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August 15, 2013

Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480



**RE: Nexus Communications, Inc.
PU-13-098**

Enclosed for filing, please find one original and seven copies of the Application for Protective Order and Trade Secret Protection of Nexus Communications, Inc.

I have also enclosed the Certification Relating to Order Provisions and Confidential Responses to North Dakota Public Service Commission Questions. The Confidential Responses to North Dakota Public Service Commission Questions is being filed separately in a sealed envelope marked "Confidential" and "Trade Secret-Private."

If you have any questions, please do not hesitate to contact me.

Very truly yours,

David J. Hogue

DJH/cmj
Enclosures

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Case No. PU-13-098

Nexus Communications, Inc.
Eligible Telecommunications Carrier
Application

**NEXUS COMMUNICATIONS, INC.'S CERTIFICATION
RELATING TO ORDER PROVISIONS**

I am Steven Fenker, a representative of Nexus Communications, Inc. (Nexus) with authority to bind Nexus and I certify that:

1. Nexus understands and agrees to the conditions and criteria set forth in Chapter 49-21 of the North Dakota Century Code and Chapter 69-09-05 of the North Dakota Administrative Code that pertain to Wireless Lifeline Only Eligible Telecommunications Carriers (ETC), and that Nexus will be responsible for compliance with this Certification, the Public Service Commission's order designating Nexus as an ETC, and conditions and criteria set forth in the applicable federal and state laws and rules pertaining to Eligible Telecommunications Carriers offering Lifeline Only services.

As pointed out in Nexus' application, certain provisions are not applicable to a Wireless Lifeline Only Eligible Telecommunications Carriers that, like Nexus, provide service in North Dakota through resale of another carrier's wireless service. Specifically, reports on high-cost universal service funds delineated in NDAC § 69-09-05-12(3)(b) and 69-09-05-12.1 are not applicable because Lifeline-only carriers do not receive such funds. The certification that the carrier is able to function in emergency situations under NDAC § 69-09-05-12(3)(c) and § 69-0 69-09-05-12.1, and the outage reporting under § 69-0 69-09-05-12.1 are not applicable because Nexus does not have its own facilities, and are redundant because Nexus understands that the carriers doing business as Verizon Wireless in North Dakota are themselves ETCs, and thus provide the relevant certification and reporting already. Finally, the requirement to describe services in the "carrier's official telephone directory" are not applicable because Nexus, like other wireless carriers, has no such directory. To the extent that the Commission deems these requirements applicable, Nexus reaffirms its request for a permanent waiver of those requirements.

2. Nexus agrees to comply with all statements, processes and procedures set forth in its Application for designation as an ETC in the non-rural and rural wire centers in North Dakota identified in its Application. Nexus agrees that all statements

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made and matters set forth in its Application are true and correct to the best of Nexus's knowledge, information, and belief.

3. Nexus will use the federal low-income universal service support it receives only for the provision of services for which the support is intended.
4. Nexus meets all of the prerequisites to be designated as an ETC throughout its proposed ETC Designated Area in the state of North Dakota, subject to the request in Nexus' Application for certain provisions to be waived or deemed inapplicable.
5. Nexus provides each of the services supported by federal universal service support mechanisms, specified in Federal Communications Commission's (FCC's) rules, 47 C.F.R. § 54.101, and will offer these supported services in North Dakota upon designation as an ETC, including voice grade access, minutes of use for local service at no additional charge, access to emergency services and toll limitation services.
6. Nexus will provide the supported services on a timely basis to requesting customers within Nexus's designated service area where Nexus's underlying carriers' network exists.
7. Nexus will provide service within a reasonable period of time, if the potential customer is within Nexus's proposed designated service area but outside its existing network coverage, if service can be provided at reasonable cost by:
 - (a) Modifying or replacing the requesting customer's equipment;
 - (d) Adjusting network or customer facilities; or
 - (e) Reselling services from another carrier's facilities to provide service.Because Nexus will provide service through resale, rather than via its own network or facilities, it will work to the extent practicable with its underlying carrier with respect to potential adjustment of network or facilities.
8. Nexus is not seeking Universal Service Fund high-cost support as part of its Application.
9. Nexus will use all available means to ensure customers are eligible for the Lifeline program at the time of sign-up and recertification in accordance with the federal default eligibility criteria in 47 C.F.R. § 54.409(2) and the relevant proof documentation specified in 47 C. F. R. § 54.410. Nexus will check all available databases including the FCC's National Accountability Database and the National Lifeline Eligibility Database when fully functional to prevent duplication and determine eligibility.

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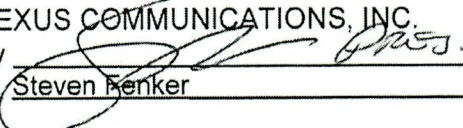
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10. Nexus has taken, and will continue to take, steps to work with its underlying carriers to remain functional in emergency situations by: (1) maintaining a reasonable amount of backup power to ensure functionality without an external power source; (2) maintaining the ability to re-route traffic around damaged facilities and to manage traffic spikes resulting from emergency situations; and (3) establishing procedures for employees to follow in an emergency to prevent or minimize interruption or impairment of telecommunications services..
11. Nexus will meet or exceed applicable consumer protection and quality standards and will comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service..
12. Nexus will advertise the availability of the supported services detailed in its Application, and the corresponding rates and charges, in a manner designed to inform the general public within North Dakota. This advertising will occur through a combination of media channels, such as television and radio, newspaper, magazine and other print advertisements, outdoor advertising, direct marketing, and the Internet.
13. Nexus will offer the services described in its Application.
14. Nexus understands and agrees that if Nexus has not advertised its Lifeline services or signed up any North Dakota customers within 12 months of the effective date of Nexus's designation as a Lifeline-only ETC, the Public Service Commission may revoke Nexus's ETC designation and Nexus may reapply to be designated as a Lifeline-only ETC in North Dakota.
15. Nexus understands and agrees that it may be required by the FCC to provide equal access to long distance carriers in the event that no other ETC provides equal access within Nexus's designated ETC service area.
16. Nexus will comply with all applicable annual reporting requirements associated with being an ETC in North Dakota including filing with the Public Service Commission a copy of each report filed with the FCC, within 30 days of filing with the FCC.
17. Nexus will file at least annually or more often if requested by the Public Service Commission, a complete list of its customers and waivers, including confirmation that each customer has agreed to allow Nexus to release any records required for the administration of its Lifeline program, and to access any state records and/or databases needed to confirm eligibility, for each customer on the list.

18. Nexus understands and agrees that its ability to offer service is subject to suspension or revocation for failure to comply with the Public Service Commission's orders, or applicable statutes, rules, regulations, standards, and other authorizations..
19. Nexus agrees to maintain the records to demonstrate that Nexus has complied with the requirements of the Public Service Commission's order(s) and that Nexus will preserve records demonstrating compliance for Public Service Commission inspection at any reasonable time upon reasonable notice.
20. Nexus understands and agrees that, to the extent there are any conflicts or inconsistencies between Nexus's Application and the provisions in this Certification, the Certification provisions control..

Dated this 13 day of August, 2013.

NEXUS COMMUNICATIONS, INC.
By 

Steven Henker

Its President