



Via Electronic Docket Filing Only

January 16, 2026

South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

Re: Docket No. TC23-006

Dear Ms. Mohr:

Boost SubscriberCo L.L.C. dba Gen Mobile, a wholly-owned subsidiary of EchoStar Corporation (“Gen Mobile”), respectfully submits this response to the correspondence filed by the South Dakota Telecommunications Association (“SDTA”) on January 2, 2026, in the above-entitled docket.

Gen Mobile, as an Eligible Telecommunications Carrier (“ETC”), takes seriously its compliance obligations under the rules of the South Dakota Public Utilities Commission (the “Commission”) and the Federal Communications Commission (“FCC”). Gen Mobile respectfully objects to the SDTA’s filing to the extent it asserts unfounded allegations of “fraud and abuse of program rules” and “unjust enrichment,” and presents an incomplete and inaccurate characterization of the facts and Gen Mobile’s actions.

Gen Mobile has been proactive in addressing this matter and has worked diligently with the Commission Staff for resolution. The enrollment of a limited number of subscribers residing outside of our service territory was inadvertent. Gen Mobile, consistent with how service area boundaries are applied in the wireless industry, determines its service area by ZIP codes. However, Gen Mobile’s ETC designation defines its service area by CenturyLink’s wire center and exchange boundaries, which are traditionally relied upon by wireline carriers. To address this discrepancy in how wireless and wireline service areas are defined, Gen Mobile reviewed a static map of SDTA member territories and the FCC’s National Broadband Map depicting CenturyLink’s coverage areas to identify the ZIP codes associated with its designated service area (i.e., within the CenturyLink service area). At the time of the enrollments at issue, Gen Mobile’s analysis indicated that the ZIP codes associated with the subscribers were wholly within the CenturyLink territory. Gen Mobile has subsequently learned that these inadvertent enrollments occurred near the boundaries of Gen Mobile’s designated service area where ZIP codes may straddle CenturyLink territory and SDTA member territory. As noted below, Gen Mobile has revised its service area parameters to exclude addresses within SDTA member territories.

Upon notification of the issue and after reviewing its records, Gen Mobile took corrective actions. Specifically, Gen Mobile immediately ceased all marketing and distribution activity in the affected areas and promptly provided a 30-day de-enrollment notice to the impacted subscribers, in accordance with FCC rules. Further, Gen Mobile did not receive Lifeline support for the identified subscribers.

Moreover, Gen Mobile conducted a comprehensive review of its service area and adjusted the parameters defining its service area within its enrollment platform. These updates included removing SDTA member territories from the service area incorporated in Gen Mobile's enrollment platform. Gen Mobile will continue to refine and improve these processes as necessary.

The SDTA's filing also fails to acknowledge Gen Mobile's ongoing cooperation with Commission Staff or the complete factual record already before the Commission, the appropriate regulating entity. On October 24, 2025, Gen Mobile provided both the Commission and the SDTA with a summary of the corrective steps taken. Following this communication, the SDTA did not raise further concerns with Gen Mobile, leading Gen Mobile to reasonably believe that the SDTA was satisfied with Gen Mobile's actions. Since that time, Gen Mobile has remained in continuous communication with Commission Staff regarding this matter.

Gen Mobile respectfully submits that while industry stakeholders such as the SDTA may raise concerns for the Commission's consideration, the investigation, evaluation, and enforcement of compliance matters in this docket rest with the Commission and its Staff. Consistent with this framework, Gen Mobile directed its detailed responses to Commission Staff, who requested such information. Gen Mobile has remained transparent throughout this process, and any suggestion that Gen Mobile failed to cooperate with the Commission or to disclose information is inaccurate.

Again, Gen Mobile remains committed to full compliance with its ETC designation in South Dakota and all applicable Commission and FCC requirements, and Gen Mobile is appreciative of the opportunity to provide qualified customers this vital service. We will continue to cooperate with the Commission and its Staff to address any remaining questions or concerns and to better serve the residents of South Dakota.

Respectfully Submitted,



Sola Lee
Senior Corporate Counsel
Boost SubscriberCo L.L.C.