



Public Service Commission

State of North Dakota

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September 24, 2020

54.314(a) State Certification Letter
2020 Submission

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9050 Junction Drive
Annapolis Junction, MD 20701

USAC
Vice President High Cost Division
700 12th Street NW, Suite 9000
Washington, DC 20005

Re: CC Docket No. 96-45/WC Docket No. 14-58, Annual Self-Certification of Support for Eligible Telecommunications Carriers Pursuant to 47 C.F.R. §54.314

On September 23, 2020, the North Dakota Public Service Commission adopted an Order Certifying Use of Federal Universal Services Support which, pursuant to the requirements of 47 C.F.R. § 54.314, certified to the Federal Communications Commission and the Universal Service Administrative Company that the telecommunication carriers included in this letter are eligible to receive federal high-cost support for the program years cited.

On September 29, 2020 the North Dakota Public Service Commission adopted an Amended Order Certifying Use of Federal Universal Services Support (see attached) to add a footnote on page two of the Order regarding the status of Absaraka Cooperative Telephone Company, Inc.

The North Dakota Public Service Commission certifies for the carriers listed all federal high-cost support provided to carriers within North Dakota was used in the preceding calendar year (**2019**) and will be used in the coming calendar year (**2021**) only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.¹

Telecommunications Carrier		Study Area Code
Badlands Cellular of North Dakota Limited Partnership	CETC	389009
BEK Communications Cooperative	Rural	381604
Citizens Telecommunications Company of Minnesota, LLC	Rural	381131
Consolidated Communications Networks, Inc.	Rural	386325
Consolidated Telcom	Rural	381607
Dakota Central Telecom I, Inc.	Rural	381610
Dakota Central Telecommunications Cooperative	Rural	381610
Daktel Communications LLC	Rural	386128
Dickey Rural Telephone Cooperative	Rural	381611
Griggs County Telephone Co.	Rural	381615 & 381622

¹47 C.F.R. §54.314(b) ("Carriers not subject to State jurisdiction. An eligible telecommunications carrier not subject to the jurisdiction of a State that desires to receive support pursuant to the high-cost program must file an annual certification with the Administrator and Commission stating that all federal high-cost support provided to such carrier was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Support provided pursuant to the high-cost requisite certification pursuant to this section.")

Halstad Telephone Company	Rural-MN & ND	361401 & 389002
Inter-Community Telephone Company, L.L.C.	Rural	381616
James Valley Telecommunications	Rural-SD	391664
Loretel Systems, Inc.	Rural-MN	361443
Midcontinent Communications	CETC	389011
Mid-Rivers Telephone Cooperative Inc.	Rural-MT	482246
Midstate Communications Inc.	Rural	381638
Midstate Telephone Company, LLC	Rural	381617
Missouri Valley Communications, Inc.	Rural	382247
Nemont Telephone Cooperative Inc.	Rural	382247
New Cingular Wireless PCS, LLC	CETC	389015
North Central RSA 2 of North Dakota Limited Partnership	CETC	389006
North Dakota 5- Kidder Limited Partnership	CETC	389010
North Dakota RSA No. 3 Limited Partnership	CETC	389008
North Dakota Telephone Company	Rural	381447
Northwest Communications Cooperative, a Cooperative Association	Rural	381625
Northwest Dakota Cellular of North Dakota Limited Partnership	CETC	389007
Polar Communications Mutual Aid Corporation dba Polar Communications	Rural	381630 & 381614
Polar Telcom, Inc.	Rural	389003
Qwest Corporation dba CenturyLink QC	Non-rural	385144
RC Technologies	Rural-SD	399010 & 391674
Red River Rural Telephone Association dba Red River Communications	Rural	381631
Reservation Telephone Cooperative	Rural	381632
Sagebrush Cellular, Inc.	CETC & Mobility	389013, 388001, 388002, 388003, 388004, 388005, 388006
SRT Communications, Inc.	Rural	383303
Turtle Mountain Communications, Inc.	Rural	381636
United Telephone Mutual Aid Corporation	Rural	381636
Venture Communications Cooperative	Rural-SD	391680
West River Telecommunications Cooperative	Rural	381637
Wolverton Telephone Company	Rural	381509

Signed



Director- Public Utilities Division

Title

701-328-4077

Contact Phone Number

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
USF Use Certification 47 CFR 54.314 (2021)
Compliance

Case No. PU-20-311

**AMENDED ORDER CERTIFYING USE OF FEDERAL UNIVERSAL SERVICES
SUPPORT**

September 29, 2020

Section 254(e) of the Telecommunications Act of 1996 (Act) requires that telecommunications carriers use universal service support “only for the provision, maintenance, and upgrading of facilities and services for which support is intended.” Code of Federal Regulations Title 47, Section 54.314 requires: “States that desire eligible telecommunications carriers to receive support pursuant to the high-cost program must file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to such carriers within that State was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” State certification must be filed no later than October 1 of each year in order for certified telecommunications carriers to receive support for the following year, 47 C.F.R. § 54.314(d).

