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October 22, 2021

Via Electronic Mail & Hand Delivery

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

**In re: LTD Broadband LLC
Designated ETC Application
Case No. PU-21-168
OAH File No. 20210263
Our File No. 061406-000001**

Dear Mr. Kahl:

I am writing on behalf of my client LTD Broadband LLC (“LTD”) to provide the Commission with a status update regarding this proceeding. On October 20, 2021, the Federal Communications Commission (“FCC”) issued an order (the “FCC Order”) responding to LTD’s waiver request seeking extension of the June 7, 2021 deadline for Rural Digital Opportunity Fund (“RDOF”) long-form applicants to obtain state ETC designation.¹ On October 21, 2021, I requested a meeting with Commission Staff to proactively notify Staff that LTD’s waiver request was not granted with respect to North Dakota. On the afternoon of October 21, advocacy Staff and counsel, Public Utilities Director Patrick Fahn, LTD’s FCC counsel and I had a call to discuss the FCC Order.

On the October 21 call, LTD’s FCC counsel informed Staff that LTD intends to seek reconsideration of the FCC Order and explained the general grounds upon which LTD believes reconsideration is warranted. I confirmed to Commission Staff that LTD continues to seek ETC designation from the Commission. In consideration of the recent developments at the FCC, I explained LTD is agreeable to its ETC designation being granted conditioned upon the FCC’s

¹ The FCC Order is accessible at <https://docs.fcc.gov/public/attachments/DA-21-1311A1.pdf>.

reconsideration of the FCC Order. The parties then discussed procedure in this proceeding. Commission Staff indicated a decision is pending regarding whether the forthcoming hearing will take the format of a formal or informal proceeding and scheduling is anticipated to be discussed at the Commission's November 3, 2021 meeting.

LTD looks forward to appearing before the Commission to further demonstrate its qualifications to become an ETC, and to meet its public service obligations consistent with the FCC's RDOF rules and North Dakota requirements.

Please contact me if there are any questions concerning this matter.

Sincerely,



Casey A. Furey

cc: ALJ Timothy J. Dawson (via email)
John M. Schuh (via email)
Brian L. Johnson (via email)
Patrick Fahn (via email)
Victor Schock (via email)