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December 4, 2009

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Mr. Darrell Nitschke
North Dakota Public Service Commission
State Capitol
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

PUBLIC SERVICE COMMISSION

Dear Mr. Nitschke,

Attached is a revised North Dakota Network Co. ("NDNC") Personal Communications Service Tariff. As of January 1, 2010, NDNC will increase the Personal Communications Service (PCS) Plan rates. The changes are as follows:

Section 1, Sheet 3 - Basic Plan:

2000 minutes of local usage was \$21.95, effective 01/01/10 \$22.95

Section 1, Sheet 4 - Toll Free USA Plan:

500 minutes of local usage was \$29.95, effective 01/01/10 \$30.95
1000 minutes of local usage was \$36.95, effective 01/01/10 \$37.95
2000 minutes of local usage was \$46.90, effective 01/01/10 \$47.90

Section 2, Sheet 1 - Lifeline Program-Based Methods:

A.4. - Added additional programs to eligibility list

Section 2, Sheet 3 - Lifeline Service:

2000 minutes of local usage basic plan was \$13.70, effective 01/01/10 \$14.70

Section 2, Sheet 4 - Tribal Lands Lifeline Service:

2000 minutes of local usage basic plan discount was \$20.96, effective 01/01/10 \$21.96

If you have any question, please give me a call at 701.858.5233.

Thank you,



Julie Lizotte
Enclosure

**NORTH DAKOTA NETWORK CO.
(SRT Wireless)**

**PERSONAL COMMUNICATIONS
SERVICE TARIFF**

**As of
January 1, 2010**

**NORTH DAKOTA NETWORK CO.
PERSONAL COMMUNICATIONS SERVICE TARIFF**

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WIRELESS PCS LOCAL SERVICE

A. **General**

1. Wireless PCS Local Service is a personal communications service ("PCS Calling" or "PCS Service") that includes all the requirement related to Federal Universal Service support mechanisms, and includes services to schools and libraries and health care providers as designated for support by the Federal Communications Commission.
2. PCS Service is provided under a Commercial Mobile Radio Service (CMRS) license issued to North Dakota Network (the Company) by the Federal Communications Commission.
3. PCS Service does not include a PCS telephone instrument; the subscriber is responsible to provide an instrument compatible with the service and the licensed band of radio spectrum. The Company will have compatible telephone instruments available for purchase by subscribers.
4. The calling area includes approximately 7200 square miles and is illustrated on the map, Attachment A.
5. The Company will offer all services that are supported by the Federal Universal Service support mechanisms, and will advertise the availability of any charges for those services using media of general distribution throughout the service area.
6. Deposits. Customers applying for service that do not have a satisfactory credit rating, or existing subscribers whose credit rating has become impaired, will be required to make a suitable cash deposit to be held as security for the payment of bills for telephone service. The amount of such deposit shall not, however, exceed the amount of charges for telephone service which it is estimated will accrue for a period of two months. At such time as service or a contract is terminated, the amount of any deposit is credited to the subscriber's final account or refunded to the subscriber within forty-five (45) days. The deposit may be returned at any time the Company feels that the subscriber has established a satisfactory credit rating. The deposit will earn interest at a rate as determined by the North Dakota Public Service Commission on an annual basis. The interest rate will be determined as of the first business day of each year.

In case of discontinuance of service for nonpayment of amounts payable when due, Company will not restore service until all arrears are paid in full, applicable service connection charges are paid, and a cash deposit as required above is made, or until other satisfactory credit arrangements are made.

WIRELESS PCS LOCAL SERVICE

The fact that a deposit has been made shall in no way relieve the applicant or subscriber from complying with the Company's regulations as to advance payments and the prompt payment of bills on presentation. Likewise, a deposit will not constitute a waiver or modification of the regular practices of the Company providing for the discontinuance of service for nonpayment of any sums due the Company for services rendered. The Company may discontinue service to any subscriber failing to pay current bills without regard to the fact that such subscriber has made a deposit with the Company to secure payment of such bills or has furnished the Company with a guarantee in writing of such bills.

