



Your business
is our business.

REDACTED – FOR PUBLIC INSPECTION

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Greenbelt, Maryland 20770
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October 10, 2013

By Hand Delivery

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

**Re: WC Docket No. 10-90, WC Docket No. 11-42
2013 ETC Annual Report of United Telephone Mutual Aid Corp. & Turtle
Mountain Communications
Study Area Code 381636**

Dear Ms. Dortch:

On behalf of United Telephone Mutual Aid Corp. & Turtle Mountain Communications “United & Turtle Mountain”, JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission’s rules.¹ United & Turtle Mountain seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.² The redacted version is also being filed this date via the FCC’s Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

¹ 47 C.F.R. §§ 54.313, 54.422.

² *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

FCC Form 481 - Carrier Annual Reporting Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	381636
<015> Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020> Program Year	2014
<030> Contact Name: Person USAC should contact with questions about this data	Perry Oster
<035> Contact Telephone Number: Number of the person identified in data line <030>	7012565156
<039> Contact Email Address: Email of the person identified in data line <030>	poster@utma.com

ANNUAL REPORTING FOR ALL CARRIERS	54.313 Completion Required	54.422 Completion Required
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<i>(check box when complete)</i>		
<100> Service Quality Improvement Reporting	<i>(complete attached worksheet)</i>	<input type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<200> Outage Reporting (voice)	<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<210> <input checked="" type="checkbox"/> <-- check box if no outages to report		
<300> Unfulfilled Service Requests (voice)	<input type="text" value="0"/>	<input checked="" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<310> Detail on Attempts (voice)	<input type="text"/>	<input style="background-color: #cccccc;" type="checkbox"/>
<320> Unfulfilled Service Requests (broadband)	<input type="text"/>	<input style="background-color: #cccccc;" type="checkbox"/>
<330> Detail on Attempts (broadband)	<input type="text"/>	<input style="background-color: #cccccc;" type="checkbox"/>
<400> Number of Complaints per 1,000 customers (voice)		<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<410> Fixed	<input type="text" value="0.0"/>	
<420> Mobile	<input type="text"/>	
<430> Number of Complaints per 1,000 customers (broadband)		<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<440> Fixed	<input type="text"/>	
<450> Mobile	<input type="text"/>	
<500> Service Quality Standards & Consumer Protection Rules Compliance	<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<510> <input type="text" value="381636nd510"/>	<i>(attached descriptive document)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<600> Functionality in Emergency Situations	<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<610> <input type="text" value="381636nd610"/>	<i>(attached descriptive document)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<700> Company Price Offerings (voice)	<i>(complete attached worksheet)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<710> Company Price Offerings (broadband)	<i>(complete attached worksheet)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<800> Operating Companies and Affiliates	<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<900> Tribal Land Offerings (Y/N)? <input checked="" type="radio"/> <input type="radio"/>	<i>(if yes, complete attached worksheet)</i>	<input checked="" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<1000> Voice Services Rate Comparability	<i>(check to indicate certification)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<1010> <input type="text"/>	<i>(attach descriptive document)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<1100> Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/>	<i>(if not, check to indicate certification)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<1110>	<i>(complete attached worksheet)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<1200> Terms and Condition for Lifeline Customers	<i>(complete attached worksheet)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input checked="" type="checkbox"/>

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000>	<i>(check to indicate certification)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<2005>	<i>(complete attached worksheet)</i>	<input style="background-color: #cccccc;" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

<3000>	<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>
<3005>	<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/> <input style="background-color: #cccccc;" type="checkbox"/>

(100) Service Quality Improvement Reporting Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	381636
<015> Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Perry Oster
<035> Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039> Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

<110> Has your company received its ETC certification from the FCC?	(yes / no) <input type="radio"/> <input checked="" type="radio"/>
If your answer to Line <110> is yes, do you have an existing §54.202(a) "5 year plan" filed with the FCC?	(yes / no) <input type="radio"/> <input type="radio"/>

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

- <113> Maps detailing progress towards meeting plan targets
- <114> Report how much universal service (USF) support was received
- <115> How (USF) was used to improve service quality
- <116> How (USF) was used to improve service coverage
- <117> How (USF) was used to improve service capacity
- <118> Provide an explanation of network improvement targets not met in the prior calendar year.

