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Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: Notice of Ex Parte Communications; WC Docket Nos. 09-197 and 11-42

Federal Communications Commission:

North American Local, LLC (“NAL”) hereby submits this Notice of Ex Parte communications for a telephone communications between Jorge Bellas, Managing Partner of NAL, and Gene DeJordy, Counsel for NAL, and Nickolas Page and Denise Golumbaski of the Wireline Competition Bureau on January 30, 2024, and a separate telephone communications with Lloyd Collier of the Office of Native Affairs and Policy (“ONAP”) on January 31, 2024. NAL discussed its provision of affordable telephone and broadband Internet service on Tribal lands through the Lifeline program and the ACP. NAL highlighted the following points in its discussions with the FCC:

1. As a facilities-based carrier, NAL provides Lifeline service in several states, but is not able to provide Lifeline service in states where it is not an Eligible Telecommunications Carrier (“ETC”) or where NAL is an ETC but is not considered a facilities-based carrier, such as in South Dakota.
2. NAL provides ACP services in essentially all states with a focus on serving rural and Tribal areas.
3. In South Dakota, NAL, as an ETC, has achieved a significant market share in the short time it has served South Dakota with approximately 4,000 ACP customers on Tribal lands. However, because it is considered a reseller for ETC purposes, NAL is not able to offer Lifeline service to its ACP customers, which would result in approximately 4,000 low-income consumers losing access to NAL’s affordable telephone and broadband service at the end of the ACP.
4. The Lifeline penetration rate in South Dakota is 8%, far below the national average of 19%. See <https://www.usac.org/lifeline/resources/program-data/#Participation>. The Lifeline penetration rate on Tribal lands is even less, which explains, in part, NAL’s

success in serving Tribal lands in South Dakota. NAL's success is also due to the fact that it engages with Tribal authorities and establishes service offerings tailored to Tribal residents' unique needs.

5. To ensure residents of Tribal lands have access to affordable Lifeline service options, NAL recently deployed network facilities within the state of South Dakota and is working with the South Dakota Public Utilities Commission to be reclassified as a facilities based ETC. NAL is also renewing its request to the FCC for approval of its pending Lifeline Compliance Plan.
6. Time is of the essence to address Lifeline issues with the anticipated phase down of the ACP. Even if Congress approves additional funding for the ACP, it is critically important for at-risk Tribal residents to have access to affordable service options available through the Lifeline program.

Respectfully submitted,

Gene DeJordy

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