

**Benton Foundation**

CC: 96-45  
[Redacted]

RECEIVED  
AUG 20 1997  
FEDERAL BUREAU OF INVESTIGATION  
OFFICE OF THE SECRETARY

**ANDREW BLAU**  
**Director, Communications Policy & Practice**

**OFFICERS AND DIRECTORS**

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Communications Policy  
**ANDREW BLAU**

Media Production  
**DAVID WEINER**

Andrew Blau directs the Benton Foundation's program in Communications Policy and Practice, a public interest effort to shape the emerging communications environment through policy analysis and research combined with outreach and education targeted to nonprofit and community groups.

Current emphases of his work include extending universal service and access in the digital age; the future of public service in the new media environment; the implications of new networking tools for civic participation and public dialogue; the roles of states as laboratories for policy development; and the ways in which noncommercial applications and services are being developed through new telecommunications and information tools

He was the principal organizer of the Public Interest Summit, the first national meeting to bring together leaders from nonprofits, foundations, and the Clinton Administration to discuss public interest policies in communications. Before joining Benton in 1993, Mr. Blau worked with such public interest groups as the Electronic Frontier Foundation, the Alliance for Community Media, and the United Church of Christ on a range of issues including Internet policy, the break up of the Bell system, public television, broadcast licensing, and cable regulation. He also researched the public policy implications of advanced network evolution, as well as the mass media and telecommunications infrastructures throughout Eastern Europe and the former Soviet Union, while on the staff of Columbia University's Institute for Tele-Information (CITI).

He has testified before Congress about the role of nonprofits in the information age, and frequently speaks before nonprofits, foundations, and government officials about telecommunications policy and technology. He is the Vice-Chair/Chair-elect of the Urban Libraries Council and an advisor to Microsoft's "Libraries Online!" initiative to bring networked computers to public libraries. He is also a member of the Chairman's Advisory Group on Education and Technology at the National Endowment for the Humanities. He has been a lecturer in the communications department at Fordham University, and his articles have appeared in U.S., British, and German publications.



# TEXAS EDUCATION AGENCY

1701 NORTH CONGRESS AVENUE ★ AUSTIN, TEXAS 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838

MIKE MOSES  
COMMISSIONER OF EDUCATION



RECEIVED

AUG 20 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

August 16, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street NW, Room 814  
Washington, DC 20554

Dear Chairman Hundt:

On behalf of the Texas Education Agency, I strongly endorse the nomination of Dr. Brian Talbott to the Universal Service Administrative Company's (USAC) Board of Directors. Dr. Talbott's combination of technical skills and his many positive impacts on public education make him an outstanding candidate for the USAC board. I am confident that he will prove to be a great asset.

The State of Texas is particularly interested in this nomination because of our commitment to statewide technology initiatives in the public schools. The development of regulations and procedures regarding the E-rate discounts for schools and libraries is one step in ensuring the successful integration of technology in the classroom in a meaningful and effective fashion. There is no one better than Dr. Talbott to provide input on these policy decisions.

Again, on behalf of the students and educators of our state, we recommend Dr. Brian Talbott's nomination. If I can provide any further information, please contact me at (512) 463-9461.

Sincerely,

Joe N. Neely  
Deputy Commissioner for Finance and Accountability



# TEXAS EDUCATION AGENCY

1701 NORTH CONGRESS AVENUE ★ AUSTIN, TEXAS 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838

MIKE MESES  
COMMISSIONER OF EDUCATION

**Office of the Deputy Commissioner for  
Finance and Accountability  
512/463-9451  
FAX: 512/475-3640**

DATE: 8/14/97

TO: Reed Hundt, Chairman  
Federal Communications Commission  
\_\_\_\_\_  
\_\_\_\_\_

FAX NUMBER: 202/418-2801

FROM: Joe N. Neely

NUMBER OF PAGES (including cover sheet): 2

COMMENTS: \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Please call Gene Alba @ 512/463-9451 if you have any questions regarding this fax.

