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VIA OVERNIGHT DELIVERY

Executive Secretary
Public Service Commission
State Capitol
600 E. Boulevard Ave.
Bismarck, ND 58505-0480
(701) 328-2400

MAY 13 2022

**NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Re: AirVoice Wireless, LLC d/b/a AirTalk Wireless
Case No. PU-22-158

Dear Sir/Madam:

Enclosed please find one original and seven (7) copies of AirVoice Wireless, LLC d/b/a AirTalk Wireless' Certification Relating to Order Provisions.

I have enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed preaddressed-postage-prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,



Lance J.M. Steinhart, Esq.
Managing Attorney
Lance J.M. Steinhart, P.C.
*Attorneys for AirVoice Wireless, LLC
d/b/a AirTalk Wireless*

Enclosures
cc: Henry Do

7 **PU-22-158** Filed: 5/13/2022 Pages: 4
Certification Relating to Order Provisions

Air Voice Wireless, LLC
Lance J.M. Steinhart, Esq.

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Air Voice Wireless, LLC
Designated Eligible Carrier
Application

Case No. PU-22-158

**Air Voice Wireless, LLC
CERTIFICATION RELATING TO ORDER PROVISIONS**

I am Henry Do, a representative of Air Voice Wireless, LLC (Air Voice) with authority to bind Air Voice and I certify that:

1. Air Voice is seeking designation as a Lifeline-Only Eligible Telecommunications Carrier (Lifeline-Only ETC)) for all non-rural telephone company wire centers within the state of North Dakota, all rural telephone company study areas within the state of North Dakota, and all Tribal areas within the non-rural and rural telephone company areas within the state of North Dakota. Which is the entire state of North Dakota.

2. For the telephone exchanges enumerated, Air Voice understands and agrees to the conditions and criteria set forth in Chapter 49-21 of the North Dakota Century Code and Chapter 69-09-05 of the North Dakota Administrative Code that pertain to Lifeline-Only Eligible Telecommunications Carriers (Lifeline Only ETC) , and Air Voice will be responsible for compliance with this Certification, the Public Service Commission's order in this proceeding, and conditions and criteria set forth in the applicable federal and state laws and rules pertaining to Lifeline-Only ETCs.

The provision in Chapter 69-09-05 of the North Dakota Administrative Code requiring the ETC to describe services in the "carrier's official telephone directory" is not applicable because Air Voice has no such directory.

3. Air Voice agrees to comply with all statements, processes and procedures set forth in its Application for designation as a Lifeline-Only ETC in the enumerated telephone exchanges. Air Voice agrees that all statements made and matters set forth in its Application are true and correct to the best of Air Voice's knowledge, information, and belief.

4. Air Voice will use the federal low-income universal service support it receives only for the provision of services for which the support is intended.

5. Air Voice meets all of the prerequisites to be designated as a Lifeline-Only ETC throughout the proposed ETC Designated Area in this proceeding.

6. Air Voice provides each of the services supported by federal universal service support mechanisms, specified in Federal Communications Commission's (FCC's) rules, 47 C.F.R. § 54.101, and will offer these supported services in North Dakota upon

designation as a Lifeline-Only ETC, including voice grade access, minutes of use for local service at no additional charge, access to emergency services and toll limitation services.

7. Air Voice will provide service on a timely basis to requesting customers within the applicant's proposed designated service area where the applicant's network already passes the potential customer's premises.
8. Air Voice will provide service within a reasonable period of time, if the potential customer is within Air Voice's proposed designated service area but outside its existing network coverage, if service can be provided at reasonable cost by:
 - (a) Modifying or replacing the requesting customer's equipment;
 - (d) Adjusting network or customer facilities; or
 - (e) Reselling services from another carrier's facilities to provide service.
9. Air Voice will not seek Universal Service Fund high-cost support for any telephone exchanges in its designated service area in North Dakota.
10. Air Voice will use all available means to ensure customers are eligible for the Lifeline program at the time of sign-up and recertification in accordance with the federal eligibility criteria in 47 C.F.R. § 54.409 and the relevant proof documentation specified in 47 C. F. R. § 54.410. Air Voice will check all available databases including the National Lifeline Accountability Database to prevent duplication and determine eligibility.
11. Air Voice has taken, and will continue to take, steps to work with its underlying carriers to remain functional in emergency situations by: (1) maintaining a reasonable amount of backup power to ensure functionality without an external power source; (2) maintaining the ability to re-route traffic around damaged facilities and to manage traffic spikes resulting from emergency situations; and (3) establishing procedures for employees to follow in an emergency to prevent or minimize interruption or impairment of telecommunications services.
12. Air Voice will meet or exceed applicable consumer protection and quality standards and will comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service
13. Air Voice will advertise the availability of the supported services detailed in its Application, and the corresponding rates and charges, in a manner designed to inform the general public within North Dakota. This advertising will occur through a combination of media channels, such as television and radio, newspaper, magazine and other print advertisements, outdoor advertising, direct marketing, and the Internet.
14. Air Voice will offer the services described in its Application.
15. Air Voice understands and agrees that if Air Voice has not advertised its Lifeline services or signed up any North Dakota customers within 12 months of the

effective date of Air Voice's designation as a Lifeline-only ETC, the Public Service Commission may revoke Air Voice's Lifeline-only ETC designation and North American may reapply to be designated as a Lifeline-only ETC In North Dakota.

16. Air Voice will comply with all applicable annual reporting requirements associated with being an ETC in North Dakota including filing with the Public Service Commission a copy of each report filed with the FCC, within 30 days of filing with the FCC.
17. Air Voice understands and agrees that its ability to offer service is subject to suspension or revocation for failure to comply with the Public Service Commission's orders, or applicable statutes, rules, regulations, standards, and other authorizations.
18. Air Voice agrees to maintain the records to demonstrate that Air Voice has complied with the requirements of the Public Service Commission's order(s) and that Air Voice will preserve records demonstrating compliance for Public Service Commission inspection at any reasonable time upon reasonable notice.
19. Air Voice understands and agrees that, to the extent there are any conflicts or inconsistencies between Air Voice's Application and the provisions in this Certification, the Certification provisions control.

Dated this 9 day of May, 2022.

AIR VOICE Wireless, LLC

By: 

Its Henry Do
CEO