

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

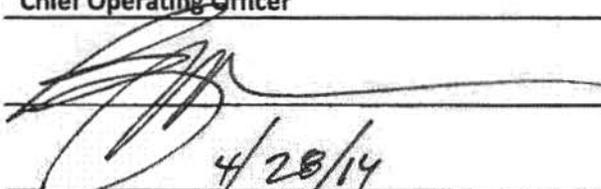
Section 1: Certification of Officer

Section 54.313(a)(9) of the rules of the Federal Communications Commission ("FCC") requires Consolidated Telcom ("The Company"), SAC 381607, 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, Bryan W. Personne, am an officer of Consolidated Telcom 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): Bryan W. Personne

Title: Chief Operating Officer

Signature: 

Date: 4/28/14

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*")

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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 Twin Buttes, North Dakota, and belong to the Three Affiliated Tribes. The Company serves approximately 83 square miles of Tribal land and this area has approximately 80 residences and 18 businesses. Population is estimated at less than 250 for the Tribal lands served by The Company.

As of December 31, 2013, the Company provides voice telephone service to 55% of the residences and 56% of the businesses in this Tribally-owned area. The Company provides broadband service to 54% of the residences and 56% of the businesses in this Tribally-owned area. The Company completed construction in 2012 to 100% of the residences and businesses in the tribal lands with FTTH. Cut-over to the new FTTH facilities began in April 2013 and was 95% complete by December 31, 2013. The Company now provides video services to 14% of the residences and 6% of the businesses. Video services were not available from the Company in this Tribally-owned area prior to the FTTH conversion so this is all new customer growth.

The Company initiated the engagement process outlined in the *Further Guidance* in 2012. The Company first contacted Tribal leaders in October 2012 by letter about the Tribal engagement process. The following employee(s) participated in the Tribal engagement:

Name: Bryan W. Personne
 Title: Chief Operating Officer

The Company successfully contacted the following individual/s:

Name: Melissa Star
 Title: Executive Assistant to the Tribal Chairman and Regional Councilman
 Tribal Affiliation: Three Affiliated Tribes
 Address: 704C 79E. Ave. NW
Twin Buttes, ND 58636
 Email Address: Unknown
 Telephone Number: 701-938-4403

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

Describe in detail how your company engaged with Tribal leaders in 2013 on issues related to the Tribe's communications needs, goals, priorities, anchor institutions, and community; and how your company has communicated its deployment priorities and processes, services that can be provided, timelines for the provision of service, and any potential opportunities for partnering with Tribal governments.

In October 2012 the Company sent a letter to Tribal authorities for our service area regarding the engagement process. On December 12, 2012, the Company had a conference call with Melissa Star, Executive Assistant to the Tribal Chairman and Regional Councilman. She represented that she was the contact for this type of issue for the area we serve and that she would relay all the information discussed at the next district meeting. We discussed the status of the FTTH overbuild of the Tribal lands served. All mainline and drops were complete as of the date of the conference, with cutover to new facilities to begin in early 2013 after testing of the new facilities was completed. Explanation of new services that would be available, in addition to Telephone service, on the FTTH facilities: Broadband and Video. No known issues with service then or current marketing techniques used were identified. Future contact with the Tribal representative to occur once FTTH cut over began if there were issues marketing new services available. Company provided Ms. Star direct contact information for Bryan W. Personne, Chief Operating Officer of Consolidated Telcom, should any issues arise. Ms. Star indicated there was no need to contact anyone else in the Tribal government regarding the engagement process as she was the responsible party for our service area and would relay the information to other Tribal leaders. The bulk of 2013 was spent converting Tribal customers to the new FTTH facilities. This process was facilitated by direct mail pieces to all customers, followed by telephone calls to each location, and if there was still no response then our local service technician physically visited each location to contact the owner for the FTTH conversion. In December 2013 our local service technician made contact with the Tribal Business Office several times a week for the entire month attempting to locate owners for the last locations that had not responded to mailings and phone calls to complete the FTTH conversion.

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

Describe how your company engaged with Tribal leaders in 2013 regarding network feasibility and sustainability challenges (like terrain, remoteness, and poverty) and opportunities.

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No known feasibility and sustainability challenges were identified in 2013. The Company believes the only feasibility and sustainability challenges faced are related to the uncertainty surrounding USF and Intercarrier Compensation.

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

Describe how your company engaged with Tribal leaders in 2013 on cultural factors to consider when marketing and deploying communications on Tribal lands, to ensure that the services are marketed in a manner that will relate directly to the community, resonate with consumers, and stimulate increased adoption of services on Tribal lands.

No known problems with current marketing techniques were identified in the 2013 FTTH conversion process that were not adequately addressed by having the local service technician physically visit locations that were non-responsive to direct mail and telephone marketing. The Company will continue to market the availability of new services and will consult Tribal representatives to explore additional marketing concepts as needed.

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

Describe how your company engaged with Tribal leaders in 2013 about compliance with rights of way, land use permitting, facilities siting, and environmental and cultural preservation on Tribal lands. Communications providers should obtain a comprehensive list of all processes required to provide service on Tribal lands, and should provide documentation of compliance with these processes.

There were no land use issues in 2013 as all FTTH construction had been completed in 2012. The Company uses professional engineering services to ensure that design and work on Tribal lands is done in accordance with Tribal land use procedures and requirements.

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

Describe how your company engaged with Tribal leaders in 2013 about compliance with business licensing on Tribal lands. Tribal business and licensing requirements include business practice licenses that Tribal and non-Tribal business entities, whether located on or off Tribal lands, must obtain upon application to the relevant Tribal government office or division to conduct any business or trade, or deliver any goods or services to the Tribes, Tribal members, or Tribal lands. These include certificates of public convenience and necessity, Tribal business licenses, and other related forms of Tribal government. Include all supporting documentation.

There were no business licensing issues in 2013 as all FTTH construction had been completed in 2012. The Company uses professional engineering services to ensure that design and work on Tribal lands is done in accordance with Tribal licensing procedures and requirements.

Section 8: Contact Summary

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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)
December 2013	Telephone and or in person	Local Service Technician	Tribal Business Office	Sometimes- contact by phone or in person 2 to 3 times per week attempting to locate owners for locations still needing to be converted to FTTH facilities

REDACTED – FOR PUBLIC INSPECTION

CONSOLIDATED TELECOM (SAC 381607)

ATTACHMENT - LINE 3017

ATTACHMENT REDACTED IN ENTIRETY