

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

MLGC, LLC
Designated Eligible Carrier Expansion
Application

Case No. PU-21-50

ORDER ON ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION

April 14, 2021

Preliminary Statement

On January 28, 2021, MLGC, LLC (MLGC) filed, as a competitive local exchange carrier, an application for designation as an eligible telecommunications carrier (ETC) for the purpose of receiving Federal Communications Commission's Rural Digital Opportunity Fund (RDOF) Phase I funding in Federal Communications Commission (FCC) specified census blocks in North Dakota.

On February 17, 2021, the Commission issued a Notice of Opportunity for Hearing (Notice) providing until March 29, 2021, for comments and requests for hearing. No comments or requests for hearing were received.

The Notice identified the following issues to be considered in this matter:

1. Is the applicant qualified 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. Is designation of the applicant as an ETC in the public interest?

Discussion

MLGC is a North Dakota limited liability company with a principal office located at 301 Dewey St, Enderlin, ND 58027.

MLGC is in good standing with the North Dakota Secretary of State, is registered as a competitive local exchange carrier with the Commission and has provided a copy of its corporate papers with its application.

MLGC is a common carrier.

A telecommunications carrier is eligible to receive federal universal service support if the company meets the requirements established under 47 USC § 214(e)(1) and defined in 47 CFR, Part 54. These requirements are: (1) company must provide each of the supported telecommunication services listed by the Federal Communications Commission (FCC); (2) company must offer and advertise the availability of, and charges for, such services throughout the supported areas; (3) company must certify that it will comply with the service requirements applicable to the support it receives; (4) submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network throughout the supported areas, and (5) demonstrate that it will satisfy consumer protection and service quality standards.

To receive RDOF Phase I funding, MLGC must offer commercially at least one voice and one broadband service at speeds of at least 1 gigabit per second with a latency at or below 100 milliseconds. MLGC must offer these services to 40% of the assigned locations in North Dakota by the end of the third year of support, and an additional 20% by the end of each the fourth and fifth years of support. By the end of year six, revised location totals will be announced. If there are fewer locations than originally estimated by the cost model, MLGC must serve the revised number of locations by the end of the sixth year of support. If there are more locations than originally estimated by the cost model, MLGC must serve the original number of locations estimated by the cost-model by the end of the sixth year of support and must serve the remaining locations by the end of the eighth year of support.

Both federal law and state law give the Commission the authority to designate a common carrier as an ETC.

MLGC will offer the services and functionalities detailed in 47 CFR Part 54 in the RDOF Phase I areas. MLGC proposes to provide the service required for RDOF funding using a fiber-optic based network.

MLGC is qualified for designation as an ETC eligible to receive federal universal service support under 47 CFR Part 54.

The FCC has specified the geographic areas, RDOF Phase I areas, that will receive funding and MLGC was awarded RDOF Phase I support for the areas listed in Exhibits A and B, and depicted in Exhibit C of its January 28, 2021 application.

Under North Dakota Administrative Code Section 69-09-05-12, the Commission shall determine that the designation of MLGC as an ETC is in the public interest. In doing so, the Commission shall consider the benefit of increased consumer choice and the unique advantages and disadvantages of the applicant's service offering. It is significant that subscribers in these RDOF Phase I areas will have access to high-speed broadband. The provision of adequate essential and nonessential telecommunications service in these exchanges will be facilitated and supported by the full current technical and financial

capabilities of MLGC. It is in the public interest that MLGC be designated as an ETC in the RDOF Phase I areas as requested.

Having allowed all interested persons an opportunity to be heard and having reviewed and considered all evidence presented, the Commission makes the following:

Order

The Commission orders MLGC, LLC's request to be designated as an eligible telecommunications carrier for the purpose of receiving Rural Digital Opportunity Fund Phase I funding in the areas listed in Exhibits A and B, and depicted in Exhibit C of MLGC's January 28, 2021 application, attached to and made part of this Order, is APPROVED.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner

EXHIBIT A RDOF AWARDED CENSUS BLOCK GROUPS

380170401003
380170405001
380170405002
380170405003
380170406001
380170406002
380739689001
380779707001
380779707002

