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

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**IN THE MATTER OF THE FILING OF  
TRUCONNECT COMMUNICATIONS,  
INC.'S PETITION FOR DESIGNATION  
AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER  
IN THE STATE OF SOUTH DAKOTA  
FOR THE LIMITED PURPOSE OF  
PROVIDING LIFELINE SERVICE TO  
QUALIFYING CUSTOMERS**

**Docket No. TC24-004**

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**TRUCONNECT COMMUNICATIONS, INC.'S RESPONSE TO  
SECOND DISCOVERY REQUESTS OF SOUTH DAKOTA  
TELECOMMUNICATIONS ASSOCIATION**

TruConnect Communications, Inc. (TruConnect or Company) provides the following response to the second discovery requests of the South Dakota Telecommunications Association issued on April 23, 2024.

Dated: May 23, 2024

## RESPONSE TO SECOND DISCOVERY REQUEST

**REQUEST 2-1:** For each Request, identify each person who assisted in the preparation of these responses or who provided information for the purpose of preparing these responses.

**Response**

*See Responses.*

**REQUEST 2-2:** Looking on page 13 of the TruConnect Petition for Designation:

- a. Has TruConnect established a network of “retail partners” in South Dakota?
- b. If so, name the partners.
- c. If not, please list retail partners utilized in other states that may serve as an example of the partnerships expected in South Dakota.
- d. What services does the retail partner provide? For example, does the retail partner enroll the customer, or simply sell a phone and provide contact information for TruConnect program enrollment?

**Respondent:** Danielle Perry

**Response**

TruConnect is in the process of establishing retail partners in South Dakota. In other states, TruConnect has established relationships with retail partners, including grocery stores located in areas where Lifeline-eligible consumers reside. The retail partners provide TruConnect with dedicated spaces that are staffed by enrollment representatives who can guide applicants through the enrollment process, sell phones, and provide information about TruConnect’s services.

**REQUEST 2-3:** Looking at page 12 and 13 of the TruConnect Petition for Designation:

- a. Has TruConnect established a relationship with or contacted any South Dakota “state and local service agencies?” If so, provide the agency name and contact information.
- b. Has TruConnect contacted or partnered with any nonprofit assistance organizations located in South Dakota? If so, provide the organization name and contact information.

**Respondent:** Danielle Perry

**Response**

TruConnect has not established a relationship with any South Dakota state and local service agencies or nonprofit assistance organizations located in South Dakota.

**REQUEST 2-4:** Is 4.5 GB of data sufficient and adequate to “close the homework gap” (See page 22 of Petition for Designation) or does TruConnect assume additional data will be purchased for this purpose?

**Respondent:** Alex Rasor

**Response**

Provision of 4.5 G.B is data, sanding alone is not sufficient to close the homework gap. However, when the Lifeline benefit is coupled with the Affordable Connectivity Program (ACP) benefit, TruConnect’s subscribers who are eligible for Lifeline and ACP receive unlimited data. Unfortunately, funding for the ACP has been depleted and the program will end May 31, 2024, unless Congress appropriates funding. As noted in TruConnect’s petition, mobile broadband service can serve as a “key bridge in closing the homework gap” but may not necessarily be the exclusive solution for closing the homework gap. To the extent a Lifeline subscriber determines that they need additional data in a given month, they have the option of purchasing data.

**REQUEST 2-5:** Does TruConnect provide any education to consumers to quantify what 4.5 GB of data means in usage terms?

**Respondent:** Alex Rasor

**Response**

TruConnect has materials specifically describing usage associated with 4.5 GB of data. TruConnect’s customers are provided this information when viewing plan offerings on the Company’s website at <https://www.truconnect.com/plans>.

