



Your business is our business.

REDACTED - FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
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June 18, 2014

Accepted/Filed

JUN 18 2014

FCC Office of the Secretary

Via 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**
2014 ETC Annual Report of North Dakota Telephone Company
Study Area Code 381447

Dear Ms. Dortch:

On behalf of North Dakota Telephone Company ("North Dakota"), 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 North Dakota 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. In addition, attached is a letter requesting confidential treatment under Sections 0.457 and 0.459 of the initial section 54.202(a) Five-Year Service Quality Improvement Plan.³

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)

No. of Copies rec'd 0+3
List ABCDE

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).

³ 47 C.F.R. §§ 0.457, 0.459, 54.202(a).

<010> Study Area Code 381447
 <015> Study Area Name NORTH DAKOTA TEL CO
 <020> Program Year 2015
 <030> Contact Name: Person USAC should contact with questions about this data Shawna Senger
 <035> Contact Telephone Number: 7016626428 ext. Number of the person identified in data line <030>
 <039> Contact Email Address: Email of the person identified in data line <030> shawnas@ndtel.com

Accepted

JUN 18 2014

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ANNUAL REPORTING FOR ALL CARRIERS

		54.917 Completion Required	54.922 Completion Required
<100>	Service Quality Improvement Reporting (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<200>	Outage Reporting (voice) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<210>	<input checked="" type="checkbox"/> <- check box if no outages to report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<300>	Unfulfilled Service Requests (voice) 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<310>	Detail on Attempts (voice) (attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<320>	Unfulfilled Service Requests (broadband) 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<330>	Detail on Attempts (broadband) (attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<400>	Number of Complaints per 1,000 customers (voice)		
<410>	Fixed 0.08	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<420>	Mobile 0.0	<input type="checkbox"/>	<input type="checkbox"/>
<430>	Number of Complaints per 1,000 customers (broadband)		
<440>	Fixed 0.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<450>	Mobile 0.0	<input type="checkbox"/>	<input type="checkbox"/>
<500>	Service Quality Standards & Consumer Protection Rules Compliance (check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<510>	381447nd510.pdf (attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<600>	Functionality in Emergency Situations (check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<610>	381447nd610.pdf (attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<700>	Company Price Offerings (voice) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<710>	Company Price Offerings (broadband) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<800>	Operating Companies and Affiliates (complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<900>	Tribal Land Offerings (Y/N)? <input checked="" type="radio"/> <input type="radio"/> (if yes, complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1000>	Voice Services Rate Comparability (check to indicate certification)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1010>	(attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<1100>	Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/> (if not, check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<1110>	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<1200>	Terms and Condition for Lifeline Customers (complete attached worksheet)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

<2000>	Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers (check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<2005>	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

<3000>	(check to indicate certification)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<3005>	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(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	381447
<015>	Study Area Name	NORTH DAKOTA TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Shawna Senger
<035>	Contact Telephone Number - Number of person identified in data line <030>	7016626428 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	shawnas@ndtel.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	381447
<015>	Study Area Name	NORTH DAKOTA TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Shawna Senger
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<039>	Contact Email Address - Email Address of person identified in data line <030>	shawnas@ndtel.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of Attached Document

<1220> Link to Public Website

HTTP http://www.stellarnet.com/phone-res_services.html

"Please check these boxes below to confirm that the attached document(s), 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.
✓

<010>	Study Area Code	381447
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<035>	Contact Telephone Number - Number of person identified in data line <030>	7016626428 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	shawna@sndtel.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 document(s), 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

<010> Study Area Code 381447
 <015> Study Area Name NORTH DAKOTA TEL CO
 <020> Program Year 2015
 <030> Contact Name - Person USAC should contact regarding this data Shawna Senger
 <035> Contact Telephone Number - Number of person identified in data line <030> 7016626428 ext.
 <039> Contact Email Address - Email Address of person identified in data line <030> shawna@ndtel.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.

(3010) Progress Report on 5 Year Plan
Milestone Certification (47 CFR § 54.313(f)(1)(i))

Name of Attached Document Listing Required Information

(3011) Please check this box to confirm that the attached document(s), on line 3012 contains the required information pursuant to § 54.313 (f)(1)(ii), the carrier shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.

(3012) Community Anchor Institutions (47 CFR § 54.313(f)(1)(ii))

[Redacted box for Community Anchor Institutions]

Name of Attached Document Listing Required Information

(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

(Yes/No)
(Yes/No)

Please check these boxes to confirm that the attached document(s), 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) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation

[Redacted box for RUS annual report and documentation]

Name of Attached Document Listing Required Information

(3018) If the response is no on line 3014, Is your company audited? (Yes/No)

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:

(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) Document(s) for 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.

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:

(3022) 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.