EXHIBIT B RDOF FUNDED CENSUS BLOCKS IDs

Census block id	item	state	county
380170401003002	ND-017-0401003	ND	Cass
380170401003005	ND-017-0401003	ND	Cass
380170401003006	ND-017-0401003	ND	Cass
380170401003028	ND-017-0401003	ND	Cass
380170401003033	ND-017-0401003	ND	Cass
380170401003034	ND-017-0401003	ND	Cass
380170401003039	ND-017-0401003	ND	Cass
380170401003041	ND-017-0401003	ND	Cass
380170401003141	ND-017-0401003	ND	Cass
380170401003155	ND-017-0401003	ND	Cass
380170401003156	ND-017-0401003	ND	Cass
380170401003159	ND-017-0401003	ND	Cass
380170401003161	ND-017-0401003	ND	Cass
380170401003163	ND-017-0401003	ND	Cass
380170401003168	ND-017-0401003	ND	Cass
380170401003173	ND-017-0401003	ND	Cass
380170401003176	ND-017-0401003	ND	Cass
380170401003177	ND-017-0401003	ND	Cass
380170401003178	ND-017-0401003	ND	Cass
380170401003181	ND-017-0401003	ND	Cass
380170401003281	ND-017-0401003	ND	Cass
380170401003282	ND-017-0401003	ND	Cass
380170401003284	ND-017-0401003	ND	Cass
380170401003286	ND-017-0401003	ND	Cass
380170401003289	ND-017-0401003	ND	Cass
380170405001006	ND-017-0405001	ND	Cass
380170405001011	ND-017-0405001	ND	Cass
380170405001015	ND-017-0405001	ND	Cass
380170405001017	ND-017-0405001	ND	Cass
380170405001020	ND-017-0405001	ND	Cass
380170405001066	ND-017-0405001	ND	Cass
380170405001067	ND-017-0405001	ND	Cass
380170405001074	ND-017-0405001	ND	Cass
380170405001075	ND-017-0405001	ND	Cass
380170405001077	ND-017-0405001	ND	Cass
380170405001091	ND-017-0405001	ND	Cass
380170405001092	ND-017-0405001	ND	Cass
380170405001093	ND-017-0405001	ND	Cass
380170405002010	ND-017-0405002	ND	Cass
380170405002037	ND-017-0405002	ND	Cass

380170405002054	ND-017-0405002	ND	Cass
380170405002062	ND-017-0405002	ND	Cass
380170405002066	ND-017-0405002	ND	Cass
380170405002078	ND-017-0405002	ND	Cass
380170405002142	ND-017-0405002	ND	Cass
380170405002146	ND-017-0405002	ND	Cass
380170405002164	ND-017-0405002	ND	Cass
380170405002220	ND-017-0405002	ND	Cass
380170405002266	ND-017-0405002	ND	Cass
380170405002292	ND-017-0405002	ND	Cass
380170405002293	ND-017-0405002	ND	Cass
380170405002294	ND-017-0405002	ND	Cass
380170405002298	ND-017-0405002	ND	Cass
380170405002304	ND-017-0405002	ND	Cass
380170405002306	ND-017-0405002	ND	Cass
380170405002313	ND-017-0405002	ND	Cass
380170405002437	ND-017-0405002	ND	Cass
380170405003055	ND-017-0405003	ND	Cass
380170405003078	ND-017-0405003	ND	Cass
380170405003083	ND-017-0405003	ND	Cass
380170405003099	ND-017-0405003	ND	Cass
380170405003103	ND-017-0405003	ND	Cass
380170405003108	ND-017-0405003	ND	Cass
380170405003110	ND-017-0405003	ND	Cass
380170405003111	ND-017-0405003	ND	Cass
380170406001003	ND-017-0406001	ND	Cass
380170406001004	ND-017-0406001	ND	Cass
380170406001005	ND-017-0406001	ND	Cass
380170406001006	ND-017-0406001	ND	Cass
380170406001011	ND-017-0406001	ND	Cass
380170406001013	ND-017-0406001	ND	Cass
380170406001021	ND-017-0406001	ND	Cass
380170406001022	ND-017-0406001	ND	Cass
380170406001023	ND-017-0406001	ND	Cass
380170406001025	ND-017-0406001	ND	Cass
380170406001027	ND-017-0406001	ND	Cass
380170406001034	ND-017-0406001	ND	Cass
380170406001038	ND-017-0406001	ND	Cass
380170406001039	ND-017-0406001	ND	Cass
380170406001040	ND-017-0406001	ND	Cass
380170406001041	ND-017-0406001	ND	Cass
380170406001042	ND-017-0406001	ND	Cass
380170406001046	ND-017-0406001	ND	Cass