CC 96-45

# California County Superintendents Educational Services Association

San Joaquin County Office of Education • PO Box 213030 • Stockton, CA 95213-9030 • (209) 468-4802 • FAX (209) 468-4975



CGSESA

### Board of Directors

**President**  
Dr. Fredrick A. Wentworth  
San Joaquin County

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El Dorado County

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San Bernardino County

### Region Chairs

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Sonoma County

**Northeastern (2)**  
Dr. Charles Menolieri  
Shasta County

**RIMS (10)**  
Dr. Dale Holmes  
Riverside County

**South Bay (5)**  
Dr. Colleen Wilcox  
Santa Clara County

**Southern (9)**  
Dr. Rudy M. Castruita  
San Diego County

**Los Angeles (11)**  
Dr. Donald Ingwersen  
Los Angeles County

### Legislative Chair

Mr. William D. Barr  
Monterey County

### Steering Committee Chairs

**Business & Administration**  
Mr. Jerry J. Kurr  
Riverside County

**Curriculum & Instruction**  
Dr. Cecilia Massetti  
Madison County

**Finance**  
Mr. William J. McDonald  
Yuba County

**Student Programs & Services**  
Dr. Susan A. Stark  
Riverside County

August 15, 1997

Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street NW, Room 814  
Washington, DC 20554

Dear Chairman Hundt:

California county superintendents of schools are strongly committed to bringing telecommunications to the state's classrooms. For the last four years, a task force has been pursuing a plan to create a telecommunications backbone to electronically link the county offices of education and then the school districts and the school sites. Through this electronic highway, California schools will be able to access the internet and to share information.

It is essential to the development of an effective system that all of the states pupils have access to the telecommunications system. With many remote or sparsely populated areas of the state, the challenge is insure that all schools sites are included in the system.

California county superintendents provide an intermediate service function for the more than 1,000 school districts in the state, and we are acutely aware of how much fiscal and staff support is required to bring the telecommunication resources to all schools in the state. Because of our direct knowledge of the challenges of providing educational telecommunications in a diverse environment, we know that policy decisions must be based on direct understanding of the issues schools face in implementing telecommunications plans. An essential issue is access to and the cost of using the telephone system to link all school sites.

We believe that it is essential that the Commission appoint persons to serve on the Board of Directors of the Universal Service Administrative Company (USAC) who have demonstrated experience in bringing educational technology to multiple school sites spread over many jurisdictional boundaries. The appointees also should demonstrate an ability to work with education representatives from different states and from urban, suburban, and rural settings.

Dr. Brian L. Talbott of Spokane, Washington has been suggested to the Commissioners as a candidate for appointment to the Board of Directors. The California county superintendents of schools strongly endorse the nomination of Dr. Talbott for that position.

Dr. Talbott was instrumental in designing and implementing a telecommunications system for distance learning in eastern Washington, and he has served on numerous telecommunication planning committees nationally and in other states. Because of his active participation in national professional associations over many years, he is widely known to education colleagues throughout the nation. He is highly respected for his knowledge and experience in education policy and particularly for his expertise in telecommunications.



RECEIVED  
AUG 20 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE CLERK

On behalf of the California county superintendents, we strongly recommend and endorse the candidacy of Brian Talbott for appointment to the USAC Board of Directors.

Sincerely,



Fredrick A. Wentworth, President  
California County Superintendents Educational Services Association

c: Delaine Eastin, California Superintendent of Public Instruction

CC: 96-45



UNITED STATES  
TELEPHONE  
ASSOCIATION

U S T A  
100  
Years



August 15, 1997

RECEIVED  
AUG 20 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Reed Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Universal Service Administration Company  
Board of Directors Nomination  
CC Docket Nos. 97-21 and 96-45

Dear Chairman Hundt:

Pursuant to the procedures set forth in the Commission's Report and Order and Second Order on Reconsideration in the referenced proceedings, the incumbent local exchange carriers ("ILECs") having annual operating revenues in excess of \$40 million excluding the BOCs and GTE hereby nominate Kevin G. Hess to represent them as a director of the Universal Service Administration Company ("USAC"). Mr. Hess is Vice President of TDS TELECOM, one of the ILECs represented by this group. Biographical information on Mr. Hess is attached.

