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May 30th, 2019

**Via ECFS**

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

**Re: WC Docket Nos. 10-90, DA 19-372**  
**Notice of *Ex Parte***

Dear Ms. Dortch:

Northern Valley Communications, LLC (“Northern Valley” or the “Company”) has reviewed the competitive overlap data associated with offers of the latest version of the Alternative Connect America Cost Model (“A-CAM II”)<sup>1</sup> and found that the A-CAM II incorrectly shows Northern Valley as providing competitive service in study areas served by adjacent rate-of-return carriers. Specifically, Northern Valley does not provide voice service as an unsubsidized competitor in the study areas served by incumbent local exchange carriers (“ILECs”), Interstate Telecommunications Cooperative, Inc. (SAC 391654) and Venture Communications Cooperative (SAC 391680).

Northern Valley provides voice service in South Dakota but currently only does so within the Aberdeen and Redfield exchanges where Century Link is the incumbent provider. Permission to provide service within the “service area of a rural telephone company,” as defined by South Dakota law, currently requires a hearing before the South Dakota Public Utilities Commission (SDPUC) and either a commitment to meet eligible telecommunications carrier service requirements or a waiver of those requirements. *See* ARSD 20:10:32:15. Northern Valley has never applied for or received permission from the SDPUC to provide service in territories served by Interstate Telecommunications or Venture Communications. Likewise, offering voice service in these areas would require the establishment and approval of interconnection agreements. Again, Northern Valley does not have such agreements in place at this time.

The inaccuracies in the competitive overlap data regarding the latest A-CAM II offer could be remedied by the inclusion of voice deployment information on Form 477 filings. Northern Valley’s currently filed Form 477 information relating to voice is limited to voice subscription data per Commission rules, and Northern Valley knows of no method for correcting the competitive

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<sup>1</sup> *See*, Wireline Competition Bureau Announces Alternative Connect America Cost Model II Support Amounts Offered to Rate-of-Return Carriers to Expand Rural Broadband, Public Notice, WC Docket No. 10-90, DA 19-372 (rel. May 2, 2019) (“Public Notice”).



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overlap issue regarding voice deployment. It should be noted however that the voice subscription data filed by Northern Valley on its Form 477 indicates no voice subscriptions in the ILEC areas of SAC's 391654 or 391680.

Northern Valley understands that unlike the offers for A-CAM I, there is no "challenge" mechanism for the Bureau to accept revised Form 477 data; however, the Company observes that in the context of the 2019 Broadband Deployment Report ("Report"), the Bureau made revisions to the report after it had already been submitted to the FCC Chairman due to a discovery that the Report contained overstated broadband deployment data<sup>2</sup> and believes that a similar process could be used in this case. Similar to what occurred with the Report, the Bureau by virtue of this letter, is now aware that A-CAM II contains nonexistent voice deployment data which unnecessarily reduces support in areas served by two ILECs. Accordingly, it is in the public interest for the Bureau to make appropriate adjustments to A-CAM II to take into account the revised data submitted by Northern Valley and release revised A-CAM II offers to these two companies.

Respectfully Submitted,

A handwritten signature in black ink that reads 'James Groft'.

James Groft, CEO  
Northern Valley Communications, LLC

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<sup>2</sup> See, Revised Draft Broadband Deployment Report Continues to Show America's Digital Divide Narrowing Substantially, FCC New Release (rel, May 1, 2019).