(900) Tribal Lands Reporting Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	381636
<015>	Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Perry Oster
<035>	Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039>	Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

<910> Tribal Land(s) on which ETC Serves Turtle Mountain Band of Chippewa Indians

<920> Tribal Government Engagement Obligation

381636nd920

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes, No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

Select (Yes, No, NA)
Yes
Yes

(1100) No Terrestrial Backhaul Reporting Data Collection Form	FCC Form 481
	OMB Control No. 3060-0986/OMB Control No. 3060-0819
	July 2013

<010>	Study Area Code	381636
<015>	Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Perry Oster
<035>	Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039>	Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G)

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)

(1200) Terms and Condition for Lifeline Customers Lifeline Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	381636
<015>	Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Perry Oster
<035>	Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039>	Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans Name of attached document (.pdf)

<1220> Link to Public Website HTTP <http://www.utma.com/resources/lifeline.php>

“Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

- <1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers,
- <1222> Details on the number of minutes provided as part of the plan,
- <1223> Additional charges for toll calls, and rates for each such plan.

(2000) Price Cap Carrier Additional Documentation

FCC Form 481

Data Collection Form

OMB Control No. 3060-0986/OMB Control No. 3060-0819

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

July 2013

<010>	Study Area Code	381636
<015>	Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Perry Oster
<035>	Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039>	Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting

<2010> 2nd Year Certification {47 CFR § 54.313(b)(1)}

<2011> 3rd Year Certification {47 CFR § 54.313(b)(2)}

Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}

<2012> 2013 Frozen Support Certification

<2013> 2014 Frozen Support Certification

<2014> 2015 Frozen Support Certification

<2015> 2016 and future Frozen Support Certification

Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}

<2016> Certification Support Used to Build Broadband

Connect America Phase II Reporting {47 CFR § 54.313(e)}

<2017> 3rd year Broadband Service Certification

<2018> 5th year Broadband Service Certification

<2019> Interim Progress Certification

<2020> Please check the box to confirm that the attached PDF , on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.

<2021> Interim Progress Community Anchor Institutions Name of Attached Document Listing Required Information _____

(3000) Rate Of Return Carrier Additional Documentation	FCC Form 481
Data Collection Form	OMB Control No. 3060-0986/OMB Control No. 3060-0819
	July 2013

<010> Study Area Code	381636	
<015> Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.	
<020> Program Year	2014	
<030> Contact Name - Person USAC should contact regarding this data	Perry Oster	
<035> Contact Telephone Number - Number of person identified in data line <030>	7012565156	
<039> Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com	

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

Progress Report on 5 Year Plan

(3010) Milestone Certification {47 CFR § 54.313(f)(1)(i)} Please check this box to confirm that the attached PDF , on line 3012, contains the required information pursuant to § 54.313 (f)(1)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.	Name of Attached Document Listing Required Information	<input type="checkbox"/>
(3012) Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)} (3013) Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)} (3014) If yes, does your company file the RUS annual report Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires: (3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers) (3016) PDF of Balance Sheet, Income Statement and Statement of Cash Flows	Name of Attached Document Listing Required Information	<input checked="" type="checkbox"/> (Yes/No) <input checked="" type="checkbox"/> (Yes/No) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation (3018) If the response is no on line 3014, Is your company audited? If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains :	Name of Attached Document Listing Required Information	381636nd3017 <input type="checkbox"/> (Yes/No)
(3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications (3020) PDF of Balance Sheet, Income Statement and Statement of Cash Flows (3021) Management letter issued by the independent certified public accountant that performed the company's financial audit.	Name of Attached Document Listing Required Information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(3022) If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, (3023) Underlying information subjected to a review by an independent certified public accountant (3024) Underlying information subjected to an officer certification.	Name of Attached Document Listing Required Information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(3025) PDF of Balance Sheet, Income Statement and Statement of Cash Flows (3026) Attach the worksheet listing required information	Name of Attached Document Listing Required Information	<input type="checkbox"/> <input type="checkbox"/>

Certification - Reporting Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	381636
<015> Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Perry Oster
<035> Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039> Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier:	
Signature of Authorized Officer:	Date
Printed name of Authorized Officer:	
Title or position of Authorized Officer:	
Telephone number of Authorized Officer:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	381636
<015>	Study Area Name	UNITED TELEPHONE MUTUAL AID CORP.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Perry Oster
<035>	Contact Telephone Number - Number of person identified in data line <030>	7012565156
<039>	Contact Email Address - Email Address of person identified in data line <030>	poster@utma.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I certify that (Name of Agent) <u>Perry Oster</u> is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent:	<u>Perry Oster</u>
Name of Reporting Carrier:	<u>UNITED TELEPHONE MUTUAL AID CORP.</u>
Signature of Authorized Officer:	<u>CERTIFIED ONLINE</u> Date: <u>10/10/2013</u>
Printed name of Authorized Officer:	<u>Perry Oster</u>
Title or position of Authorized Officer:	<u>Secretary-Treasurer</u>
Telephone number of Authorized Officer:	<u>701 256-5156</u>
Study Area Code of Reporting Carrier:	<u>381636</u> Filing Due Date for this form: <u>10/15/2013</u>
<small>Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.</small>	

TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier:	<u>UNITED TELEPHONE MUTUAL AID CORP.</u>
Name of Authorized Agent or Employee of Agent:	<u>John Staurulakis, Inc</u>
Signature of Authorized Agent or Employee of Agent:	<u>CERTIFIED ONLINE</u> Date: <u>10/10/2013</u>
Printed name of Authorized Agent or Employee of Agent:	<u>Cassandra Heyne</u>
Title or position of Authorized Agent or Employee of Agent:	<u>Senior Analyst</u>
Telephone number of Authorized Agent or Employee of Agent:	<u>3014597590</u>
Study Area Code of Reporting Carrier:	<u>381636</u> Filing Due Date for this form: <u>10/15/2013</u>
<small>Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.</small>	

Attachments

1. Demonstration of Compliance with Applicable Service Quality Standards and Consumer Protection Rules:

In establishing this certification in its *2005 ETC Order*,¹ the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”² The FCC found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.³ In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”⁴

United Telephone Mutual Aid Corporation (“Company”) hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under federal law and, to a limited extent under North Dakota state law as a telecommunications carrier subject to North Dakota Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to North Dakota Administrative Code Article 69, including customer requests for lowest price

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

² *Id.* at para. 28.

³ *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

⁴ *Id.* at n. 72.

service alternatives (69-09-05-01), discontinuance of telecommunications services (69-09-05-02), deposits and guarantees (69-09-05-03); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

1. Demonstration of Compliance with Applicable Service Quality Standards and Consumer Protection Rules:

In establishing this certification in its *2005 ETC Order*,¹ the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”² The FCC found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.³ In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”⁴

Turtle Mountain Communications, Inc. (“Company”) hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under federal law and, to a limited extent under North Dakota state law as a telecommunications carrier subject to North Dakota Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to North Dakota Administrative Code Article 69, including customer requests for lowest price

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

² *Id.* at para. 28.

³ *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

⁴ *Id.* at n. 72.

service alternatives (69-09-05-01), discontinuance of telecommunications services (69-09-05-02), deposits and guarantees (69-09-05-03); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

1. Ability to Function in Emergency Situations

United Telephone Mutual Aid Corporation hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2)¹ and North Dakota Administrative Code 69-09-05-12. The Company's network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. The Company's central office can maintain 7 hours, plus or minus 20 percent, of battery reserve rated for peak traffic load requirements, and a permanent auxiliary power unit is installed and a mobile power source is available which can be delivered and connected within four hours. The Company has battery backup at all office locations and in its electronic equipment sites capable of running for a minimum of 7 hours, plus or minus 20 percent. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all

¹ Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

Central Office locations. They will continue to run as long as the Company has access to fuel. The Company tests the batteries at least once per year.

1. Ability to Function in Emergency Situations

Turtle Mountain Communications, Inc. hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2)¹ and North Dakota Administrative Code 69-09-05-12. The Company's network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. The Company's central office can maintain 7 hours, plus or minus 20 percent, of battery reserve rated for peak traffic load requirements, and a permanent auxiliary power unit is installed and a mobile power source is available which can be delivered and connected within four hours. The Company has battery backup at all office locations and in its electronic equipment sites capable of running for a minimum of 7 hours, plus or minus 20 percent. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all

¹ Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

Central Office locations. They will continue to run as long as the Company has access to fuel. The Company tests the batteries at least once per year.

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands

Section 1: Certification of Officer

Section 54.313(a)(9) of the rules of the Federal Communications Commission (“FCC”) requires United Telephone Mutual Aid Corporation/Turtle Mountain Communications Inc. (“The Company”) 381636 to provide documents and information regarding discussions that The Company had with Tribal governments located within The Company’s service area. The Company certifies that it followed the guidance outlined in the FCC’s July 19, 2012 Public Notice¹ wherein the FCC issued guidance on the Tribal government engagement obligation provisions of the Connect America Fund.

