

September 27, 2013



Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
State Capitol
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

Re: Certification of Nexus Communications, Inc. in Case No. PU-13-098

Dear Mr. Nitschke:

Enclosed for filing please find a signed Certification form from Steven Fenker, President of Nexus Communications, Inc. ("Nexus"), concerning Nexus' pending application for designation as an Eligible Telecommunications Carrier.

In the Certification, Nexus 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). Nexus understands that certain other provisions do not pertain to Wireless Lifeline Only ETCs like Nexus. The non-applicable provisions include:

- The requirement to report on use of high-cost universal service funds under N.D.A.C. §§ 69-09-05-12(3)(b) and 69-09-05-12.1 does not pertain to Wireless Lifeline Only ETCs that, like Nexus, do not receive high cost funds.
- The requirement to advertise services in an official telephone directory under N.D.A.C. § 69-09-05-12(6)(a) does not pertain to Wireless Lifeline Only ETCs that, like Nexus, do not publish a telephone directory.
- The requirements to certify the ability to function in emergency situations and report outages under N.D.A.C. § 69-09-05-12(3)(c) and § 69-09-05-12.1 do not pertain to Wireless Lifeline Only ETCs that, like Nexus, do not operate their own cellular network in North Dakota.

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Nexus is committed to working with the Public Service Commission and its staff as an ETC, and looks forward to serving the telecommunications needs of low-income North Dakota residents.

Please do not hesitate to contact me if you have any questions regarding this filing.

Very truly yours,

Davis Wright Tremaine LLP



Alan J. Galloway
Of Counsel for Nexus Communications, Inc.

AJG/ajg
Enclosure

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Nexus Communications, Inc.
Eligible Telecommunications Carrier
Application

Case No. PU-13-098

CERTIFICATION

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.
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 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.
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.

Certification Relating to Order Provisions

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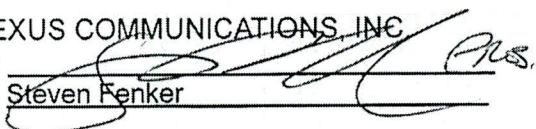
7. Nexus will provide service within a reasonable period of time, if the potential customer is within Nexus's proposed designated service area but outside its existing network coverage, if service can be provided at reasonable cost by:
 - (a) Modifying or replacing the requesting customer's equipment;
 - (d) Adjusting network or customer facilities; or
 - (e) Reselling services from another carrier's facilities to provide service.
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.
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 North Dakota Department of Human Services' Form SFN 1059, Authorization for Release of Information 449-55-05, 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 24 day of SEPTEMBER, 2013.

NEXUS COMMUNICATIONS, INC

By


Steven Fenker

Its President