery requests were made to NAL by the other Intervenors in this docket.

REQUEST 5: Previous data request responses indicate North American Local, LLC provides lifeline services to residents residing in Indian Country in other states.

- a. List all reservations where North American Local, LLC services are currently offered.

NAL RESPONSE:

Alabama:

Poarch Creek

Minnesota:

Bois Forte

Fond Du Lac

Grand Portage

Leech Lake

Mille Lacs

Skakopee Mdewakanton Sioux

White Earth

North Dakota:

Spirit Lake

Standing Rock

Three Affiliated

Turtle Mountain

Wisconsin:

Bad River

Lac Courte Oreilles

Lac du Flambeau

Menominee

Oneida

Potawatomi

Red Cliff

Sokaogon / Potawatomi

St. Croix

Stock Bridge Munsee

- b. List all reservations where North American Local, LLC service were offered in 2019 when your Petition was filed at the PUC.

NAL RESPONSE: When it filed its Petition with the PUC, NAL offered services on all of the reservations identified in response to Request 5a., except the North Dakota reservation areas where NAL was designated as an ETC in November 2019.

- c. For each reservations listed in subsection (a) above, provide the number of customers you serve with Tribal Lifeline service.

NAL RESPONSE:

Bad River	53
Bois Forte	8
Lac Courte Oreilles	407
Lac du Flambeau	356
Leech Lake	376
Menominee	51
Mille Lacs	33
Oneida	288
Poarch Creek	217
Red Cliff	24
Red Lake	697
Skakopee Mdewakanton Sioux	2
Sokaogon / Potawatomi	16
Spirit Lake	402
St. Croix	64

Three Affiliated	54
Turtle Mountain	255
White Earth	570

- d. Do you have a storefront within reservation boundaries on any of the reservations you serve? If so, please provide an address for said storefronts.

NAL RESPONSE: NAL does not have storefronts within reservation boundaries; instead, NAL works with Tribal governments to establish the best methods for sales and on-going service within each unique reservation area.

- e. In the areas where you serve tribal residents, do you utilize tribal/reservation government or other tribal/reservation administrative services to distribute phones to customers?

NAL RESPONSE: Yes

- f. If the answer to (e) is yes:

- a. Do you enter into a contract with the tribe to provide the administrative services? If so, provide a sample contract.

NAL RESPONSE: NAL does not have written contracts with Tribes. Certain reservations require NAL to obtain approvals, such as business licenses, to operate within reservations boundaries. Bois Forte Band of Chippewa and Red Lake are reservations that require NAL to obtain a business license. For all Tribal areas, NAL also abides by all applicable Tribal requirements.

The Minnesota American Indian Chamber of Commerce has recently established the "Purchasing Power Initiative," which NAL is a member. This statewide program allows registered reservation vendors, such as NAL, to obtain access to all participating Tribes for their purchasing needs and to receive direct Tribal communications, inquiries and requests for proposals.

NAL has never entered a reservation or marketed directly to any Tribal members without first seeking the approval of Tribal government authorities. The process typically begins with NAL seeking a meeting with the Tribal Chair or a representative of the Chair to introduce ourselves,

explain our objectives, present the benefits of service offerings for Tribal residents, and, if necessary, meet with the Tribal council.

Once approved by the Tribal government, NAL coordinates with the various Tribal administrative offices on the provisioning of service on the reservation, such as Tribal Family Health Services, Community Centers, Day Care Centers, Food Distribution Centers, Men's and Women's Shelters, Half-Way Houses, Convenience Stores and News Letter Publishers. Throughout the process, NAL maintains contact and communications with Tribal government officials.

- b. How do you assure your company policies and practices are followed to avoid fraud or abuses of process?