380170406001054	ND-017-0406001	ND	Cass
380170406001067	ND-017-0406001	ND	Cass
380170406001069	ND-017-0406001	ND	Cass
380170406001072	ND-017-0406001	ND	Cass
380170406001083	ND-017-0406001	ND	Cass
380170406001085	ND-017-0406001	ND	Cass
380170406001089	ND-017-0406001	ND	Cass
380170406001091	ND-017-0406001	ND	Cass
380170406001099	ND-017-0406001	ND	Cass
380170406001101	ND-017-0406001	ND	Cass
380170406001130	ND-017-0406001	ND	Cass
380170406001138	ND-017-0406001	ND	Cass
380170406001139	ND-017-0406001	ND	Cass
380170406001142	ND-017-0406001	ND	Cass
380170406001146	ND-017-0406001	ND	Cass
380170406001151	ND-017-0406001	ND	Cass
380170406001153	ND-017-0406001	ND	Cass
380170406001154	ND-017-0406001	ND	Cass
380170406001159	ND-017-0406001	ND	Cass
380170406001165	ND-017-0406001	ND	Cass
380170406001167	ND-017-0406001	ND	Cass
380170406001168	ND-017-0406001	ND	Cass
380170406001171	ND-017-0406001	ND	Cass
380170406001174	ND-017-0406001	ND	Cass
380170406001177	ND-017-0406001	ND	Cass
380170406001179	ND-017-0406001	ND	Cass
380170406001180	ND-017-0406001	ND	Cass
380170406001183	ND-017-0406001	ND	Cass
380170406001191	ND-017-0406001	ND	Cass
380170406001193	ND-017-0406001	ND	Cass
380170406001194	ND-017-0406001	ND	Cass
380170406001196	ND-017-0406001	ND	Cass
380170406001198	ND-017-0406001	ND	Cass
380170406001199	ND-017-0406001	ND	Cass
380170406001203	ND-017-0406001	ND	Cass
380170406001207	ND-017-0406001	ND	Cass
380170406001212	ND-017-0406001	ND	Cass
380170406001217	ND-017-0406001	ND	Cass
380170406001218	ND-017-0406001	ND	Cass
380170406001223	ND-017-0406001	ND	Cass
380170406001245	ND-017-0406001	ND	Cass
380170406001248	ND-017-0406001	ND	Cass
380170406001251	ND-017-0406001	ND	Cass

380170406001252	ND-017-0406001	ND	Cass
380170406001253	ND-017-0406001	ND	Cass
380170406001255	ND-017-0406001	ND	Cass
380170406001257	ND-017-0406001	ND	Cass
380170406001265	ND-017-0406001	ND	Cass
380170406001267	ND-017-0406001	ND	Cass
380170406001268	ND-017-0406001	ND	Cass
380170406001280	ND-017-0406001	ND	Cass
380170406001281	ND-017-0406001	ND	Cass
380170406001312	ND-017-0406001	ND	Cass
380170406001314	ND-017-0406001	ND	Cass
380170406001318	ND-017-0406001	ND	Cass
380170406001322	ND-017-0406001	ND	Cass
380170406001323	ND-017-0406001	ND	Cass
380170406001326	ND-017-0406001	ND	Cass
380170406001330	ND-017-0406001	ND	Cass
380170406001347	ND-017-0406001	ND	Cass
380170406001350	ND-017-0406001	ND	Cass
380170406001351	ND-017-0406001	ND	Cass
380170406002000	ND-017-0406002	ND	Cass
380170406002002	ND-017-0406002	ND	Cass
380170406002004	ND-017-0406002	ND	Cass
380170406002012	ND-017-0406002	ND	Cass
380170406002014	ND-017-0406002	ND	Cass
380170406002015	ND-017-0406002	ND	Cass
380170406002020	ND-017-0406002	ND	Cass
380170406002021	ND-017-0406002	ND	Cass
380170406002030	ND-017-0406002	ND	Cass
380170406002034	ND-017-0406002	ND	Cass
380170406002036	ND-017-0406002	ND	Cass
380170406002038	ND-017-0406002	ND	Cass
380170406002041	ND-017-0406002	ND	Cass
380170406002044	ND-017-0406002	ND	Cass
380170406002050	ND-017-0406002	ND	Cass
380170406002051	ND-017-0406002	ND	Cass
380170406002052	ND-017-0406002	ND	Cass
380170406002055	ND-017-0406002	ND	Cass
380170406002058	ND-017-0406002	ND	Cass
380170406002059	ND-017-0406002	ND	Cass
380170406002062	ND-017-0406002	ND	Cass
380170406002064	ND-017-0406002	ND	Cass
380170406002065	ND-017-0406002	ND	Cass
380170406002066	ND-017-0406002	ND	Cass

