

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Griggs County Telephone Co.  
Designated Eligible Carrier  
Application

Case No. PU-13-329

Griggs County Telephone Co.  
Local Exchange  
Public Convenience & Necessity

Case No. PU-13-330

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Jen Lein deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 24<sup>th</sup> day of **October, 2013**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Order**  
and Originals of:  
**First Reissued Certificate No. 5809**  
**First Reissued Certificate No. 5810**

The envelope was addressed as follows:

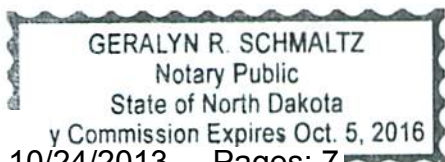
Griggs County Telephone Co.  
905 Lenham Ave SE  
Cooperstown ND 58425



**Cert. No. 7012 3460 0000 6344 1430**

The address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 24<sup>th</sup> day of **October, 2013**.

SEAL



  
\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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**Case No. PU-13-329**

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**ORDER**

**October 23, 2013**

Griggs County Telephone Co. (Griggs) provides facility-based incumbent local exchange telecommunication services in the Binford, Cooperstown, Finley, and McHenry exchanges in North Dakota. Griggs is designated as an eligible telecommunications carrier (ETC) for the purpose of receiving federal universal service support in the Binford, Cooperstown, Finley, and McHenry exchanges.

Moore and Liberty Telephone Company (Moore and Liberty) provided facility-based incumbent local exchange telecommunication services in the Enderlin and Sheldon exchanges in North Dakota. Moore and Liberty Telephone Company is designated as an eligible telecommunications carrier (ETC) for the purpose of receiving federal universal service support in the Enderlin and Sheldon exchanges.

Effective September 11, 2012, Moore and Liberty was merged into Griggs.

On May 22, 2013, Moore and Liberty filed with the Commission boundary maps for its Enderlin and Sheldon exchanges. On May 29, 2013, the Commission acknowledged the exchange boundaries and issued, to Moore and Liberty, Certificate of Public Convenience and Necessity number 5809 for the provision of telecommunications services in the Enderlin exchange and Certificate of Public Convenience and Necessity number 5810 for the provision of telecommunications services in the Sheldon exchange, Case No. PU-13-265.

On June 11, 2013, Griggs filed an application for certificates of public convenience and necessity to provide facilities-based incumbent local exchange telecommunication services in the Enderlin and Sheldon exchanges in North Dakota, Case No. PU-13-330.

Also on June 11, 2013, Griggs filed an Application for designation as an eligible telecommunications carrier (ETC) for the Enderlin and Sheldon exchanges in North Dakota, Case No. PU-13-329.

In support of its applications, Griggs provided an affidavit of Tyler Kilde, General Manager of both Griggs and Moore and Liberty.

On July 10, 2013, the Commission issued a Notice of Opportunity for Hearing (Notice) that provided until August 23, 2013 for comments or requests for hearing. No comments or requests for hearing were received. The Notice stated that, if deemed appropriate, the Commission can determine the matters without a hearing.

The Notice identified the issues to be considered in Case No. PU-13-330 are:

1. Fitness and ability of the applicant to provide service.
2. Adequacy of the proposed service.
3. Technical, financial and managerial ability of the applicant to provide service.

The Notice identified the issues to be considered in Case No. PU-13-329 are:

1. Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.
2. What ETC universal service support area should be designated.
3. Whether it is in the public interest to designate Griggs as an ETC in the designated universal service support area.
4. Whether, upon designation of Griggs as an ETC for the Enderlin and Sheldon exchanges, Moore and Liberty Telephone Company's designation as an ETC for the Enderlin and Sheldon exchanges should be relinquished.

#### Public Convenience and Necessity

Griggs provides facility-based incumbent local exchange telecommunications services in the Binford, Cooperstown, Finley, and McHenry exchanges in North Dakota.

The Commission finds that Griggs is fit and able to provide telecommunications services in the Enderlin and Sheldon exchanges.