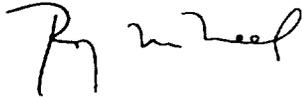
The nomination of Kevin Hess represents a consensus of the ILECs in this category. All but two of the companies included in this category are members of the United States Telephone Association Mid-Size Company Committee. Because of the Commission's directive for parties to reach a consensus on their nominee to the USAC Board, the USTA Mid-Size Company Committee initiated a discussion among its members and the two non-members, Sprint and Commonwealth Telephone. A process was agreed upon whereby individual company nominations would be submitted and balloting would take place with each company having one vote. Both Sprint and Commonwealth Telephone participated in those discussions and the process. It was unanimously agreed that the USTA Mid-Size Company Department would be the appropriate forum for administrating this process and obtaining consensus.

Four nominations were received and one was later withdrawn. Twenty-four of the 28 companies in this category submitted ballots. After discussing the results of the balloting process, the companies have reached a consensus that the nominee receiving the most votes, Kevin Hess, should be forwarded to you as the group's nominee.

Honorable Reed Hundt  
August 15, 1997  
Page 2

Should you have any questions about the process that was followed or the nomination, please do not hesitate to contact me or John Hunter at 326-7375.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy M. Neel". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

Roy M. Neel

cc: William F. Caton  
Acting Secretary

**Kevin G. Hess**  
Vice-President - Federal Affairs  
TDS TELECOM  
301 S. Westfield Road  
Madison, WI 53717  
(608) 845-4160

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## CAREER SUMMARY

Vice-President of a mid-size Independent Local Exchange Carrier operating 105 primarily rural companies in 28 states. Has served the local exchange carrier industry for twenty-one years, with experience in state and federal regulatory and legislative matters, access and settlements, and public accounting.

## EXPERIENCE

### TDS TELECOM

**Vice-President - Federal Affairs**

January 1997- Present

Responsible for research and development of company policy on regulatory and legislative issues. Promote company policy by working closely with industry organizations, meeting with regulatory bodies and members of Congress, testifying before Congressional committees and state public service commissions, and preparing comments for FCC and state regulatory proceedings. Build and maintain external industry contacts. Increase economic development opportunities for rural communities.

**Director - Government & Regulatory Affairs**

1993 - 1996

**Director - Access & Settlements**

1991 - 1993

**Manager - State Regulatory Affairs**

1984 - 1990

### KIESLING ASSOCIATES

1976 - 1984

Provided audit, accounting and tax services to independent local exchange carriers. Assisted clients in the preparation and presentation of rate exhibits and testimony before state public service commissions.

## EDUCATION

University of Tennessee - Knoxville, MBA

1996

University of Wisconsin - Madison, BBA - Accounting

1976

Certified Public Accountant (CPA) - State of Wisconsin

1979

## ASSOCIATIONS/COMMITTEES

United States Telephone Association

- Regulatory Issues Advisory Committee (member)
- Government Relations Committee (member)
- Mid-Size Company Committee (participant)

Aspen Institute

- Forum on Communications and Society (participant)

**Kevin G. Hess**  
Vice-President - Federal Affairs  
TDS TELECOM  
301 S. Westfield Road  
Madison, WI 53717  
(608) 845-4160

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- Forum on Communications and Society (participant)

**Kevin G. Hess**  
Vice-President - Federal Affairs  
TDS TELECOM  
301 S. Westfield Road  
Madison, WI 53717  
(608) 845-4160

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Aspen Institute

- Forum on Communications and Society (participant)

**Ohio Community Computing Center Network**

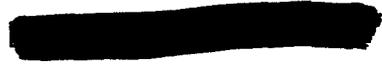
P.O. Box 82231  
Columbus, Ohio 43202  
Phone/Fax (614) 263-6587  
Email: carwilli@ctcnet.org

CC: 96-45

August 13, 1997

RECEIVED  
AUG 20 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street N.W.  
Washington D.C. 20554



Dear Chairman Hundt:

The Ohio Community Computing Center Network (OCCCN) nominates Ellis Jacobs of the Legal Aid Society of Dayton, Ohio to the Universal Service Administrative Company as a director representing the interests of low-income consumers.