380170406002079	ND-017-0406002	ND	Cass
380170406002081	ND-017-0406002	ND	Cass
380170406002101	ND-017-0406002	ND	Cass
380170406002106	ND-017-0406002	ND	Cass
380170406002107	ND-017-0406002	ND	Cass
380170406002108	ND-017-0406002	ND	Cass
380170406002110	ND-017-0406002	ND	Cass
380170406002116	ND-017-0406002	ND	Cass
380170406002119	ND-017-0406002	ND	Cass
380170406002120	ND-017-0406002	ND	Cass
380170406002121	ND-017-0406002	ND	Cass
380170406002125	ND-017-0406002	ND	Cass
380170406002131	ND-017-0406002	ND	Cass
380170406002132	ND-017-0406002	ND	Cass
380170406002134	ND-017-0406002	ND	Cass
380170406002135	ND-017-0406002	ND	Cass
380170406002137	ND-017-0406002	ND	Cass
380170406002138	ND-017-0406002	ND	Cass
380170406002139	ND-017-0406002	ND	Cass
380170406002140	ND-017-0406002	ND	Cass
380170406002143	ND-017-0406002	ND	Cass
380170406002146	ND-017-0406002	ND	Cass
380170406002147	ND-017-0406002	ND	Cass
380170406002148	ND-017-0406002	ND	Cass
380170406002149	ND-017-0406002	ND	Cass
380170406002155	ND-017-0406002	ND	Cass
380170406002160	ND-017-0406002	ND	Cass
380170406002161	ND-017-0406002	ND	Cass
380170406002162	ND-017-0406002	ND	Cass
380170406002165	ND-017-0406002	ND	Cass
380170406002178	ND-017-0406002	ND	Cass
380170406002179	ND-017-0406002	ND	Cass
380170406002180	ND-017-0406002	ND	Cass
380170406002183	ND-017-0406002	ND	Cass
380170406002184	ND-017-0406002	ND	Cass
380739689001000	ND-073-9689001	ND	Ransom
380739689001134	ND-073-9689001	ND	Ransom
380739689001135	ND-073-9689001	ND	Ransom
380779707001002	ND-077-9707001	ND	Richland
380779707001013	ND-077-9707001	ND	Richland
380779707001014	ND-077-9707001	ND	Richland
380779707001015	ND-077-9707001	ND	Richland
380779707001017	ND-077-9707001	ND	Richland

380779707001018	ND-077-9707001	ND	Richland
380779707001021	ND-077-9707001	ND	Richland
380779707001023	ND-077-9707001	ND	Richland
380779707001038	ND-077-9707001	ND	Richland
380779707001043	ND-077-9707001	ND	Richland
380779707001044	ND-077-9707001	ND	Richland
380779707001065	ND-077-9707001	ND	Richland
380779707002001	ND-077-9707002	ND	Richland
380779707002002	ND-077-9707002	ND	Richland
380779707002008	ND-077-9707002	ND	Richland
380779707002014	ND-077-9707002	ND	Richland
380779707002017	ND-077-9707002	ND	Richland
380779707002022	ND-077-9707002	ND	Richland
380779707002024	ND-077-9707002	ND	Richland
380779707002025	ND-077-9707002	ND	Richland
380779707002029	ND-077-9707002	ND	Richland
380779707002030	ND-077-9707002	ND	Richland
380779707002031	ND-077-9707002	ND	Richland
380779707002036	ND-077-9707002	ND	Richland
380779707002038	ND-077-9707002	ND	Richland
380779707002041	ND-077-9707002	ND	Richland
380779707002043	ND-077-9707002	ND	Richland
380779707002045	ND-077-9707002	ND	Richland
380779707002046	ND-077-9707002	ND	Richland
380779707002050	ND-077-9707002	ND	Richland
380779707002056	ND-077-9707002	ND	Richland
380779707002059	ND-077-9707002	ND	Richland
380779707002061	ND-077-9707002	ND	Richland
380779707002085	ND-077-9707002	ND	Richland
380779707002105	ND-077-9707002	ND	Richland

