

September 26, 2025

Leah Mohr, Executive Director  
South Dakota Public Utilities Commission  
Capitol Building, First Floor  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**Re: Response to South Dakota Public Utilities Commission Staff's First Set of Data Requests**

Dear Director Mohr,

On behalf of Clarity Telecom, LLC DBA as Bluepeak ("Bluepeak"), we provide this response to your staff's August 28, 2025 data request. Please do not hesitate to reach out with any further questions.

**1-1. Pursuant to ARSD 20:10:24:02(10), provide the toll-free number for customer service matters for Bluepeak BTS and Bluepeak ABS and provide a description of how the applicant handles customer service matters.**

Bluepeak's customer service phone number is 888-975-4258.

Bluepeak uses a state-of-the-art computer system and in-house training program to ensure high-quality customer service for each subscriber. We perform all customer service, technical service, billing, and payment processing ourselves, which allows us to quickly respond to each customer inquiry and efficiently dispatch repairs in a timely manner. Bluepeak's operational headquarters is in Sioux Falls, where we handle customer calls and respond to technical requests.

Bluepeak, via Bluepeak BTS Borrower, LLC ("Bluepeak BTS") and Bluepeak ABS Asset Entity I, LLC ("Bluepeak ABS"), will continue to provide the same high-quality customer service that it is known for. From the perspective of South Dakota residents, the *Pro Forma* Asset Transfer will be seamless, allowing customers to continue to access the same customer service offerings described above.

**1-2. Refer to ARSD 20:10:24:02 (16) and 20:10:32:02(14). Provide copies of any brochures Bluepeak BTS and Bluepeak ABS will use to assist in the sale of services.**

Bluepeak BTS and Bluepeak ABS will use the same materials as Bluepeak to assist in the sale of services. This information is available online at <https://mybluepeak.com/>. For added reference, please see **Exhibit A** for a sample brochure for prospective customers.

**1-3. Provide the South Dakota tax numbers for Bluepeak BTS and Bluepeak ABS. If unavailable, when does the applicant estimate it will receive its South Dakota sales tax number? (Note that the application is not considered complete until this is received.)**

Bluepeak will promptly submit the South Dakota tax numbers for Bluepeak BTS and Bluepeak ABS when they become available.

**1-4. Refer to ARSD 20:10:24:02(18), Application Pg 13, paragraph 20. Confirm no complaints have been filed against Bluepeak, BTS, or ABS with any state or federal commission regarding unauthorized switching or the act of charging customers for services that have not been**

**rendered. If a complaint has been filed, provide the number of complaints, the nature of the complaints, and the jurisdiction the complaints were logged.**

Neither Bluepeak, Bluepeak BTS, nor Bluepeak ABS have received any complaints from any federal or state commission related to unauthorized switching of a telecommunications provider or charges for services that have not been rendered.

**1-5. Pursuant to ARSD 20:10:24:02(8), 20:10:32:02(9), 20:10:32:43(3), provide a detailed service area map indicating, with particularity, the following information and clearly identifying applicable rural areas and study areas boundaries:**

**a) The geographic areas to be served by Bluepeak BTS**

Bluepeak BTS will initially serve the entirety of the geographic area of Bluepeak's ILEC territory, Study Area Code 391652, and portions of Bluepeak's CLEC service territory other than the areas to be served by Bluepeak ABS, as described and illustrated in the answer to Response #1-5(b) below. The full map of Bluepeak's service areas is submitted as Exhibit C in Bluepeak's original application.

**b) The geographic areas to be served by Bluepeak ABS**

Bluepeak ABS will initially serve portions of Bluepeak's CLEC service areas highlighted in red:



**c) The geographic areas for which ETC designation is sought for Bluepeak BTS.**

Bluepeak BTS seeks ETC designation throughout the entire geographic area for which Bluepeak currently holds an ETC designation.

**d) The geographic areas for which ETC designation is sought for Bluepeak ABS.**

Bluepeak ABS seeks ETC designation throughout the entire geographic area for which Bluepeak currently holds an ETC designation.

**1-6. Provide a key for the maps in Exhibit C and Exhibit E.**

Please see Exhibit B attached.

**1-7. Refer to ARSD 20:10:32:03(10) and Application page 10, paragraph 6. Provide the following information regarding Bluepeak BTS and Bluepeak ABS:**

- a) **A description of education and experience of management personnel overseeing the services;**

Please see Exhibit C attached.

- b) **Policies, personnel, or arrangements made by the Bluepeak BTS and Bluepeak ABS which demonstrate the BTS and ABS's ability to respond to customer complaints and inquiries promptly and to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirement.**

As described in the response to Request 1-1, Bluepeak, via Bluepeak BTS and Bluepeak ABS, will continue to use the same policies, personnel, and arrangements that have allowed us to promptly and effectively respond to customer inquiries and perform facility and equipment maintenance. Bluepeak has offered high-quality customer service for decades and consistently complied with all quality-of-service requirements. We are proud of our record in South Dakota, and we look forward to continuing to offer exceptional service to South Dakota homes and businesses.

**1-8. Refer to ARSD 20:10:32:03(11) and Application page 10, paragraph 11. Explain how Bluepeak presently provides customers with 911 or e911 access, operator services, directory services, relay services.**

Bluepeak partners with third-party provisioners—Momentum and Alianza—to work in conjunction with Bandwidth, which provides an emergency services call routing platform, to provide Enhanced 911 (“e911”) services in all its telephone exchanges.

Bluepeak itself does not own or manage any critical 911 circuits. Specifically, it does not have any 911 circuits or transport facilities between a selective router or the functional equivalent and a central office that serves a public safety answering point. Rather, partnerships with Bandwidth, Momentum, and Alianza allow Bluepeak to offer high-quality e911 services, consistent with state and federal law. Bluepeak also provides accessible options for all customers and remits to Relay South Dakota.

Bluepeak, via Bluepeak BTS and Bluepeak ABS, will continue to offer these same services, resulting in a seamless transition for South Dakota residents and emergency services providers.

**1-9. Provide a copy of the Bluepeak tariffs to be transferred to Bluepeak BTS.**

Bluepeak will promptly submit copies of all applicable tariffs when they become available.

**1-10. Provide a copy of the proposed tariffs Bluepeak ABS intends to implement.**

Bluepeak will promptly submit copies of all applicable tariffs when they become available.

**1-11. Pursuant to ARSD 20:10:24:02(15), provide a list of the states in which Bluepeak is registered or certified to provide telecommunications.**

Bluepeak, or one of its affiliates, is certified to provide telecommunications services in Minnesota and South Dakota. Bluepeak also provides video services and information services in South Dakota, Minnesota, North Dakota, Oklahoma, Texas, and Wyoming.

- 1-12. Has Bluepeak ever been denied registration or certification in any state? If yes, provide details of each instance including the reasons for denial, a statement as to whether Bluepeak is in good standing with that regulatory agency. If not in good standing, explain.**

Neither Bluepeak, Bluepeak's affiliates, nor Bluepeak's principals have been denied registration or certification for offering regulated services in any state.

- 1-13. Has Applicant, Applicant's affiliates, or Applicant's principals been subject to civil, criminal, or administrative action in connection with the provisioning of telecommunications services in any jurisdiction? If yes, provide details of each action and an explanation of the resolution.**

Neither Bluepeak, Bluepeak's affiliates, nor Bluepeak's principals have been subject to civil, criminal, or administrative action in connection with provisioning telecommunications service in any jurisdiction.

Respectfully,

/s/\_\_\_\_\_  
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