As the chairman of the OCCCN, as well as one of its founding members, Mr. Jacobs has shown himself to be a diligent leader, activist, and eloquent spokesperson both in Ohio and nationally in promoting the public interest as computers and telecommunications technologies are advanced. Mr. Jacobs' contributions in this realm are having very practical effects -- his work is directly resulting in the opening of 14 community computing centers around Ohio. Each center focuses on narrowing the gap between technology haves and have-nots.

Mr. Jacobs' work has centered on ensuring equal access to computers and telecommunications technologies for people with low-incomes. As the attorney representing the Edgemont Neighborhood Coalition, Mr. Jacobs was a key negotiator in crafting a settlement between Ameritech Ohio and consumer groups in 1994 as Ameritech went before the Public Utilities Commission of Ohio (PUCO) in an alternative rate regulation case. His innovative approach in seeking funding for community computing resulted in a number of public interest commitments by Ameritech, including \$2.2 million to open 14 community computing centers in low-income neighborhoods around the state. This was the first time in the United States that a case before a public utilities commission resulted in funding of community computing in low-income neighborhoods.

It was following these negotiations between Ameritech and the consumer groups that the OCCCN was formed in order to oversee the process of establishing the 14 centers, and Mr. Jacobs has served as board chairman of the OCCCN since its inception. The results of Mr. Jacobs' work with OCCCN, Ameritech and the PUCO are impressive. To date, 11 of the 14 community computing centers have opened and the remaining three are expected to open this fall. These centers are located libraries, community centers, churches, schools and social service agencies.

**Ohio Community Computing Center Network**

P.O. Box 82231  
Columbus, Ohio 43202  
Phone/Fax (614) 263-6587  
Email: carwilli@ctcnet.org

Thousands of people who otherwise would not have access to technology have been served in these programs since the first center opened in January 1996. Mr. Jacobs' extensive experience in promoting the public interest as it relates to technology access, as well as the practical effects of his work, make him an excellent candidate to represent the interests of low-income consumers. I thank you for your consideration.

Sincerely,



Cary Williams  
Coordinator

cc: FCC Office of the Secretary

ELLIS JACOBS  
Legal Aid Society of Dayton  
333 West First Street, Suite 500  
Dayton, Ohio 45402  
Phone: (937) 228-8088  
Fax: (937) 449-8131

BAR ADMISSIONS: Admitted to Ohio and Federal Bars, November 1981

PROFESSIONAL ORGANIZATIONS: Dayton Bar Association  
American Bar Association

EDUCATION: University of Dayton School of Law - Dayton, Ohio  
J.D. Degree, June 1981  
Capital University, UWW - Columbus, Ohio  
B.A. 1978

PROFESSIONAL EXPERIENCE: LEGAL AID SOCIETY OF DAYTON, INC.  
Dayton, Ohio  
Litigation Director/Chief Counsel/Attorney  
(May 1987 - present)  
Supervise all attorneys on staff. Counsel and co-counsel cases which present difficult or novel issues. Focus on telecommunication and environmental cases.

CITY OF DAYTON  
Dayton, Ohio  
Civil Referee  
(September 1985 - May 1987)  
Presided over the city's landlord/tenant court, heard a variety of other cases referred by municipal judges.

MONTGOMERY COUNTY PUBLIC DEFENDERS OFFICE  
Dayton, Ohio  
Senior Appellate Attorney  
(November 1983 - September 1985)  
Appeals, habeas corpus, supervision of law student interns.

MONTGOMERY COUNTY PUBLIC DEFENDERS OFFICE  
Dayton, Ohio  
Trial Attorney  
(November 1981 - November 1983)  
Representation of indigent criminal defendants: felonies and misdemeanors; jury and court trials.

MONTGOMERY COUNTY FAIR HOUSING CENTER  
Dayton, Ohio  
Attorney/ Law Clerk  
(May 1981 - November 1981)  
Civil rights litigation, landlord/tenant law.

RELEVANT  
EXPERIENCE:

TELEPHONE AND TECHNOLOGY ACCESS PROJECT  
Director  
(January 1995 - Present)  
Provides public interest advocacy for the low income community on telecommunications issues.

OHIO COMMUNITY COMPUTING CENTER NETWORK  
Chair  
(January 1995 - Present)  
As mandated by the Public Utilities Commission of Ohio (PUCO), administers funding for and provides support to computer centers in low income communities, including 14 centers funded as the result of a settlement in the Ameritech Alternative Regulation case.