On August 28, 2002, the North Dakota Public Service Commission (NDPSC) issued an order in Case No. PU-439-02-441 indicating that any telecommunications carrier providing local exchange service in North Dakota that desires to have NDPSC certification to the FCC under 47 C.F.R. §54.314 shall file an affidavit with the NDPSC by approximately September 14 of each year, as described in the order, certifying that federal support they receive is used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended as required by Section 254(e). The NDPSC further ordered that affidavits filed with the NDPSC will be the basis for the NDPSC’s certification to the FCC.

Affidavits regarding use of federal universal service support were filed with the NDPSC by the companies listed in the ordering clause below.

Under North Dakota law, the NDPSC has limited jurisdiction over rural telecommunications carriers. The FCC in its order recognized that some states have only limited regulatory oversight to ensure that federal universal support is reflected in intrastate rates and concluded that such states may nonetheless certify to the FCC that carriers in the state had accounted to the state commission for receipt of federal support, and that the support will be used as required under Section 254(e). (See Fourteenth R&O at ¶ 188). The FCC also recognized that some carriers may not be

subject to the jurisdiction of a state regulatory authority, and in those instances carriers can certify directly to the FCC by means of a sworn affidavit executed by a corporate officer attesting to the use of the support only for purposes permitted under the Act. (See Fourteenth R&O at ¶ 189).

Based on the discussion above, the NDPSC issues the following:

Order

1. The NDPSC certifies that the following Eligible Telecommunications Carriers providing local exchange service in North Dakota have accounted to the NDPSC by affidavit that all federal support that was used in the preceding calendar year and all federal support that will be used in the coming calendar year will be used for the provision, maintenance, and upgrading of facilities and services for which the support is intended, under and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.101, throughout the company's study area.

Badlands Cellular of North Dakota Limited Partnership	North Dakota 5 – Kidder Limited Partnership
BEK Communications Cooperative	North Dakota RSA No. 3 Limited Partnership
Citizens Telecommunications Company of Minnesota, LLC	North Dakota Telephone Company
Consolidated Communications Networks, Inc.	Northwest Communications Cooperative, A Cooperative Association
Consolidated Telcom	Northwest Dakota Cellular of North Dakota Limited Partnership
Dakota Central Telecom I, Inc.	Polar Communications Mutual Aid Corporation d/b/a Polar Communications
Dakota Central Telecommunications Cooperative	Polar Telcom, Inc.
Daktel Communications LLC	Qwest Communications dba CenturyLink QC
Dickey Rural Telephone Cooperative	RC Technologies
Griggs County Telephone Co.	Red River Rural Telephone Association, d/b/a Red River Communications
Halstad Telephone Company	Reservation Telephone Cooperative
Inter-Community Telephone Company, L.L.C. ¹	Sagebrush Cellular, Inc.
James Valley Cooperative Telephone Company	SRT Communications, Inc.
Loretel Systems, Inc.	Turtle Mountain Communications, Inc.
Midcontinent Communications	United Telephone Mutual Aid Corporation
Midstate Communications Inc.	Venture Communications Cooperative
Midstate Telephone Company	West River Telecommunications Cooperative
Mid-Rivers Telephone Cooperative, Inc.	
Missouri Valley Communications, Inc.	
Nemont Telephone Cooperative, Inc.	

¹ Absaraka Cooperative Telephone Company, Inc. had previously elected to receive A-CAM support and maintained study area code 381601 until August 1st, 2020, when it merged with Inter-Community Telephone Company, L.L.C. study area code 381616.

New Cingular Wireless PCS, LLC
North Central RSA 2 of North Dakota
Limited Partnership

Wolverton Telephone Company


2. The NDPSC certification is based upon the affidavits filed by the foregoing named Eligible Telecommunications Carriers.
3. The North Dakota Public Service Commission will send a copy of each of the filed affidavits to the Federal Communications Commission and the Universal Service Administrative Company.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner

APPROVED
DATE Sept 29, 2020


STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
USF Use Certification 47 CFR 54.314 (2021)
Compliance

Case No. PU-20-311

MOTION

September 29, 2020

I move the Commission adopt the Amended Order Certifying Use of Federal Universal Services Support in Public Service Commission, USF Use Certification 47 CFR 54.314 (2021), Compliance, Case No. PU-20-311.

PJF