

**IN THE MATTER OF THE REQUEST OF  
CLARITY TELECOM, LLC d/b/a BLUEPEAK  
FIBER STUDY AREAS 391652 AND 399006  
FOR CERTIFICATION REGARDING ITS  
USE OF FEDERAL UNIVERSALSERVICE  
SUPPORT.**

Clarity Telecom, LLC d/b/a Bluepeak Fiber (the “Company”), by and through its attorney, makes this filing to seek certification from the South Dakota Public Utilities Commission (the “Commission”) to comply with the provisions of ARSD §§ 20:10:32:52 and 20:10:32:54 of the Commission’s rules pertaining to eligible telecommunications carriers (“ETCs”).

As part of its annual request to the Commission for certification, the Company provides the following information:

2. The provisions of ARSD § 20:10:32:54 addressing the annual “Certification requirements” adopted by this Commission require a progress report on any previously filed service quality improvement plan. Thus, the Company files as Confidential Exhibit A hereto its progress report. The provisions of ARSD § 20:10:32:54 in part ask for information on “how much universal service support was received” by the ETC. Accordingly, Confidential Exhibit A includes the Company’s federal universal service receipts and expenditures. This same Confidential Exhibit also shows total expenditures made by the Company in 2023 relating to the provision, maintenance and upgrading of facilities and services for which universal service support is intended under federal law. In addition, to the extent that the Company’s actual capital investments in 2024 differ from the 2024 planned investment information previously provided to this Commission, the differences are noted in Confidential Exhibit A. Finally, Confidential Exhibit A, per the provisions of ARSD § 20:10:32:54(2) includes additional information detailing progress made toward meeting 2024 service quality improvement plan targets, providing an explanation regarding any network improvement targets that were not met.

3. The Company also provides the Commission with a "two-year service quality improvement plan" as required by ARSD § 20:10:32:54(1) including planned expenditures for calendar years 2026 and 2027 relating to the provision, maintenance, and upgrading of facilities and services for which universal service support is intended. (See attached Confidential Exhibit B).

4. The Company is using federal high cost universal service support amounts thus far received in 2025 to meet the objectives identified in previously filed service quality improvement plans and will continue to do so with respect to universal service amounts received in 2026. This use of federal universal service support will enable the Company to: (A) maintain rates for its local exchange services that are affordable and reasonably comparable to rates being charged for the same services in urban areas; (B) upgrade its telecommunications facilities and equipment as necessary to meet evolving service requirements, including those related to broadband services; and (C) maintain high quality service. The use of federal high cost universal service support for these purposes is clearly consistent with the federal universal service provisions.

5. Also attached is Confidential Exhibit C, a document containing the certifications required under the provisions of ARSD §§ 20:10:32:54(6) and 20:10:32:54(7). Lastly, attached Exhibit D is the Affidavit of the Company's General Manager/CEO submitted to support the Company's request for certification.

6. Based on all the foregoing information, including all information provided within Confidential Exhibits A, B, and C and Exhibit D (all attached hereto), the Company requests that this Commission issue an appropriate certification to the FCC and USAC indicating that the Company is in compliance with 47 U.S.C. § 254(e) and should receive all federal high cost universal service support determined for distribution to the Company in 2026. In order to ensure that this certification is issued to the FCC prior to October 1, 2025, the Company would further ask the Commission to expedite this process, to the extent needed to meet such deadline.

Dated this 30 day of June, 2025.

Respectfully submitted,



Attorneys for Clarity Telecom, LLC d/b/a Bluepeak Fiber

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