B. Services Included

1. ***Voice Grade Access to the Public Switched Network.*** PCS Service includes a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call, within the frequency range of between approximately 500 Hertz and 4000 Hertz, for a bandwidth of approximately 3500 Hertz.
2. ***Local Usage.*** PCS Service includes 2000 minutes of usage in the local calling area per monthly billing period, subject to a subscriber's choice of a calling plan that provides fewer minutes of usage. Local usage includes:
 - a. Calls placed by a subscriber to another subscriber where calls are originated and terminated through base stations in the local calling area;
 - b. Calls from subscribers originated from base stations in the local calling area to subscribers of other carriers with NXXs associated with the same area;
 - c. Calls to subscribers from subscribers of other carriers where the call is terminated through base stations in the local calling area.
3. ***Dual Tone Multi-Frequency Signaling or its Functional Equivalent.***
4. ***Single-Party Service or its Functional Equivalent.*** PCS Service permits subscribers to have a dedicated message path for the length of a particular transmission.
5. ***Access to Emergency Services.*** PCS Service includes access to 911 and enhanced 911 services to call emergency services through a Public Service Access Point (PSAP) operated by the local government, to the extent the local government has implemented 911 or enhanced 911 systems.

WIRELESS PCS LOCAL SERVICE

6. **Access to Operator Services.** PCS Service includes access to operator services, which is defined as access to any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call.
7. **Access to Interexchange Service.** PCS Service includes access to interexchange service for the purposes of making and receiving toll or interexchange calls. PCS Service also provides subscribers the ability to access interexchange carriers of choice by use of calling cards (credit cards or pre-paid calling cards).

PCS Service includes the availability of “toll blocking” to disable the origination of long distance toll calls from the subscriber’s telephone instrument.
8. **Access to Directory Assistance.** PCS Service includes customers’ access to directory assistance by dialing 1-NPA-555-1212.

PCS Service does not include categories of calls such as “900” and “976” calls.

PCS Service does not include “roaming” service for the origination or termination of calls through base stations outside of the local calling area. Roaming service is available with additional charges.

C. **PCS Service Rates and Usage Plans**

Basic Plan:

1. Connection Charge/Activation Fee \$15.00
2. Monthly Service Charge:
2000 minutes of local usage \$22.95
3. Toll Blocking (optional) \$ 2.00
4. Minutes of usage in the local calling area exceeding 2000 minutes per monthly billing period will be charged at the rate of \$0.15 per minute. Fractional minutes will be rounded to the next whole minute.
6. PCS Service under the Basic Plan does not include long distance service for the origination of calls to be terminated outside of the local calling area. Long distance service is available at the rate of \$0.15 per minute. Fractional minutes will be rounded to the next whole minute.
7. Includes unlimited mobile to mobile minutes when calls are originated and terminated in the NDNC PCS calling area.

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Toll Free USA 2000 Plan:

1. Connection Charge/Activation Fee \$15.00
2. Monthly Service Charge:
2000 minutes of local usage \$47.90
3. Includes 2000 minutes of local usage including calling to the 50 states and DC, United States of America
4. Minutes of usage (aggregate of local and long distance) exceeding 2000 minutes per monthly billing period will be charged at the rate of \$0.25 per minute. Fractional minutes will be rounded to the next whole minute.
5. Includes unlimited mobile to mobile minutes when calls are originated and terminated in the NDNC PCS calling area.

Toll Free USA 1000 Plan:

1. Connection Charge/Activation Fee \$15.00
2. Monthly Service Charge:
1000 minutes of local usage \$37.95
3. Includes 1000 minutes of local usage including calling to the 50 states and DC, United States of America
4. Minutes of usage (aggregate of local and long distance) exceeding 1000 per monthly billing period will be charged at the rate of \$0.25 per minute. Fractional minutes will be rounded to the next whole minute.
5. Includes unlimited mobile to mobile minutes when calls are originated and terminated in the NDNC PCS calling area.

Toll Free USA 500 Plan:

1. Connection Charge/Activation Fee \$15.00
2. Monthly Service Charge:
500 minutes of local usage \$30.95
3. Includes 500 minutes of local usage including calling to the 50 states and DC, United States of America
4. Minutes of usage (aggregate of local and long distance) exceeding 500 per monthly billing period will be charged at the rate of \$0.25 per minute. Fractional minutes will be rounded to the next whole minute.
5. Includes unlimited mobile to mobile minutes when calls are originated and terminated in the NDNC PCS calling area.

“Included minutes of use” under all of the Company’s PCS Service rates and Usage Plans are free of time of day or day of week limitations.

WIRELESS PCS LOCAL SERVICE

Multi-Phone Plan (Shared Minutes Plan):

1. Connection Charge/Activation Fee \$15.00
2. Monthly Service Charge \$10.00
3. Does not include any minutes of local usage, but rather shares minutes of use with a primary plan including the Basic Plan or any Toll Free USA Plan.
4. Minutes of Use (aggregate of primary phone and multi-phones) exceeding the minutes included in the primary plan are billed according to the terms of the primary plan.

D. **Local Number Portability**

The term "Local Number Portability (LNP)" denotes the ability of an end user of local exchange telecommunications service to retain an existing telephone number without impairment of quality, reliability, or convenience when switching from one local exchange telecommunications carrier to another.

