

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

**IN THE MATTER OF THE APPLICATION OF)
IMON COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE) TC24-040
LOCAL EXCHANGE AND INTEREXCHANGE)
LONG DISTANCE SERVICE IN SOUTH DAKOTA)
)**

JOINT STIPULATION

The parties in the above captioned proceeding, the South Dakota Telecommunications Association (“SDTA”) and ImOn Communications, LLC (“ImOn”) (collectively, the “Parties”), through their respective counsel, submit this Joint Stipulation as a resolution of SDTA’s concerns related to the ImOn Application for a Certificate of Authority (the “COA Application”). Through execution of this document, each of the parties agrees:

1. ImOn filed a statewide COA Application with this Commission on October 4, 2024.
2. ImOn agrees that if the SD Public Utilities Commission grants it a Certificate of Authority (“COA”), the COA should be limited based upon the agreed upon terms listed in Paragraph 4 below.
3. SDTA agrees upon the Commission’s approval of this Stipulation, and incorporation of the terms listed in Paragraph 4 below into a Commission Order, that the basis for its intervention in the above-referenced dockets shall be deemed fully satisfied, and SDTA shall not oppose the ImOn COA Application.
4. The Parties agreed upon terms are as follows:
 - a. The COA, if granted by the Commission, should not permit ImOn or any of its affiliates (that have not first received a local exchange certification from the Commission) to provide any telephone exchange services or switched access services within Rural Telephone Company service areas. For purposes of this

Joint Stipulation, "Rural Telephone Company" shall be defined as in 47 U.S.C. §153(44)

- b. In the future, if ImOn intends to provide telephone exchange services or switched access services within any area served by a Rural Telephone Company, it must initiate a formal docket before the Commission to request certification. Pursuant to 47 U.S.C. § 253(f), the Commission may require a company to meet the requirements in 47 U.S.C. § 214(e)(1) before providing services in a Rural Telephone Company service area.
- c. The parties agree that if the Commission grants certification to ImOn according to these conditions, the exemptions, suspensions, and modifications for rural telephone companies found in 47 U.S.C. § 251(f) are not impacted.

AGREED AND STIPULATED to this 6 day of NOV, 2024

SD Telecommunications Association



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ImOn Communications, LLC

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