

September 11, 2013

DELIVERED VIA FEDEX



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

RE: Boomerang Wireless, LLC Bond

Mr. Nitschke:

Enclosed is a \$25,000 bond for North Dakota. Boomerang Wireless is in the process of applying for ETC status in the state of North Dakota (Docket No. PU-13-203). As Boomerang Wireless, LLC is a reseller of commercial mobile radio service, there is a bond requirement.

If you have any questions, please email at jrcarter@readywireless.com or contact me at 319-743-4640.

Thank you,



Julia Redman-Carter
Regulatory and Compliance Officer

Enclosure

Cc: Andy Gipson, agipson@joneswalker.com (letter only, via electronic mail)
Wade C. Mann, wmann@crowleyfleck.com (letter only, via electronic mail)

1 **PU-14-670** Filed: 9/11/2013 Pages: 4
Telecommunications reseller bond

11 **PU-13-203** Filed: 9/11/2013 Pages: 4
Telecommunications reseller's bond



TELECOMMUNICATIONS RESELLER'S BOND
PUBLIC SERVICE COMMISSION
 SFN 50826 (5-96)

BOND NO: 55-207699

PRINCIPAL (Reseller)	Name Boomerang Wireless, LLC			
	Address 955 Kacena Rd, Ste. A	City Hiawatha	State IA	Zip Code 52233
SURETY (Bonding Company)	Name United Fire & Casualty Company			
	Address 118 Second Ave SE	City Cedar Rapids	State IA	Zip Code 52401

We, the above named PRINCIPAL and SURETY are bound to the State of North Dakota in the penal sum of Twenty five thousand dollars and no/100 Dollars. The payment of the penal sum shall bind the PRINCIPAL and SURETY, our heirs, legal representatives, successors, and assigns, jointly and severally under these obligations.

The PRINCIPAL is doing business in North Dakota as a reseller providing telecommunications services. This obligation covers all prepayments for service in this State including, but not limited to, front-end charges and prepaid monthly charges for services.

The condition of this obligation is as follows: If the PRINCIPAL faithfully performs all duties as a telecommunications reseller under the provisions of Certificate of Registration issued by the North Dakota Public Service Commission, complies with all laws of North Dakota pertaining to telecommunications companies and the rules of the Public Service Commission promulgated in connection therewith, and provides services in accordance with its legal obligations and agreements; then this obligation shall be void; otherwise it shall remain in effect.

Liability for this undertaking commences on September 3, 19 2013, and shall be continuous unless the SURETY by certified mail notifies the PRINCIPAL and the Public Service Commission that the surety bond has been canceled. The cancellation notice shall state that the surety bond will be canceled thirty (30) days after receipt by the Public Service Commission of the cancellation notice, or on a later date specified by the SURETY. In no event shall the aggregate liability of the SURETY accumulate above the face amount of the bond, unless the face amount is increased by appropriate endorsement or rider.

The liability of the SURETY for any violation of the obligations by the PRINCIPAL during the period of time the bond remains in effect shall remain in force for such period of time as may be permitted under the laws of the State of North Dakota. Bonding requirements may be increased or decreased by the Commission upon thirty (30) days notice to each PRINCIPAL and SURETY.

This bond, and the terms used herein, are governed by the provisions of Chapter 49-21 of the North Dakota Century Code, and Chapter 69-09-05 of the North Dakota Administrative Code.

Countersigned by North Dakota Resident Agent:

<u>Jason Smith</u>	<u>500 1st Street SE</u>	<u>Cedar Rapids, IA 52401</u>
Name/Signature	Address	City, State (ND), Zip Code

THIS SECTION TO BE COMPLETED BY PRINCIPAL

ACKNOWLEDGMENT OF PRINCIPAL

State of Iowa)
 County of Linn) ss.
 On this 11 day of September, 19 2013,
 before me personally appeared Dennis Henderson
 known to me to be the person or said corporation described in and
 who executed the within instrument as PRINCIPAL and
 acknowledged to me that he/she or said corporation executed the
 same.

[Signature]
 Signature of Principal

[Signature]
 Notary Public

My Commission expires 4-7-2014

THIS SECTION TO BE COMPLETED BY SURETY

**ACKNOWLEDGMENT OF SURETY
(Corporate Officer)**

State of Iowa)
 County of Linn) ss.
 On this 3rd day of September, 19 2013,
 before me personally appeared Cheryl Mrstik
 known to me to be Attorney-in-Fact
 of said corporation that is described in and that executed the within
 instrument as SURETY, and acknowledged to me that such corporation
 executed the same.

