STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Roberts County Telephone Cooperative Association of New Effington, South Dakota Local Exchange Public Convenience & Necessity	**Case No. PU-14-682**
Roberts County Telephone Cooperative Association of New Effington, South Dakota Designated Eligible Carrier Application	**Case No. PU-14-683**

ORDER

October 22, 2014

On August 13, 2014, Roberts County Telephone Cooperative Association of New Effington, South Dakota (Roberts County) filed an application for a certificate of public convenience and necessity to provide facilities-based incumbent local exchange telecommunication services in the North Veblen exchange in North Dakota, Case No. PU-14-682.

Also on August 13, 2014, Roberts County filed an Application for Expansion of Eligible Telecommunications Carrier (ETC) Designated Geographical Service Area to include the North Veblen exchange in North Dakota, Case No. PU-14-683.

In support of its applications, Roberts County provided an affidavit of Scott Bostrom, General Manager of both Roberts County and RC Communications, Inc.

On August 20, 2014, the Commission issued a Notice of Opportunity for Consolidated Hearing (Notice) that provided until September 23, 2014 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-14-682 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-14-683 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. The ETC universal service support area to be designated.

3. Whether it is in the public interest to designate Roberts County as an ETC in the designated universal service support area.

4. Whether, upon designation of Roberts County as an ETC for the North Veblen exchange, RC Communications, Inc.'s designation as an ETC for the North Veblen exchange should be relinquished.

Public Convenience and Necessity

Roberts County holds certificates of public convenience and necessity to provide local exchange telecommunications services inside the New Effington and Claire City exchanges in South Dakota, serving approximately one hundred North Dakota access lines in the New Effington exchange. Roberts County is designated as an ETC for the purpose of receiving federal universal service support in the New Effington and Claire City exchanges.

RC Communications, Inc., a wholly owned subsidiary of Roberts County, holds Certificate of Public Convenience and Necessity Number 5740 to provide local exchange telecommunications services inside the North Veblen local exchange area, serving approximately eight North Dakota customers. RC Communications, Inc. is designated as an ETC for the purpose of receiving federal universal service support in the Veblen exchange.

Effective 11:59 p.m., December 31, 2014, RC Communications, Inc. will merge into Roberts County.

The Commission finds that Roberts County is fit and able to provide telecommunications services in the North Veblen exchange.

The Commission finds that the service Roberts County proposes to provide in the North Veblen exchange is adequate.

The Commission finds that Roberts County has the technical, financial and managerial ability to provide telecommunications service in the North Veblen exchange.

Roberts County will provide telecommunications service in the North Veblen exchange 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 Scott Bostrom, Roberts County affirms that it will continue to meet the obligations of an ETC, as it has in the past through its subsidiary, RC Communications, Inc. Roberts County also affirms that, at this time, no waiver of ETC criteria is requested.

The Commission finds Roberts County's 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 Roberts County 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 Roberts County is a rural study area.

Based on the evidence in this proceeding, Roberts County 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 Roberts County be designated as an ETC in the requested designated service area.

Order

The Commission Orders:

1. Roberts County Telephone Cooperative Association of New Effington, South Dakota's application for a certificate of public convenience and necessity to provide incumbent local exchange telecommunications services in the former RC Communications, Inc. service area is approved effective January 1, 2015, and Roberts County Telephone Cooperative Association of New Effington, South Dakota is issued Reissued Certificate of Public Convenience and Necessity Number 5740 for the provision of telecommunications services in the North Veblen exchange.

2. Roberts County Telephone Cooperative Association of New Effington, South Dakota's request for designation as an eligible telecommunications carrier in the North Veblen exchange is granted effective January 1, 2015, and Roberts County Telephone Cooperative Association of New Effington, South Dakota is designated as an eligible telecommunications carrier in the North Veblen exchange area in North Dakota.

3. Effective 11:59 p.m., December 31, 2014, RC Communications, Inc.'s certificate of public convenience and necessity for the North Veblen exchange area is relinquished and cancelled.

4. Effective 11:59 p.m., December 31, 2014, RC Communications, Inc. is no longer designated as an ETC in the North Veblen exchange area.

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 5740

This is to certify that public convenience and necessity require, and permission is granted for Roberts County Telephone Cooperative Association of New Effington, South Dakota, a telecommunications public utility, to provide local exchange telecommunications services inside the North Veblen, North Dakota local exchange area effective January 1, 2015.

This certificate is issued in Case No. PU-14-682 and is conditioned upon Roberts County Telephone Cooperative Association of New Effington, South Dakota securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges and other conditions and limitations noted in the Order dated October 22, 2014.

Bismarck, North Dakota, October 22, 2014.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Secretary ***Commissioner***