

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

**IN THE MATTER OF THE PETITION OF)
TEMPO TELECOM, LLC FOR DESIGNATION)
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER) TC23-043
IN THE STATE OF SOUTH DAKOTA FOR)
THE LIMITED PURPOSE OF PROVIDING LIFELINE)
SERVICE IN THE STATE OF SOUTH DAKOTA)**

STIPULATION

This Stipulation is hereby made and agreed to by and between TEMPO TELECOM, LLC. (“TEMPO”), and the South Dakota Telecommunications Association (“SDTA”) (TEMPO and SDTA are hereinafter referred to individually as a “Party” or collectively as the “Parties”). The Parties request the South Dakota Public Utilities Commission (the “Commission”) incorporate this Stipulation into any Order entered in this Docket.

RECITALS

1. TEMPO does not currently provide Lifeline service in South Dakota.
2. TEMPO seeks designation for the purpose of providing wireless Lifeline-only service in South Dakota.
3. TEMPO resells Commercial Mobile Radio Services (“CMRS”) utilizing the networks of T-Mobile.
4. TEMPO and the SDTA acknowledge that reliable CMRS service may not be available throughout all areas of South Dakota, which is not unique to TEMPO, but is generally applicable to all wireless ETC’s servicing South Dakota.
5. TEMPO agrees to limit the scope of its service area consistent with the terms specified herein.

AGREEMENT

1. The Parties agree any ETC designation to result from this docket shall be limited to South Dakota CenturyLink wire centers and shall not extend into any rural service area served by an SDTA member company.
2. If ETC designation is limited to CenturyLink wire centers, SDTA will not raise objection to TEMPO's designation as an ETC.
3. TEMPO shall comply with all applicable universal service and Lifeline requirements established by the FCC and the Commission,
4. TEMPO is required to come before the Commission in another proceeding if it later seeks designation as an eligible telecommunications carrier in any rural telephone company service area.

AGREED AND STIPULATED to this 28TH day of SEPTEMBER, 2023



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