

**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  
Response To Staff Discovery Requests 2**

North American Local, LLC (“North American”) hereby submits this Response to Staff Data Request 2 submitted on October 5, 2020.

2.1. Referring to Interrogatory 6 Response to SDTA. Do the plans listed that do not meet minimum service standards qualify for a lifeline discount? If not, explain how/why different prices are offered?

**North American Response:** All of North American’s Lifeline rate plans meet the minimum service standard for either voice, data, or a bundled of voice-data service offering as established in 47 C.F.R. § 54.408. To the extent a Lifeline rate plan does not include the minimum data usage minimum service standard, the Lifeline service offering is for voice service with the applicable voice support being limited to the amount as defined in 47 C.F.R. § 54.403(a)(2).

2.2. How does North American determine what mobile carrier provides the voice and broadband services to the customer? Provide a breakdown of current customers between the mentioned carriers of Verizon / ATT / T-Mobile.

**North American Response:** North American determines the underlying carrier for individual customers primarily based upon the best wireless coverage for a customer, but other determining factors include handset availability, geographic area, and cost of service. As of October 13, 2020, North American’s subscribers for each of the underling carriers were as follows:

<u>Subscriber Count</u>	<u>Underlying Carrier</u>
3,894	Verizon
310	T-Mobile
479	Sprint
265	AT&T

- 2.3. What is North American's cost of service for providing the Choice Mobile Unlimited 3GB Usage Allowance to a single lifeline subscriber? Further provide a fixed and variable cost structure of the plan offering for a single lifeline subscriber.

**North American Response:** [CONFIDENTIAL INFORMATION FILED UNDER SEAL]

- 2.4. North American recently removed all service plan pricing for non-tribal lifeline and non-lifeline plans from its sign-up page. Explain why such pricing was removed from its website. Does North American still intend to serve non-tribal lifeline and non-lifeline customers?

**North American Response:** North American continuously refines its web page and marketing initiatives, and the most recent changes were intended to simplify service offerings by clarifying applicable rates and adding new offerings (e.g., new 5GB and 10GB data usage offerings). With the exception of the "Choice Mobile" plan (e.g., the free non-tribal rate plan), all service plans state that the price is "starting at" to better inform customers that the price listed is the least expensive price for that plan with prices going up from there based on options and features selected by a customer. Under the "Discounted Service" section located on the right-hand side of the web page, it states that (1) prices reflect the Lifeline discount, (2) rate plans are available for Lifeline and non-Lifeline customers, and (3) prices vary depending upon options selected.

- 2.5. Provide the media sources including point of sale materials, customer direct mail, customer brochures, and print media used in the advertising and availability of North American's services and charges.

**North American Response:** North American advertises its services "in a manner reasonably designed to reach those likely to qualify for the service," consistent with 47 C.F.R. § 54.403. North American's advertising and outreach initiatives vary depending upon the Lifeline market. For example, attached are copies of advertisements used for Lifeline service offerings on certain Tribal lands. North American also advertises through its web site and through other advertising and outreach mediums. In addition, North American establishes relationships within communities served and undertakes outreach initiatives aimed at low-income consumers residing in these communities.

- 2.6. Does North American pay any commission to salespersons or agents for the number of customers that are signed up?

**North American Response:** North American does not pay commissions for signing up subscribers.

2.7. Are the total disbursements from the federal Lifeline program made to North American in 2019 reported in documentation provided in response to Data Request 1-6? If so, please indicate where. If not, please explain.

**North American Response:** Yes, total disbursements from the federal Lifeline program are reported under “Gross Receipts” within North American’s financial statements.

2.8. North American mentions ‘various intervening events’ that delayed responses to SDTA’s submitted Discovery Requests on July 31, 2019. Please explain ‘various intervening events’ that resulted in fully completing responses to SDTA and Staff’s DR1.

**North American Response:** North American initially submitted its application for eligible telecommunication carrier designation in South Dakota with the objective of entering the Lifeline market and serving the Lifeline needs of low-income consumers by the end of 2019. North American attempted to informally address any concerns over its entry into the market and delayed submitting formal responses to the discovery requests by SDTA. In early 2020, the COVID-19 pandemic resulted in further delays in responding to the discovery requests, but, once things settled down, North American responded and made firm commitments to timely respond to all future discovery and other requests.

Dated: October 19, 2020

Respectfully submitted,

**North American Local, LLC**

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## Certificate of Service

I hereby certify that a copy of Responses To Staff Data Request 2 was filed with the South Dakota Public Utilities Commission and served on the following individuals by email on October 19, 2020:

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This benefit is limited to one person per household and documentation is necessary for enrollment.\**



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