I, Perry Oster, am an officer of United Telephone Mutual Aid Corporation/Turtle Mountain Communications Inc., and hereby certify that The Company is in compliance with the FCC’s Tribal engagement requirements, and the statements made in this report are accurate:

Name of Officer (Print): Perry Oster

Title: Secretary-Treasurer

Signature:  _____

Date: 12-18-12

¹ See Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Government Engagement Obligation Provisions of the Connect America Fund, Public Notice, DA 12-1165, WC Docket Nos. 10-90 et al. (July 19, 2012) (“Further Guidance”)

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands

Section 2: Company and Tribal Information

The Company is a state-designated ETC serving Tribally-owned lands in North Dakota. The Tribally-owned lands are in Belcourt in Rolette County and belong to the Turtle Mountain Band of Chippewa Indians. The Company serves approximately 72 square miles and has a population of 5,815.

As of December 31, 2012, The Company does provide voice telephone service to 100% of the population in this Tribally-owned area. The Company does provide broadband service to 90% of this population.

The Company initiated the engagement process outlined in the *Further Guidance* in 2012. The Company first contacted Tribal leaders on August 31, 2012 about the Tribal engagement process. The following employee(s) participated in the Tribal engagement:

Name:	<u>Dennis Hansel</u>	Name:	<u>Ross Feil</u>
Title:	<u>Assistant General Manager</u>	Title:	<u>Facility Manager</u>

The Company successfully contacted the following individual:

Name:	<u>Merle St. Clair</u>
Title:	<u>Chairman</u>
Tribal Affiliation:	<u>Turtle Mountain Band of Chippewa</u>
Address:	<u>Hwy 5 West</u>
	<u>Belcourt, ND 58316</u>
Email Address:	<u></u>
Telephone Number:	<u>701.477.2600</u>

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands

Section 3: 54.313(a)(9)(i) A Needs Assessment and Deployment Planning

The Company is in contact with the different Tribal Officials and Agencies throughout the year to make sure their communications needs are being met.

The Company had a face to face meeting with the Tribal Leader and the Tribal Council to discuss their communication needs on the Turtle Mountain Reservation. At the outcome of that meeting the Tribal Council passed a resolution allowing The Company to place fiber to the members of the Turtle Mountain Reservation to improve their services.

The Company has placed fiber to many of the anchor agencies on the Reservation prior to 2012 including the Tribal Headquarters, Turtle Mountain Community College, Ojibwa Indian School, Belcourt School, Indian Health Services, Tribal Transportation Services, Radio Station and Sky Dancer Casino.

The Company has also worked with the Sky Dancer Casino in order to meet their communications needs for their new facility with 200 extensions and additional broadband services.

Section 4: 54.313(a)(9)(ii) Feasibility and Sustainability Planning

The Company has placed fiber to the cell tower sites serving the Turtle Mountain Reservation.

The Company worked with the Tribal Department of Transportation on road moves and construction at BIA 4 and BIA 7, in order to ensure that services would not be interrupted during the construction by relocating our facilities at no cost.

The Company employees work with the Department of Housing almost on a daily basis to accommodate moves and promoting Tribal Life Line.

Section 5: 54.313(a)(9)(iii) Marketing Services in a Culturally Sensitive Manner

The Company utilizes the Tribal radio station KEYA for advertising on the Turtle Mountain Reservation.

The Company also advertises in the Turtle Mountain Times which is the local paper in Belcourt on the Turtle Mountain Reservation.

The Company also worked with the Tribe co-sponsoring an event for veterans which includes medical exams along with other services.

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands

Section 6: 54.313(a)(9)(iv) Rights of Way Processes, Land Use Permitting, Facilities Siting, Environmental and Cultural Preservation Review Processes

The Company works with the Turtle Mountain Tribe, Bureau of Indian Affairs and the State of North Dakota Historical Society.

Section 7: 54.313(a)(9)(v) Compliance with Tribal Business Licensing Requirements

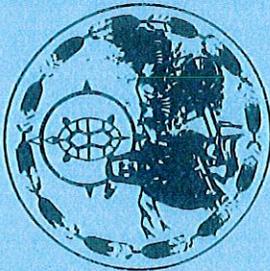
The Company purchases business licenses from the Turtle Mountain Band of Chippewa. We also purchase fire protection on the Turtle Mountain Reservation from the Belcourt Fire Department.

Section 8: Contact Summary

Please list all contact the Company had with the Tribal government below.

