



# Public Service Commission

## State of North Dakota

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January 21, 2014

Christopher D. Friez  
Crowley Fleck PLLP  
100 West Broadway, Suite 250  
Bismarck, ND 58501

Re: Tempo Telecom  
Case No. PU-14-34

Dear Mr. Friez:

Based on discussions that occurred during work sessions in regards to another applicant requesting designation as a Lifeline-only eligible telecommunications carrier (ETC), the North Dakota Public Service Commission concluded that all applicants should provide additional information and should certify to certain future actions they will undertake as a Lifeline-only ETC. Both the answers to this additional information request and certification document will be made part of the record in this case. The Commission intends to consider this information before a making decision regarding Tempo's application.

If Tempo does not agree that the information in its responses should be part of the record, or wishes to provide additional information or testimony, or cross examine a witness regarding this information, Tempo should make a written request to the Commission for a formal hearing on its application. Further, if Tempo believes that there would be a benefit to discussing any of these questions, Tempo's responses, or the requested certification in an informal or formal hearing, please let us know at your earliest convenience.

Please have Tempo respond to the questions below within ten business days of receipt of this letter.

1. Provide all Lifeline audits and reviews the Federal Communications Commission (FCC), the Universal Service Administrative Company (USAC) and any other state commission, Lifeline administrator or any other government agency has conducted on Temp's Lifeline program since the beginning of 2011. The requested documents should include formal audits and limited reviews such as in-depth data validations and Payment Quality Assurance (PQA) reviews.

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**Request for additional information**

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Sara Cardwell

2. Provide Tempo's 2013 recertification report provided to the FCC and USAC. If the Company has not yet prepared a 2013 recertification report, please provide the 2012 report and the date the Company expects to submit the 2013 report.
3. If the FCC has issued any citations to individuals receiving duplicate lifeline support from Tempo and other Lifeline providers, what processes and procedures has Tempo undertaken to prevent duplicate lifeline support going forward? If applicable, please also provide copies of these processes and procedures as well as the number of citations issued.
4. Please describe the specific procedures Tempo has in place to prevent waste, fraud and abuse in the Lifeline program. Include in this response copies of employee training manuals, processes and procedures as well as a discussion of the data bases Tempo uses. In describing the data bases, please specifically identify what data Tempo believes specifically helps prevent waste, fraud and abuse.
5. Would Tempo be willing to request Lifeline participants waive any right to privacy in order that Tempo could periodically provide a list of customers to the Commission?
6. If Tempo's lifeline program has been the subject of any state or federal investigations, please provide information on the outcome of these investigations. Did any of the investigations result in Tempo paying fines and implementing any changes in its processes and procedures to ensure the mistakes that led to the investigation would not reoccur? If so, please specifically discuss the changes and the amount of any fines.

In addition to your responses to the questions above, please have Tempo complete and sign the enclosed Certification or let us know if Tempo has any specific objection to the Certification.

If you have any questions please call me at 701-328-3397 or e-mail to [scardwell@nd.gov](mailto:scardwell@nd.gov).

Best regards,



Sara Cardwell  
Public Utility Analyst

Enclosure