UNIVERSAL SERVICE ASSISTANCE ADVISORY  
COMMITTEE  
Chair  
(May 1996 - Present)  
As mandated by the PUCO, oversees the implementation of the low income lifeline program in the Ameritech-Ohio service territory.

THE DAYTON TELECOMMUNICATIONS ROUNDTABLE  
Chair

(May 1996 - Present)

The Roundtable brings together representatives of schools, libraries, local government, and social service agencies to analyze the changing telecommunications environment and strategize about how to capture the benefits for the Dayton area.

EDGEMONT NEIGHBORHOOD COALITION

Counsel

(February 1993 - Present)

Edgemont is an organization in a low income African-American community in Dayton, Ohio. Intervened and actively participated on their behalf in a wide range of telecommunication cases and dockets including:

- The Federal Communication Commission and Joint Board Universal Service proceedings.
- The Public Utilities Commission of Ohio (PUCO) local competition guidelines docket.
- The PUCO minimum telephone service standards docket.
- The PUCO disconnection rule docket.
- Ameritech-Ohio Alternative Regulation case.
- Local telephone certification proceedings for fifteen new entrant companies in Ohio.

SELECTED  
PUBLICATIONS:

Ellis Jacobs, "Expanding Low-Income Communities' Access to Telecommunications Technology", Clearinghouse Review, Vol. 29, Number 3, July 1995.

SELECTED  
PRESENTATIONS:

"Public Education and the 1996 Telecommunications Act", Greater Miami Valley Educational Technology Council, Dayton, Ohio, April, 1997.

“Advancing the Public Interest before State Utility Commissions”,  
Community Technology Centers’ Network, Boston,  
Massachusetts, June, 1996.

“Lessons from the World of Telecommunications”, National  
Consumer Law Center, Washington, D.C., February, 1996.

“Networking and Collaborating to Level the Playing Field”, Ohio  
Partners for Affordable Energy, Columbus, Ohio, January, 1996.

“National and Local Telecommunications Agendas: Advancing the  
Public Interest in a Changing Environment”, Center for  
Neighborhood Technology, Chicago, Illinois, November, 1995.

“Low Income Telecommunications Advocacy”, Utility Law  
Training, Committee on Regional Training, Columbus, Ohio,  
October, 1994.



# Community Technology Centers' Network

August 19, 1997

Cary Williams, Coordinator  
Ohio Community Computing Center Network (OCCCN)  
P.O. Box 8231  
Columbus, Ohio 43202

Dear Cary,

We are very excited to learn of the OCCCN nomination of Ellis Jacobs to be on the FCC's Board of Directors for the Universal Service Administrative Company, and we want to offer our support and encouragement for his appointment.

Ellis's work in telecommunications policy on behalf of the public interest and low income communities has been truly extraordinary. Not only has his leadership been instrumental in fashioning the Ameritech settlement which lead to the establishment of the OCCCN — he has clearly played a major role for all of CTCNet and our nearly 250 low-income agency affiliates across the country in bringing home the message about the importance of telecommunications policy in general and universal service in particular. As a lawyer trained and comfortable with the legalities involved and the sphere of discourse in which they are usually addressed, he has been able to articulate the needs of those ordinarily disenfranchised from the benefits of new technology. As an eloquent public speaker and writer, he has been able to translate what is happening in the public policy arenas so that the issues can best most clearly seen by broader, general public and low-income communities. His presentations before CTCNet conferences and in our publications gives clear indications of his talents and abilities in this regard.

We believe Ellis's appointment will give a serious voice to those ordinarily not consulted, we look forward to helping spread word of his involvement.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Peter Miller', written over a circular stamp or seal.

Peter Miller  
Network Director

CC: 96-45

1731 CONNECTICUT AVENUE, NORTHWEST  
WASHINGTON, D.C. 20009-1146  
TELEPHONE: (202) 234-8494  
FAX: (202) 234-8584

OMB WATCH

August 12, 1997

Mr. Reed Hundt, Chairman  
c/o Office of the Secretary  
Federal Communications Commission  
1919 M Street N.W. Room 222  
Washington, DC 20554

RECEIVED  
AUG 20 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY



Dear Chairman Hundt,

I am writing on behalf of OMB Watch to support the nomination of Ellis Jacobs of the Legal Aid Society of Dayton, Ohio for the Universal Service Administrative Company to represent low-income consumer interests.