The Commission finds that the service Griggs proposes to provide in the Enderlin and Sheldon exchanges is adequate.

The Commission finds that Griggs has the technical, financial and managerial ability of the applicant to provide telecommunications service in the Enderlin and Sheldon exchanges.

Griggs will provide telecommunications service in the Enderlin and Sheldon exchanges as an incumbent local exchange carrier.

#### Designation as an Eligible Telecommunications Carrier

The federal Telecommunications Act of 1996 (Act) provides for financial support to a common carrier that (1) offers the services established by the FCC to be supported by Federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services; (2) advertises

the availability of such services and the charges for such services using media of general distribution; and (3) is designated as an ETC. An ETC must use that financial support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

To be designated as an ETC, the carrier must (1) under Code of Federal Regulations (CFR) Part 47 Subpart B, offer to telecommunications customers each of the services and functionalities designated for federal universal service support; and (2) under CFR Part 47 § 54.405, make available Lifeline service to qualifying low-income consumers.

For telecommunications customers, the services designated by the FCC for support by universal service support mechanisms include voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers.

In the affidavit of Tyler Kilde, Griggs affirms that it will continue to meet the obligations of an ETC, as Moore and Liberty has in the past. Griggs also affirms that, at this time, no waiver of ETC criteria is requested.

The Commission finds Griggs' application for designation as an eligible telecommunications carrier under North Dakota Administrative Code section 69-09-05-12 is complete including the required affirmations and certifications.

The Commission finds Griggs is qualified under Section 214(e) of the federal Communications Act of 1934 as amended by the Telecommunications Act of 1996, for designation as an eligible telecommunications carrier for receiving federal universal service funding for the proposed designated service area.

For purposes of federal universal service funding, the designated service area for Moore and Liberty is a rural study area.

Based on the evidence in this proceeding, Griggs is qualified under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC to receive federal universal service funding and it is in the public interest that Griggs be designated as an ETC in the requested designated service area.

## **Order**

The Commission Orders:

1. Griggs County Telephone Co.'s application for certificates of public convenience and necessity to provide incumbent local exchange telecommunications services in the former Moore and Liberty Telephone Company service area is approved and Griggs County Telephone Co. is issued Reissued Certificate of Public Convenience and Necessity number 5809 for the provision of telecommunications services in the Enderlin


exchange and Reissued Certificate of Public Convenience and Necessity number 5810 for the provision of telecommunications services in the Sheldon exchange


2. Griggs County Telephone Co.'s Petition for Eligible Telecommunications Carrier Designation in Enderlin and Sheldon Exchanges is granted and Griggs County Telephone Co. is designated as an eligible telecommunications carrier in the Enderlin and Sheldon exchange areas in North Dakota.

3. Moore and Liberty Telephone Company's certificates of public convenience and necessity for the Enderlin and Sheldon exchange areas are relinquished and cancelled.

4. Moore and Liberty Telephone Company is no longer designated as an ETC in the Enderlin and Sheldon exchange areas.

**PUBLIC SERVICE COMMISSION**

  
Randy Christmann  
Commissioner

  
Brian P. Kalk  
Chairman

  
Julie Fedorchak  
Commissioner

**PUBLIC SERVICE COMMISSION**

**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**First Reissued Certificate Number 5809**

*This is to certify that public convenience and necessity require, and permission is granted for Griggs County Telephone Co., a telecommunications public utility, to provide local exchange telecommunications services inside the Enderlin, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-13-330 and is conditioned upon Griggs County Telephone Co. securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, October 23, 2013.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

**PUBLIC SERVICE COMMISSION**

**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**First Reissued Certificate Number 5810**

*This is to certify that public convenience and necessity require, and permission is granted for Griggs County Telephone Co., a telecommunications public utility, to provide local exchange telecommunications services inside the Sheldon, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-13-330 and is conditioned upon Griggs County Telephone Co. securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, October 23, 2013.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**