

Docket Number: TC25-037

Subject Matter: First Set of Data Requests

Request to: Ezee Fiber Texas, LLC (“Applicant” and “Ezee Fiber”)

Request from: South Dakota Public Utilities Commission Staff

Date of Request: 10/31/2025

Responses Due: 11/14/2025

Ezee Fiber Texas, LLC’s Responses to First Set of Data Requests

1. Per ARSD § 20:10:24:02(1) provide the Applicant’s facsimile number or state that the Applicant does not have one.

Applicant does not have a facsimile number.

2. Refer to Application page 6(9) Ezee Fiber states that “Applicant seeks authority to provide its services throughout the State of South Dakota.” Then on page 8-9(15) Applicant states “Ezee Fiber’s initial projects are not being proposed within rural telephone company territories, and Ezee Fiber will not seek to provide service with rural service areas without first complying with the relevant terms of § 20:10:32:15.” Then on page 11(23) Ezee Fiber states “Applicant will not be competing directly with rural telephone companies to provide end user local exchange services and requests waiver of the service obligations imposed pursuant to § 20:10:32:15.”

- Does the Applicant intent to serve the entire state of South Dakota which includes rural service areas?
- If so, the Applicant would be providing services in rural service areas, correct?
- Of the three statements made above by the Applicant which one is true, as they all cannot be?
- Does the Applicant intend to serve in rural service areas or to stay out of rural service areas?
- Please explain in detail how the Applicant intends to comply with ARSD § 20:10:32:15 while also requesting a waiver of ARSD § 20:10:32:15.

Applicant apologizes for the lack of clarity in the Application. Applicant intends to serve the State of South Dakota excluding the territories of rural companies. If Applicant at a later point seeks to serve the territory of a rural company, it will submit a separate application for authority.

3. Once the Applicant has answered the above questions, per ARSD § 20:10:24:02(8) and ARSD § 20:10:32:03(9) provide a service area map or narrative description indicating with particularity the geographic area proposed to be served by the Applicant.

Applicant proposes the below narrative description:

Applicant intends to serve the State of South Dakota excluding the territories of rural companies.

4. Per ARSD § 20:10:24:02(9) and ARSD § 20:10:32:03(10) provide the Applicant's 2024 financial statements as both ARSD § 20:10:24:02(9) and ARSD § 20:10:32:03(10) require the most recent 12-month period financial statements.

Please see Applicant's 2024 Audit Report, submitted with these Responses.

5. Per ARSD § 20:10:24:02(10) provide a description of how the Applicant handles customer service matters.

The Applicant provides a 24/7 toll free customer service number (833-920-5400) for its customers to ensure accessibility and prompt resolution. When performing construction and maintenance in the community, Applicant provides door hangers and flags that display our toll-free number, allowing callers to speak directly with a representative. Additionally, these hangers and flags feature an email address for contact. Finally, Applicant also maintains a "Contact Us" page on its website, which is connected to a managed inbox. Inquiries submitted through this page are routed to the appropriate parties for resolution.

6. Per ARSD § 20:10:24:02(12) and ARSD § 20:10:32:03(13) provide a description of the efforts the Applicant shall use to prevent the unauthorized switching of interexchange customers. Note: a vague statement that "Applicant will comply with all applicable federal and state anti-slamming laws and regulations to prevent the unauthorized switching of local service customers by Applicant, its employees, or agents." Is not a description of the efforts the Applicant uses to prevent unauthorized switching.

Applicant uses written or electronic Letters of Authorization to prevent unauthorized switching.

7. Per ARSD § 20:10:24:02(13) and ARSD § 20:10:32:03(14) provide information on how the Applicant will make available to any person information concerning the Applicant's current rates, terms, and conditions for all of its telecommunication services. For example, will the Applicant's current rates be on the Applicant's marketing communications, or on the Applicant's website? Or are they only given out upon request? Etc.

Applicant makes rates available for its services on its website and through individual-case basis contracts.

8. Per ARSD § 20:10:24:02(14) and ARSD § 20:10:32:03(15) provide information concerning how the Applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer. Provide standard contract terms on how the customer will be notified as well as any options other than the standard contract term the customer will have for notification.

Applicant will notify its customers of any materially adverse changes to the rates, terms, and/or conditions of their services by providing them with at least 30 days' notice in advance. This advance notice will either be sent in their monthly Invoice, through an email or if need be a physical mailing

9. Per ARSD § 20:10:24:02(16) and ARSD § 20:10:32:03(17) provide copies of any company brochures used to assist in the sale of services.

Applicant does not use brochures in the sale of regulated services.

10. Per ARSD § 20:10:32:03(6)(b) provide the date the Applicant is to provide service.

Applicant expects to begin service within 18 months of certification.

11. Per ARSD § 20:10:32:03(18) provide any policy, personal decision, or arrangement made by the Applicant, which demonstrates the Applicant'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. Note: statements made by the Applicant that the Applicant will comply does not sufficiently meet the requirement of information needed to analyze this application.

As described above in Response to Data Request Number 5, Applicant provides a 24/7 toll free customer service number (833-920-5400) for its customers to ensure accessibility and prompt resolution, as well as a "Contact Us" page on its website, which is connected to a managed inbox. Inquiries submitted through this page are routed to the appropriate parties for resolution.

12. As part of the Order that the Commission may issue in regards to this docket, there are conditions that are placed. The first is that the Applicant does not offer any prepaid services including prepaid calling cards. Please verify the Applicant will not be offering prepaid services including prepaid calling cards.

The second is that the Applicant does not accept or require any deposits or advance payments without prior approval of the Commission. Please verify that the Applicant will not be accepting or requiring any deposits or advance payments without the prior approval of the Commission.

Applicant verifies that it will not be offering prepaid services including prepaid calling cards. Applicant verifies that it will not be accepting or requiring any deposits or advance payments without the prior approval of the Commission