Mr. Jacobs is uniquely qualified to serve in this capacity. He is the litigation director and chief counsel for the Legal Aid Society of Dayton, Inc., and has served in this capacity for over ten years. In this position, he has focused on telecommunications cases. He also has served as counsel for the Edgemont Neighborhood Coalition since 1993.

In his capacity as counsel for the Edgemont Neighborhood Coalition (an organization in a low-income African-American community in Dayton, Ohio), Mr. Jacobs has intervened and actively participated on its behalf in a wide range of telecommunications cases and dockets. These have included: the FCC and Joint Board Universal Service proceedings; the Public Utilities Commission of Ohio (PUCO) local competition guidelines docket; the PUCO minimum telephone services standards docket; the PUCO disconnection rule docket; and local telephone certification proceedings for fifteen new entrant companies in Ohio. Additionally, he was a key negotiator in crafting a settlement between Ameritech Ohio and consumer groups in 1994 in an Ameritech-Ohio alternative regulation case before the PUCO. This settlement provided \$2.2 million to open 14 community computing centers in low-income neighborhoods around Ohio — the first such funding settlement in the United States. This settlement also provided several millions of dollars for Ohio schools.

OMB Watch has been engaged in promoting the use of computers and telecommunications by community-based nonprofits since 1989, and we have worked with Mr. Jacobs in a variety of capacities since 1994. He has been an important source of information and insight for us and our colleagues both in Ohio and on the national level.

Finally, for over a year, Mr. Jacobs has chaired the Dayton Telecommunications Roundtable which brings together representatives of schools, libraries, local government, and social service agencies to analyze the changing telecommunications environment and jointly strategize ways to capture the opportunities created for Dayton communities.

Jacobs' Support Letter  
OMB Watch  
Page 2 of 2

Mr. Jacobs, thus, not only is fully and deeply conversant with telecommunications law and regulations, but also deeply familiar with the needs of and constraints upon low-income and low-income minority communities. He has worked with regulators, local governments, community-based nonprofits and community information and access providers and understands the dynamics of these different parties in the universal service and access area. Indeed, Mr. Jacobs has become a recognized spokesman for the public interest in telecommunications technologies for community development and for low-income advocacy in telecommunications policy.

Thank you for your consideration.

Sincerely,

Patrice McDermott  
Information and Communications Policy Analyst



**Dakota Telecommunications Group**  
29705 453<sup>rd</sup> Avenue, PO Box 66  
Irene, South Dakota 57037-0066  
Phone: 605-263-3301  
Fax: 605-263-3844

CC: 96-45

RECEIVED  
AUG 20 1997  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

August 15, 1997

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Dear Secretary Caton:

Please accept this letter of support for the nomination of Timothy A. Dupic for a position on the Universal Service Administrative Company Board of Directors.

I serve as the President and CEO of Dakota Telecommunications Group, Inc. ("DTG") of Irene, South Dakota. DTG serves over 6,000 local exchange customers in southeastern South Dakota.

Mr. Dupic came to DTG in the January of 1996. DTG traces its history of providing independent local exchange carrier services in South Dakota as far back as 1903. DTG is building a fiber network to connect all exchanges to one centralized switching center and provide distance learning to 12 school sites including the University of South Dakota. Mr. Dupic, DTG's Vice President of Operations, provides the leadership qualities necessary to guide the company through new growth.

Mr. Dupic is an excellent candidate for the position and will bring to the Board the necessary telecommunication knowledge, skills and background to be an effective and contributing Board member.