**REQUEST 2-6: See page 22 of TruConnect Petition for Designation:**

- a. What about TruConnect makes it “unique?” And/or what is the basis for the use of “unique” in the Petition?**
- b. What is the basis for describing the TruConnect outreach as “innovative?”**
- c. What about the TruConnect enrollment process gives it “high integrity?”**

**Respondent:** Alex Rasor

**Response**

- a. There are several factors that make TruConnect unique to its subscribers. The Company provides a Lifeline service that exceeds the Federal Communications Commission (FCC) minimum service standards by providing a standard plan that includes unlimited voice and text messaging with 4.5 GB of mobile broadband data along with international calling, all at no cost to the customer. TruConnect also provides its customers with automatic alerts during the month when their data is getting low. Subscribers are able to download a free MyTC App so they can monitor their monthly usage and manage their account. Subscribers are able to easily purchase additional data and have access to an application that will offload their data usage to any available public Wi-Fi networks to improve their user experience. In addition, TruConnect operates its own call center staffed with trained employees to quickly respond to and address customer inquiries.

TruConnect addressed the “unique” advantages of its service because that is a factor the FCC assesses when determining whether grant of an ETC petition is in the public interest. *See, e.g., Virgin Mobile ETC Designation Order in the States of Alabama, Connecticut, Delaware, New Hampshire and the District of Columbia*, WC Docket 09-197, Order, 25 FCC Rcd 17797, 17799, para. 6 (WCB 2010) (“When making a public interest determination, the Commission

historically has considered the benefits of increased consumer choice and the unique advantages and disadvantages of the applicant's service offering.”).

- b. TruConnect's outreach is innovative due to the multiple methods used to reach Lifeline consumers. With over 15 years in the industry the Company has built custom messaging that reaches its consumers on multiple different online platforms. In addition, TruConnect can utilize in-person enrollment representatives to provide printed marketing material to potential Lifeline subscribers and uses lead generation affiliates to identify potential consumers who are eligible for Lifeline service.
- c. The TruConnect enrollment platform is a custom built, proprietary system that uses state of the art technology to connect with state and federal databases for ease of enrollment. In addition, to relying on the USAC managed systems, the National Verifier and the National Lifeline Accountability Database (NLAD), TruConnect has developed custom algorithms that verify each applicant's identity and check for intracompany duplicates in an attempt to further prevent waste, fraud and abuse.

**REQUEST 2-7: Follow-up to SDTA Discovery Request 1-7. Was any agent that facilitated TruConnect enrollments suspended or investigated due to improper actions related to a different company?**

**Respondent:** Alex Rasor

**Response**

TruConnect is not aware of any agent that facilitated TruConnect enrollments being suspended or investigated due to actions related to a different company.

TruConnect notes that it is not privy to any agent's improper actions related to different

companies. As required by FCC rules (47 C.F.R. § 54.406), TruConnect requires that enrollment representatives register with the Universal Service Administrative Company (USAC) before the enrollment representative can provide information directly or indirectly to the NLAD or the National Verifier. As part of the registration process, enrollment representatives must provide USAC with identifying information, which may include first and last name, date of birth, the last four digits of his or her social security number, email address, and residential address. Thus, USAC should be aware of whether it had suspended or investigated a particular enrollment representative while the representative was associated with a different company. TruConnect also monitors its enrollment representatives' daily activities and will investigate and terminate enrollment credentials due to improper actions.

**REQUEST 2-8: Follow-up to SDTA Discovery Request 1-6. For the year 2020 (the year before ACP started) (i) what quantity of data was provided with TruConnect Lifeline plans in the states where it had ETC designation and (ii) what percentage of TruConnect customers in those states purchased additional data?**

**Respondent:** Alex Rasor

**Response**

- (i) From January through November 2020, TruConnect's standard Lifeline offering included a plan with a 3 GB mobile broadband data. Commencing December 1, 2020, TruConnect's standard Lifeline offering included plans with 4.5 GB and 6 GB of mobile broadband data. Each plan offering met the FCC's minimum service standards for Lifeline in effect during the relevant time period.
- (ii) During 2020, TruConnect offered Lifeline service in California, New Jersey and Rhode Island. Less than 1 percent of subscribers in those three states purchased additional data during 2020.