Cheryl Mrstik, Attorney-in-Fact
 Name and Title of Person Signing for Surety

[Signature]
 Signature

[Signature]
 Notary Public

My Commission expires 5/26/14

(SEAL) **JULIA REDMAN-CARTER**
 Commission Number 733855
 My Commission Expires April 7, 2014

(SEAL) **JACQUELINE K PETERS**
 Commission Number 56209
 My Commission Expires May 28, 2014

North Dakota Public Service Commission
 State Capitol
 Bismarck, ND 58506-0480

ATTORNEY-IN-FACT MUST ATTACH VALID POWER OF ATTORNEY FROM SURETY.

UNITED FIRE & CASUALTY COMPANY
HOME OFFICE - CEDAR RAPIDS, IOWA
CERTIFIED COPY OF POWER OF ATTORNEY
(Original on file at Home Office of Company - See Certification)

KNOW ALL MEN BY THESE PRESENTS, That the UNITED FIRE & CASUALTY COMPANY, a corporation duly organized and existing under the laws of the State of Iowa, and having its principal office in Cedar Rapids, State of Iowa, does make, constitute and appoint TIMOTHY J. FOLEY, OR KAREN S. LOPEZ, BOTH INDIVIDUALLY OF THE PEORIA, IL OFFICE; OR ROBERT L. KOLLSMITH, OR JACQUELINE K. PETERS, OR DEBORAH D. HAHN, OR CHERYL MRSTIK, OR M. LYNN KIMBLE, ALL INDIVIDUALLY OF CEDAR RAPIDS IA

its true and lawful attorney-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature as follows: All bonds not to exceed \$20,000,000.00 and to bind UNITED FIRE & CASUALTY COMPANY thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of UNITED FIRE & CASUALTY COMPANY and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

The Authority hereby granted is continuous and shall remain in full force and effect until revoked by United Fire & Casualty Company.

This power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by Board of Directors of the Company on May 16, 2012.

"Article VI - Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Company may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed. Such attorneys-in fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The President or any Vice President, the Board of Directors or any other officer of the Company may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the UNITED FIRE & CASUALTY COMPANY has caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 13th day of July, 2012



UNITED FIRE & CASUALTY COMPANY

By *Dennis J. Richman* Vice President

State of Iowa, County of Linn, ss:

On 13th day of July, 2012, before me personally came Dennis J. Richmann

to me known, who being by me duly sworn, did depose and say; that he resides in Cedar Rapids, State of Iowa; that he is a Vice President of the UNITED FIRE & CASUALTY COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.



Judith A. Davis
Notary Public
My commission expires: 04-23-2015

I, the undersigned officer of the UNITED FIRE & CASUALTY COMPANY, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the by-laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Company this 3rd day of September 20 13



David A. Gage
Secretary

North Dakota

nd.gov Official Portal for
North Dakota State Government
Public Service Commission

Current Registrations

User: Jim Balvanz · Log Out

Company: Boomerang Wireless, LLC

Prepayment Information and Bond Requirement

Does your Company resell any services?* Yes No

If Yes, does your company require prepayment for any service it resells?* Yes No

NOTE: a deposit requirement is a prepayment requirement.

Resellers of telecommunications services are **required** to submit a performance bond or establish an escrow account if:

- The services offered (other than optional prepaid calling cards) **require prepayment** by customers; or
- The services offered consist of **prepaid calling cards ONLY** (selling only prepaid calling cards constitutes requiring prepayment).

CMRS providers, please note: The bond or escrow requirement **does not apply** to **facilities-based** companies providing **commercial mobile radio service** (see [North Dakota Century Code Section 49-03.1-09\(7\)](#) (12kb pdf) (opens new window)). The bond requirement **does apply** to **resellers of commercial mobile radio service**, since resellers are not facilities-based.

For more information see [North Dakota Century Code Section 49-03.1-09](#) (12kb pdf) (opens new window) and [North Dakota Administrative Code Section 69-09-05-04](#) (30kb pdf) (opens new window).

If prepayment is required, select Bond or Escrow:

Bond or Escrow

Submit a performance bond (416 kb pdf) (Opens new window. Form must be printed and mailed.)

Establish an escrow (223 kb pdf) (Opens new window. Form must be printed and mailed.)

Provide the required amount of bond/escrow account: (9999999.99)

Determine the required amount of bond/escrow account.

If the company already has a bond/escrow account on file with the NDPSC, please call us at 701-328-2400.

Revocation History