NAL RESPONSE: NAL takes seriously its responsibility to safeguard the Lifeline Program from waste, fraud and abuse by following all of the guidelines set forth by the FCC and/or the individual state Public Service Commission regarding subscriber eligibility and recertifications. In addition to using state and federal eligibility databases (including the recently released National Verifier Database), NAL has in place internal processes to detect and deny duplicate enrollments, monitor the "one-per-household" rules, and prevent non-usage Lifeline Claims Reimbursements. NAL's compliance team has an average of 10 years' experience protecting the Lifeline program against fraud, waste and abuse.

- c. Provide a list of all tribal administrative offices that you utilize for administrative or other services in Indian Country.

NAL RESPONSE: See the response to Request 5 f. a. above.

REQUEST 6: With regard to service in South Dakota: do you intend to use any tribes' resources or partner with any tribes to assist with administration of your services? If the answer is yes, specify what tribe and what type of services you will seek out from the tribe.

NAL Response: Consistent with the approach taken in other states, NAL will work with individual Tribes and offer services to meet their needs. NAL has commenced engagement with Tribes and will work cooperatively with all Tribes within its ETC service area.

REQUEST 7: List the states in which you have ETC status to serve the entire state.

NAL RESPONSE

Alabama	ETC designation in AT&T, Century-Link and Frontier service areas
Michigan	ETC designation in certain Rate Centers that include Tribal areas
Minnesota	ETC designation in certain Rate Centers that include Tribal areas
North Dakota	Statewide ETC designation
Wisconsin	Statewide ETC designation

- a. Of the listed states, in which states does North American Local, LLC have the facilities or contracts in place to provide statewide services?
- b. Of the listed states, in which does North American Local, LLC provide service only tribal areas?

NAL RESPONSE: NAL has agreements in place (see response to Request 8) to provide service throughout all of the states in which it is designated as an ETC, including Tribal areas.

REQUEST 8: List the wireless companies you have contracted with to provide service in South Dakota. For each contract, specify the contracting parties and the date of contract execution.

NAL RESPONSE:

Sprint	07.30.2012
T-Mobile	09.28.2016
Verizon	03.31.2017
AT&T	05.08.2020

REQUEST 9: Do you anticipate geographic areas in South Dakota wherein customers may experience service issues due to inadequate coverage by the companies you have contracted with or intend to contract with?

- a. If so, what is your process and procedure for handling the customer service issues after signing the individual up for services?
- b. If so, do you intend to make the customer aware of potential coverage issues

before signing him or her up for services?

NAL RESPONSE: NAL confirms coverage is “Good,” at a minimum, based on the underlying carriers’ own coverage maps (“Excellent”, “Good”, “Fair”, “Poor”, or “No”) before providing customers with a device. To date, we have only encountered one reservation (in Wisconsin) where none of our carriers could provide “Good” coverage. In the event we cannot provide “Good” coverage, we inform the customer and do not enroll them in a Lifeline program. Although we provide Lifeline customers with free devices, there is no benefit to either the customer or NAL if the customer cannot use the phone.

REQUEST 10: To the extent this information is not provided in response to Interrogatory 2:

- a. How many customers do you have total, in all jurisdictions at the time of answering these interrogatories?
- b. Of the total, how many are lifeline customers? Of the total, how many are non-lifeline customers?
- c. Of the total Lifeline customers, what percentage are Tribal Lifeline customers?

NAL RESPONSE: See response to Request 2.

REQUEST 11: At this time, do you have plans to participate in the Emergency Broadband Benefit Program? Why or why not?

NAL RESPONSE: NAL will participate in the Emergency Broadband Benefit Program (EBB). NAL has been offering broadband services to its Lifeline and non-Lifeline subscribers before the EBB program was established by Congress and will provide broadband service as a participant in the EBB program.

Dated: February 17, 2021

Respectfully submitted,

North American Local, LLC

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Certificate of Service

I hereby certify that a copy of these Responses To SDTA's Second Discovery Requests was filed with the South Dakota Public Utilities Commission and served on the following individuals by email on February 18, 2021:

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