**REQUEST 2-9: Explain how South Dakota TruConnect Lifeline customer wireless traffic will be prioritized on the underlying carrier networks?**

**Respondent:** Alex Rasor

**Response**

TruConnect's agreements with its underlying carriers provide TruConnect with access to their wireless network infrastructure. TruConnect is not aware of any underlying network prioritization policies.

**REQUEST 2-10: Will TruConnect South Dakota Lifeline customers experience slower service at any time due to underlying network prioritization policies? If so, explain when and where this can be expected.**

**Respondent:** Alex Rasor

**Response**

No, as stated in the above response, TruConnect is not aware of any underlying network prioritization policies.

**REQUEST 2-11: List and explain what environmental, traffic congestion, geographic or other factors can impact the quality wireless signal experienced by TruConnect customers. Explain how customers will be impacted.**

**Respondent:** Alex Rasor

**Response**

The Company's service is subject to network and transmission limitations, including cell site unavailability, particularly near cell site boundaries and in remote areas. Equipment, weather, topography and other environmental considerations also affect commercial mobile radio service (CMRS) and data service and the quality and signal strength of such CMRS and data service may vary significantly within buildings, or be dependent upon the location of equipment. In TruConnect's experience, the quality of service received by customers is rarely impacted by the foregoing factors.

**REQUEST 2-12: As a follow-up to Staff Data Request 1-22:**

- a. **Did Assurance create the map (found at the web address) with its own data? Or is this map created with data received from underlying carriers?**
- b. **Does the map shown at the web address reflect the underlying carrier wireless network propagation data? If not, what type of data was used to generate the map?**
- c. **Can TruConnect meet the requirements of ARSD 20:10:32:43.01 for all colored areas on the map found at the web address?**

**Respondent:** Alex Rasor

**Response**

TruConnect did not create the map found on its website. The map shown on the website reflects data received from TruConnect's underlying carriers. TruConnect is not aware of the type of data its underlying carriers use to develop their maps. ARSD 20:10:32:43.01 requires an applicant seeking designation as an ETC to commit to provide service throughout its proposed designated service area to customers making a reasonable request for service. As required by ARSD 20:10:32:43.01, TruConnect certifies that it will provide service on a timely basis to requesting customers within its proposed designated service area as depicted in the maps found on its website.

**REQUEST 2-13: Does the map found at the web address included in TruConnect's Answer to Staff Data Request 1-22 show the same coverage area as Exhibit 3 to the Petition for Designation?**

**Respondent:** Alex Rasor

**Response**

The map found at [www.truconnect.com](http://www.truconnect.com) represents the combined coverage area of the T-Mobile and Verizon Wireless maps provided as Exhibit 3 to TruConnect's ETC Petition.

**REQUEST 2-14: Is it TruConnect's position that cellular coverage area meets the requirements of ARSD 20:10:32:45?**



**Respondent:** Alex Rasor

**Response**

TruConnect’s cellular coverage is not required to meet the requirements of ARSD 20:10:32:45. ARSD 20:10:32:42 states, in part, “the commission may not find it to be in the public interest if the telecommunications company requesting such designation is not offering its services coextensive with the rural telephone company’s service area.” The Commission recently found the following regarding this rule: “However, the FCC has granted forbearance to this requirement for companies seeking Lifeline-only ETC designation in the area of a rural telephone company. Therefore, the Commission may find this designation to be in the public interest although the company will not offer its services coextensive with the rural telephone company’s service area.” *In the Matter of the Petition of Assurance Wireless USA, L.P. for Designation as an Eligible Telecommunications Carrier for the Purpose of Offering Lifeline Service to Qualifying Customers*, Docket NO. TC24-002, Order Approving Joint Stipulation; Order Granting Petition for Designation as an Eligible Telecommunications Carrier (May 15, 2024), at 2 (citing *In the Matter of Telecommunications Carriers Eligible for Support, Lifeline and Link Up Reform*, Memorandum Opinion and Order, WC Docket No. 11-42, FCC 13-44, ¶ 1 (April 15, 2013)). TruConnect, like Assurance Wireless, is not required to offer its services coextensive with the rural telephone company’s service area for its designation as an ETC to be in the public interest.