
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF LTD BROADBAND LLC FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER FOR
PURPOSES OF RECEIVING FEDERAL
UNIVERSAL SERVICE SUPPORT

Discovery Request #2

Docket No. TC21-001

**DISCOVERY REQUEST #2 OF SOUTH DAKOTA TELECOMMUNICATIONS ASSOCIATION
(SDTA) TO LTD BROADBAND, LLC**

The South Dakota Telecommunications Association ("SDTA") hereby serves its Discovery Requests on LTD Broadband, LLC. Unless otherwise noted in a specific request, the Discovery Requests are directed to LTD Broadband, LLC specifically, and its responses should be provided, as appropriate.

You are requested and required to answer fully and under oath, pursuant to S.D. Admin. R. 20:10:01:22.01, each of the following Discovery Requests and serve a copy of your answers and responses thereto upon Kara Semmler, General Counsel for SDTA, on or before May 13, 2021. Please be advised that your answers must include all information available not only to you, but to your agents, officers, representatives, employees, attorneys, insurers, or others who have information available to you upon inquiry to them.

DEFINITIONS

As used herein, the following terms have the meaning as set forth below:

1. The term "you" refers to "LTD Broadband, LLC" or "LTD" (as the company may be referenced in abbreviated fashion).
2. The term "the Act" shall refer to the Communications Act of 1934, as amended by the Telecommunications Act of 1996, codified at 47 U.S.C. §§ 151 *et seq.*
3. The terms "document" or "documents" as used herein shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and

written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, workpapers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received, and other written or electronic records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that: (a) are now or were formerly in your possession, custody or control; or (b) are known or believed to be responsive to these interrogatories, regardless of who has or formerly had custody, possession or control.

4. The term “including” means “including, but not limited to.”
5. “Affiliate” means a person or entity that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this definition, “own” means to own an equity interest (or the equivalent thereof) of more than five (5) percent.

INSTRUCTIONS

1. If you maintain that any document or record that would be responsive to any of the data requests has been destroyed, set forth the content of said document, the location of any copies of said document, the date and circumstances of said destruction, and the name of the person who ordered or authorized such destruction.
2. In answering these data requests, furnish all responsive documents in your possession or in the possession of any of your directors, officers, employees, agents, representatives, or attorneys.
3. If you cannot answer a data request in full after exercising due diligence to secure all the information requested, or does not have precise information with regard to any part of a data request, so state in the response, describing in full the efforts to obtain the information requested, and then proceed to respond to the fullest extent possible. If an objection is made to any part of a data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

4. If a responsive document is considered to contain confidential, proprietary, or otherwise protected information, please furnish this document subject to a protective agreement.
5. If any information is withheld under a claim of privilege, please describe the information without revealing the asserted privileged information, and provide a statement of the basis upon which the claim of privilege is based.
6. If any of the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods.
7. These interrogatories and requests are considered continuing and should be supplemented as additional information becomes available.

INTERROGATORIES AND REQUESTS FOR PRODUCTION

Request 1: Describe what due diligence/investigation/research was done by LTD prior to bidding on the South Dakota RDOF areas to learn about the geography and the potential customers. Provide any documents LTD generated during such activities.

- a. How the due diligence/investigation/research impact the price LTD bid for South Dakota areas in the RDOF auction and the technical means by which it intends to offer service in South Dakota?

Request 2: Is it correct that a phone subscriber must have internet access? Therefore, the \$25/\$30 phone service explained on page 4 of LTD's application is a charge in addition to internet cost.

Request 3: See LTD response to SDTA first discovery request #15. Specifically describe the service plans (speeds) and prices that LTD plans to offer consumers in its South Dakota RDOF area.

- a. Will the plans and prices offered be identical in all SD RDOF areas?

Request 4: If LTD receives RDOF funds from the FCC, will its service offerings in its South Dakota non-RDOF footprint change? If so, explain how?

Request 5: See LTD response to SDTA first discovery request #5(f).

- a. When did LTD become capable of providing gigabyte capacity?
- b. Describe the "newly deployed" equipment that made the new service offering possible.

- c. When did the single South Dakota 1 Gbps commercial customer enter into a contract to receive said service?

Request 6: Questions related to ARSD 20:10:32:43.01.

- a. What is LTD's timeline to provide service to a requesting customer within LTD's designated service area after RDOF facilities are constructed?
- b. How will LTD handle a request for service from an individual within LTD's RDOF service area, but outside of the completed RDOF constructed area? Specify what information will be provided to an individual regarding the time it will take LTD to provide service pursuant to the request.
- c. Provide any company documents, policies or customer information that supports answers given to the above questions.

Request 7: Question related to ARSD 20:10:32:43.02:

- a. Specify what construction progress or activity LTD intends to engage in within 2 years if the FCC approves LTD's long form.
- b. Provide a detailed timeline beyond the 2-year plan regarding each buildout phase through RDOF construction completion in South Dakota.

Request 8: Questions related to ARSD 20:10:23:43.03:

- a. Describe what "back-up power" LTD intends to use and explain why that plan is reasonable.
- b. Provide a copy of the instructions LTD will provide customers on the use of emergency services. (See reference to instructions on page 11 of Application.)
- c. What third party 911 provider will LTD use for South Dakota. (See reference to third party 911 provider on page 12 of the Application.)

Request 9: Question regarding ARSD 20:10:23:43.04 - Planning for adequate personnel to respond to network and customer service problems:

- a. How many individuals were employed by LTD to serve its customer base prior to LTD's participation in the RDOF auction? Provide the total numbers of employees by department and/or job duties (For example: customer service, billing, technicians, etc.).
- b. Prior to LTD's participation in the RDOF auction, did it have a physical office location? If so, provide the address.
- c. If applicable: Did any of the listed employees in (a) work out of the office names in (b)?
- d. If RDOF funds are received, will LTD have physical office locations? If so:
 - i. Specify where, with as much detail as available, where the office facilities are (or will be) located?

- ii. Will the office locations be open to the public with customer service representatives available to interface with customers?
- e. If RDOF funds are received in all areas nationwide that LTD intends to serve: what are LTD's employee/staffing plans? Specifically, include the following:
 - i. Will LTD have employees dedicated to the South Dakota customer base? If so, provide the number of South Dakota dedicated employees you intend to hire and describe their role (technical/customer service). Include information regarding where the above employees will be located.
 - ii. If LTD does not intend to have employees dedicated to the South Dakota customer base: describe the total number of employees LTD plans to hire, the employee role and where they will be located. Specify where technicians will be located, how many technicians will be employed and generally how long a customer can expect to wait for help from an onsite technician if needed.

Request 10: Has notice been provided as is required by ARSD 20:10:32:46?

DATED this 13 day of April, 2021.



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