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VIA ELECTRONIC MAIL

Mr. Victor Schock  
 Director, Public Utilities Division  
 North Dakota Public Service Commission  
 600 E. Blvd. Avenue, Dept 408  
 Bismarck, North Dakota 58505-0480

**RE: Support for Objection of Griggs County Telephone Company to Petition for Partial Relinquishment of ETC Designation by Qwest Corporation, PU-25-233**

Dear Mr. Schock:

BEK Communications Cooperative ("BEK") hereby submits this letter in support of the Objection filed by Griggs County Telephone Company ("Griggs") to the Petition for Partial Relinquishment of Eligible Telecommunications Carrier ("ETC") Designation filed by Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") in the above-referenced proceeding. BEK writes to express its agreement with Griggs' concerns regarding CenturyLink's operational capacity and fitness to maintain its Certificate of Public Convenience and Necessity ("CPCN") in rural North Dakota exchanges, and to support Griggs' request for a broader Commission inquiry into these matters.

**Background**

BEK is a North Dakota cooperative that has provided local exchange telecommunications service as an incumbent local exchange carrier ("ILEC") in twenty-six North Dakota exchanges since 1952. BEK also owns Inter-Community Telephone Company, LLC ("ICTC"), which serves as the rural ILEC in ten additional exchanges in North Dakota. Through its decades of experience serving rural North Dakota communities, BEK has developed substantial knowledge of the telecommunications landscape in the state, including the service quality and infrastructure maintenance practices of various carriers.

**Agreement with Griggs' Concerns**

BEK agrees with Griggs that CenturyLink's Petition raises serious questions about the company's operational capabilities and commitment to serving rural North Dakota. Griggs correctly identifies several troubling aspects of CenturyLink's filing that warrant Commission attention.

First, CenturyLink's acknowledgment that it serves only 17 voice customers and zero broadband customers in the Leonard exchange is striking. The fact that a certificated carrier has been so thoroughly replaced by a competing provider suggests fundamental service deficiencies. Customers do not abandon their existing service provider en masse without compelling reasons related to service quality, reliability, or capability.

Second, BEK agrees with Griggs that CenturyLink's simultaneous request to relinquish ETC obligations while retaining its CPCN "should better opportunities arise in the future" raises legitimate policy concerns. This

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 Letter in Support of Griggs County Telephone Company's Objection to Petition for Partial Relinquishment  
 BEK Communications Cooperative  
 Derrick Bulawa, CEO



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approach allows a carrier to shed the obligations of universal service while preserving legal rights that may have future value. Such selective compliance with telecommunications obligations is inconsistent with the public interest purpose underlying the certificate framework.

Third, the safety concerns raised by Griggs regarding deteriorating outside plant are deeply troubling. The photographs presented during the September 25, 2025 hearing depicting still-powered equipment lying in fields with broken or open cases, and broken pedestals on street corners exposing powered equipment to children, represent serious public safety hazards. These conditions suggest not merely inadequate service quality but a fundamental failure to maintain infrastructure in a safe manner.

### **BEK's Valley City Experience**

BEK's own experience in the Valley City exchange, where CenturyLink also serves as the incumbent carrier, informs its perspective on the issues raised by Griggs. BEK operates as a competitive local exchange carrier in Valley City and has substantial operational experience in that exchange.

In Valley City, BEK has observed that CenturyLink's network consists predominantly of copper facilities. According to publicly available data from the National Broadband Map, CenturyLink offers speeds of only 10/1 Mbps within the city limits of Valley City and almost no broadband in the more rural parts of the exchange. This represents a decade of failure to upgrade infrastructure to meet even minimal modern broadband standards.

In response to demand for superior service, BEK has deployed a fiber-to-the-home network covering 100% of all locations in the Valley City exchange, with ubiquitous fiber serviceability across the area where CenturyLink's copper network operates. BEK's fiber network provides speeds in excess of 5 Gbps (both symmetrical and asymmetrical), with maximum retail subscriber capability of up to 10 Gbps, supported by a core network with 400 Gbps transport capacity.

The market response has been substantial. BEK currently serves approximately 538 voice grade access lines in Valley City, representing an estimated 86% of the active landline phone market in the exchange. BEK also serves 2,609 active broadband subscribers, representing an estimated 71.3% of the active terrestrial broadband market, based on the 3,661-location identified in the National Broadband Map fabric.

This level of customer migration from the incumbent to a competitive provider is extraordinary in less than 10 years and strongly suggests significant deficiencies in the incumbent's service. Customers rarely incur the inconvenience of changing service providers without compelling reasons.

### **Broader Pattern of Operational Failures**

BEK agrees with Griggs' observation that CenturyLink's well-known Rural Digital Opportunity Fund defaults in other states raise questions about management capacity and commitment to rural service. A carrier that has defaulted on federal broadband deployment obligations demonstrates, at minimum, challenges in planning, executing, and maintaining telecommunications infrastructure projects.



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Griggs notes that upon information and belief, CenturyLink has only a handful of technicians available to maintain its voice telephone service statewide. If accurate, this staffing level would be wholly inadequate to properly maintain a telecommunications network spanning multiple exchanges across North Dakota. Proper maintenance requires not only responding to outages and service calls but conducting preventive maintenance, infrastructure inspections, and timely repairs—functions that cannot be performed with minimal staffing.

### **Public Interest Considerations**

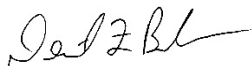
The public interest requires that customers have access to safe, reliable, modern telecommunications services. In 2025, this means broadband-capable infrastructure, not copper facilities offering speeds that were inadequate a decade ago. The public interest also requires that certificated carriers maintain their infrastructure in a condition that does not pose safety hazards to the public, particularly to children.

BEK respectfully submits that the public interest is not served by permitting carriers to retain valuable certificates while systematically failing to fulfill the service obligations those certificates entail. When capable carriers have made substantial investments to deploy modern infrastructure and serve customers that the incumbent has effectively abandoned, those investing carriers—not the failing incumbent—should be recognized as the providers best positioned to serve the public interest.

### **Conclusion**

BEK supports Griggs' objection to CenturyLink's Petition and endorses Griggs' request that the Commission initiate an inquiry to examine whether CenturyLink remains qualified to hold its CPCN in rural exchanges where it has been substantially replaced by neighboring local exchange carriers. The evidence presented by Griggs, considered alongside BEK's own observations and experience in Valley City, suggests that CenturyLink's operational failures are not isolated to Leonard but reflect systemic problems across its North Dakota service territory.

Respectfully submitted,



Derrick Bulawa

CEO



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