

Docket Number: TC24-011
Subject Matter: Supplemental Information to Responses to First Data Request
Request to: Ubiquity South Dakota, LLC (Ubiquity)
Request from: South Dakota Public Utilities Commission Staff
Date of Request: May 10, 2024
Initial Responses Due: May 24, 2024

- 1-2. Refer to Ubiquity's response to ARSD 20:10:32:03(12) and ARSD 20:10:24:02(9).
b. The application says the income statement and balance sheet are audited; however, the statements themselves say unaudited. Confirm these are unaudited and provided audited statements if available.

Response: Applicant stated in error that preliminary audited financials were being submitted with the application instead of unaudited financials. Generate-Ubiquity Holdings, LLC does not anticipate having audited financial statements available for several weeks and will supplement the Data Request with audited financial statements just as soon as available.

Supplemental Response: Audited financials are now available for 2023 and Ubiquity South Dakota is providing the audited consolidated financials for Generate-Ubiquity Holdings, LLC and Subsidiaries as Confidential Attachment 2-Supp.

Ubiquity South Dakota has reviewed the prior financial documents submitted and determined that the 2022 Balance Sheet and Income Statement submitted as Confidential Attachment 2 is the correct version. Attachment 1 included extraneous materials, including a balance sheet with incomplete figures that had not been updated and verified. Ubiquity South Dakota requests to withdraw all of the materials in Attachment 1 because they are incorrect and instead asks that the Commission accept the 2022 Balance Sheet and Income Statement in Confidential Attachment 2.

- 1-3. Refer to Ubiquity's response to ARSD 20:10:32:03(14) and ARSD 20:10:24:02(16). Provide a description on whether Ubiquity engages in multilevel marketing and copies of any company brochures used to assist in sale of services.

Response: Referring to Ubiquity's ARSD 20:10:32:03(14) and ARSD 20:10:24:02(16) response, Ubiquity does not engage in multilevel marketing and does not foresee engaging in multilevel marketing in the future.

Supplemental Response: Marketing Brochures: Ubiquity Nebraska intends to offer service only to other carriers and providers on a wholesale basis and therefore does not utilize brochures.

- 1-8. Refer to Ubiquity’s response to ARSD 20:10:32:03(24) and ARSD 20:10:24:02(17). Provide the written correspondence from the South Dakota Department of Revenue that states a sales tax number is not applicable for Ubiquity. If Ubiquity still believes this to be inapplicable, provide a written request for waiver as is required in ARSD 20:10:32:03(23) and ARSD 20:10:24:02(19).

Response: After additional discussions with the South Dakota Department of Revenue, it was determined that Sales Tax registration is needed and is in process. Applicant will supplement the Data Request as soon as the information is available.

Supplemental Response: Ubiquity South Dakota, LLC Sales/Use Tax license number is: 1041-3469-UT

Email Requests for Additional Information:

- a. **Network Diagram:** Please see Confidential Attachment 3 for Ubiquity South Dakota, LLC network diagram for demonstrating how services will be provided to our wholesale customers.