(3025) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

381447nd3026.pdf

(3026) Attach the worksheet listing required information

Name of Attached Document Listing Required Information

Certification - Reporting Carrier Data Collection Form FCC Form 481 OMB Control No. 3060-0385/OMB Exp'd No. 3060-0819 July 2013

Table with 2 columns: Field ID and Value. Fields include Study Area Code (381447), Study Area Name (NORTH DAKOTA TEL CO), Program Year (2015), Contact Name (Shawna Senger), Contact Telephone Number (7016626428 ext.), and Contact Email Address (shawna@ndtel.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. Includes fields for 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, and Filing Due Date for this form. Includes a disclaimer at the bottom regarding false statements.

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3050-0086/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	381447
<015> Study Area Name	NORTH DAKOTA TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Shawna Senger
<035> Contact Telephone Number - Number of person identified in data line <030>	7016626428 ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	shawnas@ndtel.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>John Staurulakis, Inc.</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:	John Staurulakis, Inc.
Name of Reporting Carrier:	NORTH DAKOTA TEL CO
Signature of Authorized Officer:	CERTIFIED ONLINE Date: 06/17/2014
Printed name of Authorized Officer:	Shawna Senger
Title or position of Authorized Officer:	Chief Financial Officer
Telephone number of Authorized Officer:	7016621100 ext.6428
Study Area Code of Reporting Carrier:	381447 Filing Due Date for this form: 06/30/2014
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.	

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:	NORTH DAKOTA TEL CO
Name of Authorized Agent or Employee of Agent:	John Staurulakis, Inc.
Signature of Authorized Agent or Employee of Agent:	CERTIFIED ONLINE Date: 06/17/2014
Printed name of Authorized Agent or Employee of Agent:	Cassandra Heyne
Title or position of Authorized Agent or Employee of Agent:	Consultant
Telephone number of Authorized Agent or Employee of Agent:	3014597590 ext.
Study Area Code of Reporting Carrier:	381447 Filing Due Date for this form: 06/30/2014
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.	

Attachments

REDACTED – FOR PUBLIC INSPECTION

NORTH DAKOTA TELEPHONE COMPANY (SAC 381447)

ATTACHMENT - LINE 112

FIVE YEAR SERVICE QUALITY IMPROVEMENT PLAN

ATTACHMENT REDACTED IN ENTIRETY

North Dakota Telephone Company's 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

North Dakota Telephone Company ("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.

The Company is subject to consumer protection obligations for broadband services under federal law. These obligations include, but are not limited to, the following: public disclosure of accurate information regarding network management practices, performance, and commercial terms of broadband internet access services; as a means of providing sufficient information for consumers to make informed choices regarding use of such services, and for content, application, service and device providers to develop, market, and maintain internet offerings as specified in F.C.C. 47 C.F.R. Part 8 §8.3.

**North Dakota Telephone Company's Demonstration of Ability to Function in
Emergency Situations**

North Dakota Telephone Company ("Company") 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 voice and broadband 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 can be supplied with standby generators and has battery back-up that enables 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 8 hours, plus or minus 15 percent, of battery reserve rated for peak traffic load requirements, and a permanent auxiliary power unit is installed or 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 8 hours, plus or minus 15 percent. Length of run time is determined by the equipment serving the area and the

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."

number of customers working out of the equipment. Generators are installed at twenty-three of the thirty-one Central Office locations with a mobile power source available at the other eight Central Office locations within four hours. 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 CFD 54.313(a)(9) – ETCs Serving Tribal Lands

Section 1: Certification of Officer

Sections 54.313(a)(9) of the rules of the Federal Communications Commission ("FCC") requires North Dakota Telephone Company ("NDTC"), SAC381447, to provide documents and information regarding discussions that NDTC had with Tribal governments located within NDTC's service area. NDTC certifies that it followed the guidance outlined in the FCC's July 19, 2012 Public Notice wherein the FCC issued guidance on the Tribal government engagement obligation provisions of the Connect America Fund.

I, Dave Dircks, am an officer of NDTC and hereby certify that NDTC is in compliance with the FCC's Tribal engagement requirements, and the statements made in this report are accurate:

Name of Officer (Print): Dave Dircks
Title: General Manager/CEO
Signature: 
Date: 5/12/14

Section 2: Company and Tribal Information

NDTC is a state-designated ETC serving Tribally owned lands in North Dakota. The Tribally owned lands are in the counties of Benson, Nelson, Eddy and Ramsey and belong to the Spirit Lake Tribe. NDTC serves approximately 405 square miles of Tribally owned lands and has a population of 4238 according to the Census 2010 or 10.5 people per square mile.

As of December 31, 2013, NDTC does provide voice telephone service that is available to 100% of the Spirit Lake Tribal land and presently has 530 residential and 470 business access lines in service on Spirit Lake Tribal lands. NDTC has the ability to provide broadband to about 98% of the Spirit Lake Reservation and currently has 393 broadband customers.

