



BERESFORD MUNICIPAL TELEPHONE COMPANY

101 N. THIRD STREET • BERESFORD, SD 57004-1796

Phone (605) 763-2008 • **FAX** (605) 763-7112

E-mail phone @ bmtc.net • **URL** <http://www.bmtc.net>

October 10, 2017

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington DC 20554

Re: Reply Comment on Rate-of-Return Study Areas with Potentially 100 Percent Overlapped by Unsubsidized Competitors

Dear Ms. Dortch,

On August 11, 2017, the Federal Communications Commission (Commission) released a Public Notice in which the Wireline Competition Bureau (Bureau) published a list of study areas potentially subject to the 100 percent overlap rule. The Commission seeks comment on whether the competitors in the study area codes (SACs) listed are offering voice and broadband to 100 percent of locations in the relevant census blocks meeting the requirements in 47 CFR § 54.319(a). The Commission has defined an unsubsidized competitor as "a facilities-based provider of residential fixed voice and broadband service that does not receive high-cost support."

Using Form 477 data from June 30, 2016, the Commission identified 13 rate-of-return study areas listed as potentially 100% overlapped by an unsubsidized competitor or combination of unsubsidized competitors. In the list, the Bureau listed Beresford Municipal Telephone Company (Beresford), SAC 391649 as one such area and identified Jefferson Communications, LLC (Jefferson) and Skybeam Acquisition Corporation (Skybeam), as a competitive providers. Based upon the attached letter from Jefferson Communications, LLC, evidence that Beresford has regarding line of sight issues and limitations of the service provided by Skybeam, and the absence of any conformation provided to the Commission from Skybeam that it is offering fixed broadband and voice service to all locations within Beresford study area, we declare that our study area is not 100% overlapped by unsubsidized competitors.

On August 23 2017, Jefferson submitted a letter to Beresford to inform us that it does not provide broadband service to subscribers in Beresford and therefore refutes the results of the Bureau's preliminary analysis. In addition, Beresford has information provided to us by subscribers which lead to a conclusion that Skybeam is unable to serve all subscribers in Beresford's study area given that Skybeam's technology, terrestrial fixed wireless, has line-of-site limitations. As an example, Skybeam informed a subscriber who had inquired about Skybeam's service that it would not be able to serve locations in Beresford due to the number of trees.

Based upon the information provided, Beresford refutes the Bureau's preliminary finding of 100% competitive overlap in the Beresford's study area.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Hansen", is written over a horizontal line.

Todd Hansen
General Manager



August 23, 2017

To Whom it May Concern:

On August 11, 2017, the Federal Communications Commission (Commission) released a Public Notice in which the Wireline Competition Bureau (Bureau) published a list of study areas potentially subject to the 100 percent overlap rule. The Commission seeks comment on whether the competitors in the study area codes (SACs) listed are offering voice and broadband to 100 percent of locations in the relevant census blocks meeting the requirements in 47 CFR § 54.319(a). The Commission has defined an unsubsidized competitor as "a facilities-based provider of residential fixed voice and broadband service that does not receive high-cost support."

Using Form 477 data from June 30, 2016, the Commission identified 13 rate-of-return study areas listed as potentially 100% overlapped by an unsubsidized competitor or combination of unsubsidized competitors. In the list, the Bureau listed Beresford Municipal, SAC 391649 as one such area and identified Jefferson Communications, LLC as a competitive provider.

This letter is to inform the Bureau that Jefferson Communications, LLC (Jefferson), a subsidiary of Long Lines Ltd., does not offer fixed broadband and voice service in accordance with the Commission's service obligations for universal service to all locations within the Beresford SAC referenced in the Public Notice. Although Jefferson provides a portion of an Ethernet circuit between locations, one location being in Beresford South Dakota, Jefferson does not provide the last mile of such circuit to the subscriber in Beresford. Jefferson does not offer broadband service to any other subscriber within the Beresford SAC. Jefferson therefore refutes the results of the Commission's preliminary analysis.

Sincerely,

Paul Bergmann
Chief Operating Officer
Long Lines, Ltd.