

Docket Number: TC26-001

PUBLIC DISCLOSURE VERSION

Subject Matter: Second Set of Data Requests

Request to: Grasshopper Group, LLC

Request from: South Dakota Public Utilities Commission Staff

Data of Request: April 14, 2026

Responses Due: May 4, 2026

Grasshopper Group, LLC (“Grasshopper” or “Applicant”), hereby responds to South Dakota Public Utilities Commission Staff’s Second Set of Data Requests as follows:

General Questions

- 1-1. Refer to the response to ARSD 20:10:24:02(9). Provide the most recent 12-month period, financial statements of the applicant including a balance sheet, income statement, and cash flow statement, which would be through the end of 2025 as required. Note you stated in DR1 that the financials will be ready 04/30/2026. Provide the most recent financials by 05/04/2026.

Response: Please see attached CONFIDENTIAL Attachment 1-1.

- 1-2. Would Grasshopper be willing not to take any advance payments or deposits on international calling, so that Grasshopper would not have to post a bond? Or would Grasshopper like to accept advance payments and be required to post a bond?

Response: South Dakota law grants the Commission “supervision and control of all telecommunications companies offering common carrier services within the state to the extent such business is not otherwise regulated by federal law or regulation.” SDCL § 49-31-3. Further, SDCL § 49-31-1(10) defines “Interexchange telecommunications service,” as “telecommunications service between points in two or more exchanges”, *i.e.*, telecommunications services within the State of South Dakota. The Communications Act of 1934, as amended, grants exclusive jurisdiction to the Federal Communications Commission (“FCC”) to regulate interstate and international telecommunications services. *See* 47 U.S.C. §§ 151-152. Accordingly, the Commission’s jurisdiction over telecommunications services in South Dakota is limited to intrastate services within or between exchanges and does not extend to interstate or international services.

Grasshopper holds a blanket domestic interstate license granted by the FCC by rule. *See* 47 C.F.R. § 63.01. Grasshopper also holds an international Section 214 license granted by the FCC to provide global resold telecommunications services. *See* File Number ITC-214-20090916-00417. Grasshopper’s interstate and international services are regulated by federal law and FCC regulations. Therefore, Grasshopper’s advance payment for international services is outside the jurisdiction of the Commission.

If the Commission nonetheless requires Grasshopper to obtain a bond as a condition of approving Grasshopper’s application, Grasshopper will provide an appropriate performance bond.

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CONFIDENTIAL Attachment 1-1