Sincerely,

Thomas W. Hertz  
President/Chief Executive Officer

Enclosures

**TIMOTHY A.G. DUPIC**

112 Lookout Trail  
Mission Hill, SD 57046  
Home Phone (605) 668-9581  
Business Phone (605)-263-3301

**SUMMARY OF QUALIFICATIONS:**

- Extensive managerial and technical experience in various aspects of telecommunications, electric, gas, and water regulatory industries covering accounting, finance, rate case, docket management, auditing, methods and procedures and industry relations functions
- Effective and successful in representing various companies at State associations, training sessions, forums, professional groups and State Public Utility Commissions
- Successfully achieve corporate goals in cost effective way
- Consistently recognized as team player in performance with peers
- Combined work experience concentrating primarily on rate case evaluations with the Utilities Commissions of South Dakota and Iowa
- Productive teaching experience at the college and university level
- Masters of Business Administration from University of South Dakota

**EMPLOYMENT EXPERIENCE:**

1996 to Present **DAKOTA TELECOMMUNICATIONS GROUP, INC.**

Vice President of Operations and Corporate Secretary

Responsible for the management of the administrative operations, human resources and information systems of the corporation as well as the company's five subsidiary operations.

1983 TO 1995 **NATIONAL EXCHANGE CARRIERS ASSOC. [NECA]**

Manager - Member Services [1995 ]

Responsible for state specific activities involving NECA and cost and average schedule exchange carriers. Ensure FCC rules and NECA procedural compliance and accuracy of settlement data, cost studies, access billing, average schedule data, revenue information, universal service fund, network usage data and rate development forecasts. Responsible for the provision of high-quality customer service and maintaining excellent relationships with Exchange Carriers, consultants and communications industry.

Director - North Central Region [1990 to 1995]

Responsible for overall management and accountability for results of five-state regional office, including exchange carrier settlements, universal service fund, revenue requirements, review, collection, validation and approval of member company data. Delivered superior customer service; maintained business relationships with member companies, consultants, state regulators and other industry stakeholders.

Manager - Cost Information Systems [1988 to 1990]

Responsible for the accuracy and development of nationwide revenue requirement by access element utilized in access tariff filing activities. Oversaw development integrity of forecasting systems used to develop pool revenue requirement for 1200 carriers. Responsible for specifications, quality assurance programs and implementing changes and documentation of data and systems in support of tariff filings. Developed and implemented data collection systems utilized by rates and cost to support tariff filings. Interpreted impact of FCC Dockets and Rule changes.

#### **EMPLOYMENT EXPERIENCE [Continued]:**

1983 to 1995 NATIONAL EXCHANGE CARRIER ASSOC. [NECA]  
Manager, Access Review Methods - Cost Companies [1985 to 1988]  
Manager, Access Review Methods Average Schedule Companies [1985]  
Manager, Settlement Forecast and Analysis [1984 to 1985]  
Manager, Financial Reports and Analysis [1983 to 1984]

1979 to 1983 IOWA STATE COMMERCE COMMISSION  
Utility Specialist

1976 to 1979 SOUTH DAKOTA PUBLIC UTILITIES COMMISSION  
Utility Analyst

#### **TEACHING EXPERIENCE:**

- 1980 TO 1983 DES MOINES AREA COMMUNITY COLLEGE  
Instructor in the Business Department  
Taught Principles of Accounting, Consumer Economics and Business.
- 1981 to 1982 DRAKE UNIVERSITY  
Instructor in the Business Department  
Taught Federal Income Taxes and Principles of Accounting.
- 1980 DES MOINES PUBLIC SCHOOLS  
Instructor in the Department of Community and Adult Education  
Taught Bookkeeping for Small Businesses and Federal/State Income Tax Preparation.

#### **EDUCATION, SEMINARS, WORKSHOPS AND TRAINING SESIONS:**

- Master of Business Administration - M.B.A., University of South Dakota, Graduated in 1980, Vermillion, South Dakota
- Bachelor of Science Degree in Business Administration, Majoring in Accounting, University of South Dakota, Graduated in 1976
- Completed various regulatory, management courses, conferences, symposiums and seminars, various technical accounting and financial courses, Mastering Your Time, Achieving Extraordinary Customer Relations, Dale Carnegie Human Relationship Course, Effective Interviewing, various Lotus and WordPerfect software courses, Dynamics of Leadership, Managing a Diverse Workforce, Human Relations Skills for Team Management, The Write Start, EAP Supervisory Training, Everybody has a Customer, Performance Management and Quality Facilitator Training