Date	Contact Type (In-person, phone, email, etc.)	Employee Contact	Tribal Contact	Successful Attempt? (Yes/No)
Various	In-person	Dennis Hansel	Allen Malaterre	Yes
Various	In-person	Dennis Hansel	Robert Morin	Yes
Various	In-person	Dennis Hansel	Ron Trottier Jr.	Yes
November 7, 2012	Phone	Ross Feil	Dennis DeCoteau	Yes

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
P. O. BOX 900
HWY. 5, CAP BUILDING
BELCOURT, N. D. 58316



BUSINESS LICENSE

United Telephone Mutual Aid Corp _____ has been granted a Business License to operate
411 7th Ave., PO Box 729, Langdon, ND 58249
a telephone communications _____ business within the Jurisdiction of the Tribe.

This License expires _____ June 25 _____, 20 13 _____



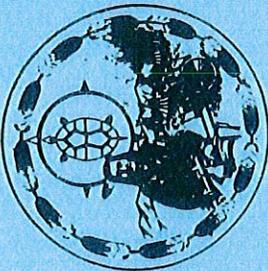
Geraldine Larson
Geraldine Larson, License Compliance Officer

May 14, 2012 _____
Date: _____

Note: Licenses is not transferable and is subject to ordinances in force at the time of issuing thereof or which may be subsequently passed by the Tribal Council.

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

**P.O. BOX 900
HWY. 5, CAP BUILDING
BELLCOURT, N. D. 58316**



BUSINESS LICENSE

Turtle Mountain Communications has been granted a Business License to operate
PO Box 729, Langdon, ND 58249
a telephone communications business within the jurisdiction of the Tribe.

This License expires July 23, 2013



Geraldine Larson
Geraldine Larson, License Compliance Officer

June 22, 2012
Date: _____

Note:
Licenses is not transferable and is subject to ordinances in force at the time of issuing thereof or which may be subsequently passed by the Tribal Council.

REDACTED FOR PUBLIC INSPECTION

2967

TURTLE MOUNTAIN COMMUNICATION, INC.

P.O. BOX 729
LANGDON, ND 58249

DATE 1/13/12

77-296-913

PAY
TO THE
ORDER OF BELCOURT FIRE DEPARTMENT

\$ 365.00

THREE HUNDRED SIXTY FIVE AND 00/100

DOLLARS  Security Features Included. Details on Back.

FIRE PROTECTION

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

MP

⑈002967⑈ ⑆091302966⑆ 6811036151⑈

CHOICE FINANCIAL 210 Eighth Ave.
Langdon, ND 58249
BANKING | INSURANCE | INVESTMENTS (701) 256-2141

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Belcourt Fire Department
PO Box 608
Belcourt, ND 58316
Telephone: 701-477-3185
Fax: 701-477-3292
Francis J. Demery
Fire Chief
Email: chief2000791@yahoo.com



December 20, 2011

To: Turtle Mountain Communications

From: Belcourt Rural Fire Department

RE: Fire Protection

Under the Resolution number TMBCI1220-12-98 the Turtle Mountain Band of Chippewa Indians has adopted the new NFPA 101 Life Safety Code in order to save lives and provide safety of our tribal members. Therefore the Belcourt Rural Fire Department is required to conduct yearly fire inspections of our local businesses. You may call for an appointment that best suits your business needs. The Belcourt Rural Fire Department offers Fire protection for only \$1.00 a day for local businesses. If you have a fire in your business without fire protection there is a minimum charge of \$300.00 per hour per truck at a minimum of two trucks. Also, there is a charge of \$25.00 per firefighter per hour at a minimum of four firefighters. The total minimum charge of \$1400.00 per fire call responded to by the Belcourt Fire Department. For a piece of mind we offer your business \$365.00 per year for fire protection. Fire protection covers all buildings and equipment that Turtle Mountain Communications owns, this year's fire protection bill is \$365.00 and is due on January 15, 2012. If you have any questions you may contact my office at 477-3185 during the hours of 8:00 am to 4:30 pm Monday through Friday.

May be paid to Belcourt Fire Department P.O. Box 608 Belcourt N.D 58316


Francis J. Demery
Fire Chief
APPROVED
JAN 13 2012
PERRY OSTER

REDACTED – FOR PUBLIC INSPECTION

UNITED TELEPHONE MUTUAL AID CORPORATION

AND

TURTLE MOUNTAIN COMMUNICATIONS (SAC 381636)

ATTACHMENT - LINE 3017

ATTACHMENT REDACTED IN ENTIRETY