North Dakota Network Company will bill the rate listed below to all end users over a 60- month period.

	<u>Rate</u> <u>Per Line</u>	<u>Effective</u> <u>Date</u>	<u>Termination</u> <u>Date</u>
LNP Basic End User Charge	\$0.13/per line	5/1/2005	5/1/2010

WIRELESS PCS LOCAL SERVICE

E. **Billing, Payment and Delinquencies and Termination**

1. Monthly service charges for service are billed and payable in arrears. Service charges for usage exceeding included minutes of use per billing period are billed in arrears and payable with the payment for monthly service charges. A new subscriber is obliged to pay the activation fee in advance before service commencement.
2. Monthly bills are payable on the 9th of the following month; the due date will be stated on each bill. A new subscriber's first bill will include prorated credits or charges as appropriate to coordinate with monthly billing cycles.
3. State and local sales taxes and other governmentally imposed fees and assessments on telecommunications services required or permitted to be charged to consumers will be added to service charges and separately itemized on monthly bills, and are payable with monthly service charges.
4. As a provider of Commercial Mobile Radio Service under a license issued by the Federal Communications Commission, the Company is not subject to certain North Dakota statutes and Rules of the Public Service Commission that are applicable to other telecommunications carriers. Even though the Company is not legally obligated, as a matter of policy subject to management discretion, the Company will apply the Rules of NDAC 69-09-05-02 regarding discontinuance of service if the subscriber is delinquent in payment for services.
5. A subscriber may terminate service by notice to the Company 30 days before the effective date of termination designated by the subscriber. A terminated subscriber's final bill will include prorated credits or charges as appropriate to coordinate with monthly billing cycles. Any charges related to equipment for early termination of a contractual service are due upon termination.
6. A subscriber is responsible for all charges to the telephone number assigned to the subscriber's telephone instrument. A subscriber whose telephone instrument is lost or stolen remains responsible for all charges until he notifies the Company of the occurrence and requests termination of service.

WIRELESS PCS LOCAL SERVICE

F. **Other Terms and Conditions**

1. PCS Service is a wireless personal communications service (PCS) telecommunications service provided under a Commercial Mobile Radio Service license issued to the Company by the Federal Communications Commission. Service is available to a subscriber's equipment only where it is within the operating range of the Company's facilities or services. Service is subject to limitations inherent in radio communications, including but not limited to transmission limitations of facilities, reception limitations of the subscriber's equipment, network capacity, and atmospheric or topographical conditions.
2. The Company will endeavor to provide and maintain service in accordance with generally accepted standards in the wireless telecommunications industry. The Company makes no express representations or warranties regarding its service and disclaims any implied warranties. The Company will endeavor to avoid interruptions of service and to re-establish service without undue delay where interruptions do occur. If a subscriber's service is interrupted and remains out of service, a pro-rata adjustment will be made to the subscriber's next billing statement. The Company's liability for any occurrences of interrupted or failed services is limited to a pro-rata adjustment for any interruptions of 24 hours or more after being reported to the Company. In no circumstance shall the Company be liable for any incidental or consequential damages claimed by a subscriber to be caused by a breach of duty or fault of the Company.
3. Service is provided for subscribers' use as end-users, not for resale. Subscribers are prohibited from modifying telephone instruments to evade or avoid charges for services or to obtain services not included in his service plan.

LINK UP AND LIFELINE SERVICE

A. General

1. The Federal Communications Commission and the North Dakota Public Service Commission require that an Eligible Telecommunications Carrier must offer Link Up Service and Lifeline Service.
2. Link Up means an assistance program for qualifying low-income consumers, a reduction in the customary charge for commencing telecommunications service for a single telecommunications connection at a consumer's principal place of residence.
3. Lifeline service means a retail local telecommunications offering for which qualifying low-income consumers pay reduced charges. Lifeline service includes all the services designated for PCS service support. Lifeline service also includes toll limitation. "Toll limitation" includes "toll blocking", an arrangement under which a qualified Lifeline consumer of telecommunications service chooses not to purchase long distance "toll" services for calling outside the local calling area.
4. A qualifying low income subscriber is eligible to receive Lifeline and Link Up assistance for NDNC's PCS Basic Service Plan under one of the following Program-Based methods:

Medicaid (e.g., Title XIX/Medical, State Supplemental Assistance)

Food Stamps Program

Supplemental Security Income (SSI)

Federal Public Housing Assistance (Section 8)

Bureau of Indian Affairs (BIA) General Assistance Program

Tribal Temporary Assistance for Needy Families (TTANF) Program

Temporary Assistance for Needy Families (TNAF)

National School Lunch (NSL) – free lunch program

Head Start (meeting income qualifying standards)

A subscriber can receive certification through the North Dakota Department of Human Services and certify with North Dakota Network Company ("NDNC") by providing a Public Assistance Card and completing an Assistance Application; or they can "self certify" with NDNC by completing an Assistance Application.