NDTC initiated the engagement process outlined in the Further Guidance in 2012. NDTC contacted Tribal leaders on December 11, 2013 about the Tribal engagement process. The following employees participated in Tribal engagement:

Rodney Hoffmeyer
Customer/Engineering Manager

Terry Thompson
Network Engineering Supervisor

NDTC successfully contacted the following individuals:

Marshal DeMarce
MIS Director
Spirit Lake Tribe
813 3rd Ave Fort Totten, ND 58335

Jessie Bearrunner
Right of Way Agent
Spirit Lake Tribe
813 3rd Ave Fort Totten, ND 58335

The office of Nancy Green-Robertson
Tribal Secretary/Treasurer
Spirit Lake Tribe
813 3rd Ave Fort Totten, ND 58335

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

NDTC staff has taken every opportunity to engage Tribal Leaders. An NDTC Account Executive has been in contact with business leaders regularly to meet their communication needs. All Tribal leaders and business managers are aware of NDTC and the staff they can reach in order to add, change or remove services as needed.

As Tribal leaders and anchor institutions contact NDTC or NDTC finds out about new or changing situations, NDTC has been responsive in adding facilities to meet current and future needs. All new installations are completed using fiber optic facilities.

Today, all of NDTC's central offices that are located on the Spirit Lake Reservation are digital-remotes of a Genband C-15 Softswitch located in Devils Lake, ND. Each central office is located on redundant fiber optics route that will remain in service in the event of a cable cut or equipment failure. The Tribally owned Spirit Lake Casino is also served by redundant fiber optics routes.

NDTC is actively placing fiber optics within the Spirit Lake Reservation as needed. NDTC has deployed fiber optics to the following locations to meet their service needs. They include:

- Four Winds School in Fort Totten
- Chandeska Chikana Community College in Fort Totten
- Sioux Manufacturing Corporation in Fort Totten
- Warwick Public School in Warwick
- Spirit Lake EMS in rural Fort Totten
- Crowhill rural cabinet to supply broadband in the Crowhill area
- Spirit Lake Tribal Offices
- Sully's Hill National Game Preserve

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

As stated above, NDTC is in regular contact with Tribal entities. As NDTC's needs are met in and around Tribal areas, the immediate and future needs are considered in planning and completing facility additions.

Current NDTC facilities in Tribal areas are sufficient to handle the current needs. In any event there is need for new or added capabilities; terrain, remoteness, and poverty are not issues to be considered. No Tribal areas are further than approximately 1 mile from existing facilities. Terrain is not an issue when it comes to the services that NDTC provides. Poverty is not an item used in any way to determine type or size of facilities to be installed.

In 2013, NDTC invested approximately \$35,000 in new or existing outside plant construction. Investments were used to provide services to old and new locations, cable replacements to

accommodate road raises due to area flooding and replacement of bad cable. In addition, NDTC has invested \$25,000 in improvements and upgrades to our central offices that serve the Spirit Lake Reservation.

NDTC also placed fiber optic cable from Fort Totten to Sheyenne. This will allow NDTC to upgrade the redundant fiber optic rings protecting the services to the Spirit Lake Nation. Cable was also sized to provide fiber to rural areas in the future.

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

All marketing and promotions for NDTC services include all exchanges including Tribal lands. NDTC provides customer service, technical assistance and business sales services when requested by our customers. Voice telephone service is available to 100% of Spirit Lake Tribal Lands and NDTC has the ability to provide broadband to 98% of the Spirit Lake Nation. During our engagement with the Tribal leaders, any discussions regarding voice and broadband services were positive.

In coordination with OPATSCO, NDTC nominated the Tate Topa Tribal School on the Spirit Lake Nation Reservation and was awarded a FRED (Foundation for Rural Education and Development) Technology Grant in the amount of \$4,760. NDTC provided over \$110,000 in security cameras, phone systems, network wiring and installation sales to the Spirit Lake Nation Community and Anchor Institutions during 2013.

North Dakota Telephone Company publicizes LifeLine and LinkUp in a manner that will reach those likely to qualify by publishing announcements, materials, and advertising utilizing Newspapers, Radio Announcements, Local Access Channel, NDTC Telephone Directory, NDTC newsletter and on our website. Brochures and posters of LifeLine and LinkUp are distributed at the Social Services Office and Schools on the Spirit Lake Nation.

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

NDTC representatives met with Spirit Lake Right of Way Department to discuss any concerns with work completed by NDTC on Tribal Lands in 2013. The Right of Way personnel indicated NDTC was in compliance in 2013.

NDTC will continue to work with tribal representatives as needed to meet their telecommunication needs while being in compliance with all permitting rules.

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

NDTC has a Certification of Public Convenience and Necessity for Fort Totten and surrounding rural areas on file with the North Dakota Public Service Commission. NDTC is compliant with existing Tribal Licensing requirements. NDTC currently holds a valid Spirit Lake Business License.