#### **HONORS, AWARDS AND ACCOMPLISHMENTS:**

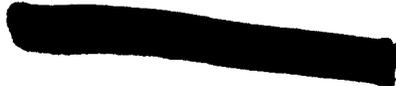
- Outstanding Contribution Award toward implementation of New Settlement Recovery Methodology
- Successful team member, leader and dedicated worker under deadlines
- Productive professional; able to meet and exceed company goals
- Communicate with customers, personnel and diverse professionals
- Maintain productivity when working in a complex business environment
- Plan, develop and implement appropriate and productive procedures

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## **BIOGRAPHY**

**Thomas W. Hertz**  
29801 County Road 11  
Menno, South Dakota 57045-7221  
Phone: 605-387-5696

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### **Education**

Graduate of Menno High School (1964), South Dakota School of Mines and Technology (1968, B.S. in Metallurgical Engineering) and University of South Dakota Law School (1977, J.D. - Law).

### **Experience**

Student, well-driller, farm hand, draftsman, lab assistant, miner and truck driver, in South Dakota, Oregon, Minnesota, Michigan and Iowa (1960-1968); civilian Nuclear Engineer/Project Engineer, U.S. Navy, Bremerton, Washington (1968-1974); nuclear metallurgy Ph. D. program, Iowa State University, Ames, Iowa (1974-1975); practicing attorney, *ULMER, HERTZ & BERTSCH, P.C.*, Menno, South Dakota (1977-1995); Chief Executive Officer and General Manager, Dakota Telecommunications Group, Inc. (1995-present).

## **Thomas W. Hertz**

Ulmer, Hertz & Bertsch, P.C.  
219 South 5th Street, P.O. Box 535  
Menno, South Dakota 57045-0535  
Phone 605/387-5658 FAX 605-387-2322

*Objective: General Manager of Dakota Cooperative Telecommunications, Inc.*

## **Personal and Family**

Born March 7, 1946, Viborg, South Dakota  
Married (25+ years, Mary Saylor Hertz), two children (Sara & Elizabeth)  
Member, Grace Lutheran Church, Menno, South Dakota

## **Professional Experience**

January 1978 to Present

Ulmer, Hertz & Bertsch, P.C.  
Menno, South Dakota  
*Managing Attorney, with primary practice in the area of cooperative and regulatory law, secondary practice in corporate and tax law, estate planning, and general practice*

July 1968 to July 1974

Puget Sound Naval Shipyard  
Bremerton, Washington  
*Nuclear Engineer, Project Engineer, coordinating overhaul of nuclear submarines and nuclear-powered surface ships.*

## **Other Work Experience**

June 1960 to June 1968

general farm labor, southeastern South Dakota  
well driller, Menno, South Dakota  
Chicken & turkey ranch labor, Beaverton, Oregon  
lab technician, Rapid City, South Dakota  
civil draftsman, City of Rapid City, South Dakota  
engineering assistant, taconite plant, Beaver Bay, Minnesota  
engineering assistant, iron mine, Ispeming, Michigan

## **Education**

1975 to 1977

University of South Dakota - Law School  
Vermillion, South Dakota  
J.D. (law)

1974 to 1975

Iowa State University  
Ames, Iowa  
one year as graduate student in PhD program in Nuclear Metallurgy

1964 to 1968

South Dakota School of Mines & Technology  
Rapid City, South Dakota  
B.S. Metallurgical Engineering.

## **Representative Clients**

**Dakota Cooperative Telecommunications, Inc.**  
*Irens, South Dakota*  
General Counsel

**Turner Hutchinson Electric Cooperative, Inc.**  
*Marion, South Dakota*  
General Counsel

**Baltic Telecom Cooperative**  
*Baltic, South Dakota*  
Regulatory and litigation matters

**Interstate Telecommunications Cooperative**  
*Clear Lake, South Dakota*  
regulatory and litigation matters

**Farmers Union Oil Co.**  
*Menno, South Dakota*  
General Counsel

**FREMAR Farmers Cooperative**  
*Marion, South Dakota*  
Merger, General Counsel

**Broin Enterprises, Broin & Associates (ethanol plants, design, operation and construction)**  
*Scotland, South Dakota and Sioux Falls, South Dakota*  
South Dakota General Counsel