LINK UP AND LIFELINE SERVICE

5. A qualifying low income subscriber is also eligible to receive Lifeline and Link Up assistance for NDNC's Basic Service Plan by certifying under the Income-Based method. The subscriber's household income must be at or below 135% of the Federal Poverty Guidelines. The Universal Service Administration Company (USAC) will be the point of reference to determine the Federal Poverty Guidelines. The subscriber must complete an Assistance Application, provide NDNC income documentation, and certify the number of household members. The income of all household members will be used to determine eligibility.

Acceptable income documentation includes:

Prior year's state, federal, or tribal tax return
Current income statement from an employer
Paycheck stub (must present three consecutive months)
Social security statement of benefits
Veterans administration statement of benefits
Federal or tribal notice letter of participation in General Assistance
Child support, divorce decree (alimony)
Other official document

6. On an annual basis, NDNC will verify a Statically Random Sample (calculation provided by the FCC) of Lifeline subscribers to determine if they continue to meet eligibility. This verification may be performed with the ND Department of Human Services, or may be performed on individual mailings to subscribers who are randomly chosen.
7. NDNC shall publicize the availability of Lifeline and Link Up services in a manner reasonably designed to reach those likely to qualify for the service.
8. NDNC's Lifeline and Link Up service will continue to meet the requirements established by the FCC and the North Dakota Lifeline Plan and Link Up Plan.

LINK UP AND LIFELINE SERVICE

- B. **North Dakota Network's Link Up Service**
Service Connection Charge \$7.50

(The Company's service plans include a \$15.00 activation fee. This customary charge for commencing service is reduced by 50% to qualified low income consumers).

- C. **North Dakota Network's Lifeline Service**
1. Services Included:
 - a. Voice grade access to the public switched network
 - b. 2000 minutes of local usage per monthly billing period (subject to a subscriber's choice of a calling plan that provides fewer minutes of 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
 - i. Toll limitation
 2. Reduced Charges to Qualified Low-Income Consumers
 - a. Monthly Charge for Basic \$14.70
(Normal \$22.95 charge minus \$8.25 reduction)

LINK UP AND LIFELINE SERVICE/TRIBAL LANDS

A. Enhanced Lifeline for Eligible Residents of Tribal Lands

1. A resident of Tribal Lands is a consumer living on, or near, a reservation as defined by Section 20.1 (v) of the Bureau of Indian Affairs regulation (25 C.F.R.S 20.1 (v)).
2. Enhanced Lifeline for eligible residents of Tribal Lands provides additional Lifeline support for NDNC's Basic Service Plan above the Lifeline received under the regular Lifeline program described in Section 2, Sheet 1. The amount of the Enhanced Lifeline discount will equal to the discount received under the regular Lifeline program, plus additional credit so that the remaining balance of the PCS Basic Service Plan is \$1.00 per month. The Enhanced Lifeline discount is as follows:
 - a. PCS Basic Service rate: \$22.95
 - Regular Lifeline Discount (\$ 8.25)
 - Enhanced Lifeline Discount (\$13.70)
 - Total Monthly Charge \$ 1.00
3. In order to receive Enhanced Lifeline for residents of Tribal Lands, a consumer must complete and sign an Assistance Application provided by NDNC. This Application will include all of the following:
 - a. A statement that the consumer is certifying the information conveyed in the completed application under penalty of perjury.
 - b. Indication that the consumer is receiving benefits from one of the programs listed in tariff Section 2, Sheet 1, or the customer is at or below 195% of the federal poverty guidelines.
 - c. Indication that the customer lives on Tribal Lands.
 - d. A statement that the consumer agrees to notify NDNC if the consumer ceases to participate in the program or programs.

B. Enhanced Link Up of Eligible Residents of Tribal Lands

1. North Dakota residents of Tribal Lands who are eligible to receive Enhanced Lifeline for residents of Tribal Lands under this tariff, and make the certification required for Enhanced Lifeline, are also eligible to receive Enhanced Link Up service.
2. The Enhanced Link Up benefit will apply towards 100% of the charges assessed for activating PCS Basic Service between \$60.00 and \$130.00.
 - a. NDNC's activation fee is \$15.00; therefore, Enhanced Link Up benefits will not be applicable.