

**BEFORE THE
SOUTH DAKOTA PUBLIC SERVICE COMMISSION**

Application of EarthGrid PBC CORPORATION)
for Certificate of Authority for Interexchange Service) Docket No. _____
in the State of South Dakota)

Application for the Certificate of Authority for Interexchange Service

Pursuant to Rule **20:10:32:02** of the Commission's Telecommunications Services Rules, EarthGrid PBC CORPORATION (“EarthGrid” or “Applicant”) submits the following registration information:

- (1) **The applicant’s name, address, telephone number, facsimile number, web page URL, and E-mail address;**

EarthGrid PBC CORPORATION
1150 Brickyard Cove Road, Suite 300
Richmond, CA 94801
Telephone: 833-327-8441
Toll Free: 833-327-8441
Website: <https://www.earthgrid.io/>

- (2) **A description of the legal and organizational structure of the applicant's company;**

EarthGrid is a Delaware corporation incorporated on September 23, 2016. A copy of the Applicant's Articles of Incorporation and a copy of the certificate of authority to transact business in South Dakota from the Secretary of State is included as **Attachment I** to the application.

- (3) **The name under which applicant will provide local exchange services if different than in subdivision (1) of this section;**

The Applicant will provide services under the name shown in Question 1.

- (4) **A copy of its certificate of authority to transact business in South Dakota from the secretary of state;**

A copy of the Applicant's certificate of authority to transact business in South Dakota from the Secretary of State is included as **Attachment I** to the application.

- (5) **The location of the applicant's principal office, if any, in this state and the name and address of its current registered agent, if applicable;**

EarthGrid PBC CORPORATION has no principal office in South Dakota.

The name and address of Applicant's current registered agent is:

Person Enterprises, L.L.C.
326 N Madison
Pierre, SD 57501

(6) **A list and specific description of the telecommunications services the applicant intends to offer;**

EarthGrid will provide resold and facilities-based non-switched point-to-point local and interexchange telecommunications services to Wireless Service Providers (WSPs), other telecommunications carriers and communications providers, municipalities, tribal communities, and commercial customers.

(7) **A detailed statement of how the applicant will provide it services;**

EarthGrid will provide its services via its own lit and dark fiber facilities and through interconnection and commercial agreements utilizing the facilities of its underlying carrier. and/or through resale arrangements.

(8) **A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant;**

EarthGrid requests authority to provide service throughout the state of South Dakota, excluding those areas served by a rural telephone company.

EarthGrid's service areas and exchanges will mirror those established its underlying carrier and EarthGrid concurs in the service maps of those carriers, as currently filed with the Commission and as subsequently redefined. For these reasons, EarthGrid requests that it be exempted from the requirement to provide a service area map in its filing.

(9) **For the most recent 12 month period, financial statements of the applicant including a balance sheet, income statement, and cash flow statement. The applicant shall provide audited financial statements, if available;**

EarthGrid has the financing and capital necessary to provide local exchange service resold and facilities-based local exchange services, as proposed in this Application. Attached hereto as **Attachment II**, is a copy of the Applicant's balance sheet.

- (10) **The names, addresses, telephone numbers, facsimile number, E-mail addresses, and toll free number of the Applicant's representatives to whom all inquiries must be made regarding customer complaints and regulatory matters and a description of how the applicant handles customer service matters;**

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EarthGrid PBC CORPORATION
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- (11) **Information concerning how the applicant plans to bill and collect charges from customers;**

EarthGrid will contract directly with its customers and customers will be billed in accordance with those independently negotiated contracts.

- (12) **Information concerning the Applicant's policies relating to solicitation of new customers and a description of the efforts the Applicant shall use to prevent the unauthorized switching of interexchange customers;**

EarthGrid will market its services to eligible customers, consisting primarily of large enterprises and other telecommunications carriers. All new customers must enter into an independently negotiated contracts that will include terms preventing unauthorized switching of interexchange services.

- (13) **Information concerning how the applicant will make available to any person information concerning the applicant's current rates, terms, and conditions for all of its telecommunications services;**

EarthGrid will market to and contract directly with its customers. All information concerning EarthGrid's current rates, terms, and conditions will be provided to the customers in advance and set forth in the contracts.

- (14) **Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer. The notification must be made at least thirty days in advance of the change;**

All services will be provided pursuant to negotiated contracts and customers will be notified of changes to rates, terms and conditions, if any, pursuant to the terms set forth therein. EarthGrid's contracts will provide that notification of such changes will occur at least thirty days in advance of the change – all notifications will be made in accordance with South Dakota state requirements.

- (15) **A list of the states in which the applicant is registered or certified to provide telecommunications services, whether the applicant has ever been denied registration or certification in any state and the reasons for any such denial, a statement as to whether or not the applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable;**

EarthGrid is certified to provide services in the following states: Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

Applications are currently pending in: Arkansas, Connecticut, Kansas, Oklahoma, and Tennessee. The Applicant has never been denied registration or certification and is in good standing with all states in which it operates.

- (16) **A description of how the applicant intends to market its services, its target market, whether the applicant engages in multilevel marketing, and copies of any company brochures used to assist in sale of the services;**

EarthGrid will market its service in a targeted fashion, focusing on telecommunications carriers and large enterprise customers with the need for the Applicant's services. Applicant will not implement any multi-level marketing and has not yet produced any materials for marketing its services.

- (17) **Federal tax identification number and South Dakota sales tax number; and**

EarthGrid Federal Tax Identification Number is 81-3940468. EarthGrid's South Dakota sales tax number will be obtained upon commencing services in South Dakota.

- (18) **The number and nature of complaints filed against the Applicant with any state or federal regulatory commission regarding the unauthorized switching of a Customer's telecommunications provider and the act of charging Customers for services that have not been ordered;**

EarthGrid has never had a complaint filed against it for the unauthorized switching of a customer's local exchange service.

- (19) **A written request for waiver of those rules believed to be inapplicable;**

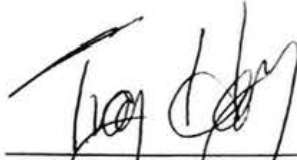
- (20) **Other information requested by the commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the interexchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws.**

Grant of this Application will further the public interest by expanding the availability to South Dakota business customers of technologically advanced telecommunications facilities and services. Most immediately, EarthGrid's presence in the market will afford these customers an additional choice of providers. The public will benefit directly through the use of the reliable, high-quality services offered by the Company. South Dakota customers will also benefit indirectly because the competitive quality of services offered by EarthGrid will challenge other telecommunications providers to operate more efficiently, offer more innovative services, set more competitive prices, and improve their overall quality of service. Ultimately, South Dakota customers will enjoy a measurably broadened selection of innovative, diversified, and reliable service offerings.

EarthGrid's operations will be overseen by a well-qualified management team with substantial telecommunications and technical expertise. Applicant will provide customers with high quality, cost effective, advanced technology and telecommunications services.

For the reasons stated above, EarthGrid respectfully submits that the public interest, convenience, and necessity would be furthered by grant of this Application for authority to provide resold and facilities-based local and interexchange telecommunications services.

WHEREFORE, on the basis of the information provided in the Application and Attachments EarthGrid PBC CORPORATION respectfully requests that the Commission grant this application, and such other relief as may be just and proper.



Troy Helming, Founder & CEO
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1150 Brickyard Cove Road, Suite 300
Richmond, CA 94801

Dated: 11-29-2023