

JAMES E. NOSTDAHL
CAROL K. LARSON
DAVID J. HOGUE
REED A. SODERSTROM
BRENT M. OLSON
DEBRA L. HOFFARTH
SCOTT M. KNUDSVIG
RYAN D. SANDBERG
MATTHEW H. OLSON
STEVEN A. LAUTT
ASHLEIGH B. ENSRUD

ATTORNEYS LICENSED IN
NORTH DAKOTA
MINNESOTA
MONTANA



LAW OFFICES OF
PRINGLE & HERIGSTAD, P.C.

2525 ELK DRIVE
POST OFFICE BOX 1000
MINOT, NORTH DAKOTA 58702-1000
(701) 852-0381
FAX (701) 857-1361
E-mail: pringle@srt.com

GRAND FORKS OFFICE
202 NORTH 3RD STREET, SUITE 200
GRAND FORKS, NORTH DAKOTA 58203
(701) 775-9000

OF COUNSEL
HERBERT L. MESCHKE
DONALD A. NEGAARD
RETIRED
THOMAS A. WENTZ
JAN M. SEBBY

KENNETH G. PRINGLE
(1914-1983)
MITCHELL H. MAHONEY
(1929-1996)
ROGER O. HERIGSTAD
(1919-2003)
MARK F. PURDY
(1927-2011)

April 15, 2014

VIA FEDEX OVERNIGHT MAIL

Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 East Boulevard
Bismarck, North Dakota 58505-0480



Re: Case # PU-12-500 — Withdrawal of Application of True Wireless, LLC for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. § 214(e)

Dear Mr. Nitschke:

Enclosed for filing is a Notice of Withdrawal in which True Wireless, LLC (“True Wireless”) withdraws, without prejudice, its above-referenced Application for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. § 214(e) (the “Application”).

True Wireless filed the Application on July 13, 2012. Thus, it has been pending for 21 months. Under the terms of the *Lifeline Reform Order* issued by the Federal Communications Commission (“FCC”), True Wireless was required to submit a Compliance Plan to the FCC.¹ True Wireless submitted its Fourth Amended Compliance Plan on December 7, 2012.² FCC approval of that Compliance Plan remains pending. Logically, consideration of True Wireless’ Application to this Commission should follow approval of the True Wireless’ Compliance Plan by the FCC. Accordingly, True Wireless is withdrawing its Application.

Kindly address any questions concerning this matter to the undersigned counsel.


¹ *In Re Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (FCC rel. Feb. 6, 2012); *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, 27 FCC Rcd 2186 (WCB rel. Feb. 29, 2012).

² True Wireless submitted its Compliance Plan to the FCC on April 24, 2012, and pursuant to FCC staff requests has filed several amendments thereto.

Darrell Nitschke
April 15, 2014
Page 2

Respectfully submitted,

PRINGLE & HERIGSTAD, P.C.



David J. Hogue

DJH/cmj
Enclosure

cc: Danielle Frappier
Alan Galloway

**BEFORE THE NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**True Wireless, LLC
Designated Eligible Carrier
Application**

)
)
)
)
)
)

Case No. PU-12-500

NOTICE OF WITHDRAWAL

NOTICE OF WITHDRAWAL

Pursuant to section 69-02-02-07 of the North Dakota Administrative Code, True Wireless, LLC (“True Wireless”) hereby withdraws, without prejudice, its Application for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. § 214(e) in the State of North Dakota (the “Application”).

True Wireless filed its Application on July 13, 2012. Thus, it has been pending for 21 months. No hearing has been held or convened concerning the Application.

Under the *Lifeline Reform Order* issued by the Federal Communications Commission (“FCC”), True Wireless was required to submit a Compliance Plan to the FCC.¹ True Wireless submitted its Fourth Amended Compliance Plan on December 7, 2012.² However, FCC approval of True Wireless’ Compliance Plan remains pending.

True Wireless intends to await FCC approval of its Compliance Plan, and then file an updated application for designation with this Commission.

//

//

¹ *In Re Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (FCC rel. Feb. 6, 2012); *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, 27 FCC Rcd 2186 (WCB rel. Feb. 29, 2012).


² True Wireless filed submitted its Compliance Plan to the FCC on April 24, 2012, and pursuant to FCC staff requests has filed several amendments to its Compliance Plan.

Dated this 15th day of April 2014.

Respectfully submitted,

TRUE WIRELESS, LLC

By:



David Hogue
Pringle & Herigstad, P.C.
2525 Elk Drive
PO Box 1000
Minot, ND 58702
(701) 852-0381
dhogue@srt.com

Alan J. Galloway
Davis Wright Tremaine, LLP
1300 SW 5th Ave, Suite 2400
Portland, OR 97201
(503) 778-5219
alangalloway@dwt.com

Danielle Frappier
Davis Wright Tremaine, LLP
1919 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006
(202) 973-4242
daniellefrappier@dwt.com

CERTIFICATE OF SERVICE

The undersigned, does hereby certify that on this 15 day of April 2014, a true and correct copy of the foregoing *Notice of Withdrawal* was placed in the United States mail at Minot, North Dakota, postage prepaid and addressed to the following:

Alan J. Galloway
Davis Wright Tremaine, LLP
1300 SW 5th Ave, Suite 2400
Portland, OR 97201

Danielle Frappier
Davis Wright Tremaine, LLP
1919 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006



David J. Hogue