

SEP 27 2002

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September 6, 2002

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street SW, Room TW-B204  
Washington, DC 20554

RE: USF Certification FCC Docket No. 96-45

Dear Ms. Salas:

Enclosed for filing in FCC Docket No. 96-45 is an Affidavit certifying that all universal service support will only be used by the undersigned carrier for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

The undersigned carrier has also filed this Affidavit with the North Dakota Public Service Commission, and it is anticipated that the North Dakota Public Service Commission will also certify by October 1, 2002, that the undersigned carrier will only use said universal service support for its intended purpose. However, because of the importance of this issue, and the fast-approaching certification deadline of October 1, 2002, the undersigned carrier is also providing certification directly to the Federal Commissions Commission to ensure that the undersigned carrier continues to receive the universal service support for which it is eligible.

Sincerely

A handwritten signature in black ink, appearing to read "Jerome Tishmack", written over a horizontal line.

Jerome Tishmack,  
CEO/General Manager

IT smb  
Enc.  
CC Irene Flannery, VP USAC

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BEFORE THE NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-439-02-441  
AND BEFORE THE FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45

AFFIDAVIT OF BEK COMMUNICATIONS COOPERATIVE REGARDING  
CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota        )  
  ) ss.  
County of Kidder            )

Jerome Tishmack, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

1. Affiant is employed by BEK Communications Cooperative (hereinafter, the "Company"), in the position of Manager.

2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.

3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.

4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Orders of the NDPSC dated August 28, 2001, in Case No. PU-439-01-460 and dated August 28, 2002, in Case No. PU-439-02-441. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2003, and for all quarters thereafter.

5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2003 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice grade access to the

public switched network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this        day of September, 2002.

BEK COMMUNICATIONS COOPERATIVE

By *Jerome Tishmack*  
Jerome Tishmack  
Its: Manager

State of North Dakota     )  
  ) ss.  
County of Kidder         )

On this 6 day of September, 2002, before me, a Notary Public in and for said County and State, personally appeared JEROME TISHMACK, known to me to be the Manager of BEK COMMUNICATIONS COOPERATIVE, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

*Jerome L. Renner*  
Jerome L. Renner, Notary Public  
For the State of North Dakota  
My commission expires: MAY 19, 2008