BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF THE APPLICATION OF VENTURE VISION, INC. FOR APPROVAL OF A CERTIFICATE OF AUTHORITY OF AND FOR WAIVER OF CERTAIN REQUIREMENTS OF ARSD 20:10:32:03

TC21-____

APPLICATION FOR A CERTIFICATE OF AUTHORITY

COMES NOW, Venture Vision, Inc., ("Venture Vision") a South Dakota Corporation, by and through the undersigned counsel, and requests pursuant to A.R.S.D. §§ 20:10:32:03 and 20:10:24:02 of the Public Utilities Commission's ("Commission") Administrative Rules, a certificate of authority and submits the following information in support thereof:

(1) The applicant's name, address, telephone number, facsimile number, web page URL, and E-mail address (A.R.S.D. §§ 20:10:24:02 (1) and 20:10:32:03 (1)):

Venture Vision 218 Commercial Ave. SE Highmore, SD 57345 Ph: 605-852-2224 Facsimile: 605-852-2404 Web Page URL: <u>www.venturecomm.net</u> Email address: <u>randyh@venture.coop</u>

(2) A description of the legal and organizational structure of the applicant's company (A.R.S.D. §§ 20:10:24:02(2) and 20:10:32:03 (2)):

Venture Communications, Inc., a South Dakota Corporation, was organized on April 28, 1986 and is a wholly owned subsidiary of Venture Communications Cooperative, a South Dakota Cooperative. Venture Communications Cooperative, the parent company, is an incumbent local exchange carrier headquartered in Highmore, South Dakota. Venture Communications, Inc., was formed to provide non-regulated satellite TV services. In October of 2002, Venture Communications, Inc. changed its name to Venture Vision, Inc.

(3) The name under which applicant will provide local exchange services if different than in subdivision (1) of this section (A.R.S.D. §§ 20:10:24:02(3) and 20:10:32:03 (3)):

Venture Vision

(4) The location of the applicant's principal office, if any, in this state, and the name and address of its current registered agent, if applicable (A.R.S.D. §§ 20:10:24:02(5) and 20:10:32:03 (4)):

The principal office is located at 218 Commercial Ave. SE, Highmore, South Dakota, 57345.

The name and address of the current registered agent is:

Darla Pollman Rogers 319 S. Coteau Street Pierre, SD 57501

(5) A copy of its certificate of authority to transact business in South Dakota from the secretary of state (A.R.S.D §§ 20:10:24:02(4) and 20:10:32:03 (5)):

A copy of Venture Vision's Certificate of Authority from the South Dakota Secretary of State is attached as Exhibit A

(6) A description of the applicant's experience providing any telecommunication services in South Dakota or in other jurisdictions, including the types of services provided, and the dates and nature of state or federal authorization to provide the services. (A.R.S.D §§ 20:10:32:03 (6)):

Venture Vision shares managerial and technical resources with its parent cooperative who has been providing telecommunications services since 1952.

(7) Names and addresses of applicant's affiliates, subsidiaries, and parent organizations, if any. (A.R.S.D. §§ 20:10:32:03 (7)):

Venture Vision's parent company is as follows:

Venture Communications Cooperative 218 Commercial Ave. SE Highmore, SD 57345

- (8) A list and specific description of the types of services the applicant seeks to offer and how the services will be provided including (A.R.S.D.§§ 20:10:24:02 (6) and 20:10:32:03 (7)):
 - (a) Information indicating the classes of customers the applicant intends to serve.

Residential and business customers.

(b) Information indicating the extent to and time-frame by which applicant will provide service through the use of its own facilities, the purchase of unbundled network elements, or resale.

Venture Vision proposes to provide local service primarily through the use of its own facilities. Venture Vision was awarded Rural Digital Opportunity Fund ("RDOF") Phase I support in the FCC's RDOF Phase I Auction. Construction is estimated to be completed by the end of 2023, which is the time-frame by which applicant will provide services.

(c) A description of all facilities that the applicant will utilize to furnish the proposed local exchange services, including any facilities of underlying carriers.

Venture Vision will install its own state of the art fiber-based facilities to provide any requested services.

(d) Information identifying the types of services it seeks authority to provide by reference to the general nature of the service.

Venture Vision will provide local telephone exchange service, interexchange long distance service and broadband to residential and business customers.

(9) A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant. (A.R.S.D. §§ 20:10:24:02(8) and 20:10:32:03 (9)):

Venture Vision intends to offer its services to customers in the census blocks for which Venture Vision was awarded RDOF support. The census blocks are located in rural Hughes and Spink Counties. *See* Exhibit B, list of census blocks, and Exhibit C, map of census blocks Venture Vision will serve.

(10) Information regarding the technical competence of the applicant to provide its proposed local exchange services including: (A.R.S.D. §§ 20:10:32:03:(10)):

(a) A description of the education and experience of the applicant's management personnel who will oversee the proposed local exchange services.

Attached hereto as **Exhibit D** is a description of the education and experience of Venture Vision's management personnel.

(b) Information regarding policies, personnel, or arrangements made by the applicant which demonstrates the applicant's ability to respond to customer complaints and inquiries promptly and to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirements.

Venture Vision will be directly responsible for all customer inquiries and complaints. The telephone number for customer inquiries and complaints will be provided by Venture Vision on the customer bill. Customer service will be available seven days a week, twenty-four hours a day.

For regulatory matters:

Randy Houdek, CEO/ General Manager Venture Communications Cooperative 218 Commercial Ave. SE Highmore, SD 57345 Ph: 605-852-2224 Facsimile: 605-852-2404 Email address: randyh@venture.coop

For complaint matters by Commission:

Darla Pollman Rogers, Attorney for Venture Vision Riter Rogers, LLP PO Box 280 Pierre, SD 57501 Ph: 605-224-5825 Fax: 605-224-7102 dprogers@riterlaw.com

For complaint matters by Customers:

Randy Houdek, CEO/ General Manager Venture Communications Cooperative 218 Commercial Ave. SE Highmore, SD 57345 Ph: 605-852-2224 Facsimile: 605-852-2404 Email address: randyh@venture.coop

(11) Information explaining how the applicant will provide customers with access to emergency services such as 911 or enhanced 911, operator services, interexchange services, directory assistance, and telecommunications relay services. (A.R.S.D. §§ 20:10:32:03 (11)):

> Venture Vision will connect with Pierre and Huron PSAPs via the 911 selective router and will provide enhanced 911 consistent with current E911 requirements. Venture Vision will contact the proper county officials and will provision and test E911 before offering any services. Venture Vision will use its underlying carrier, Inteliquent, for operator and directory assistance services. Venture Vision will configure its switch to provide and properly route all telecommunications relay services. Venture Vision will use its underlying carrier, Inteliquent, to provide interexchange services.

(12) For the most recent 12 month period, financial statements of the applicant consisting of balance sheets, income statements, and cash flow statements. The applicant shall provide audited financial statements, if available. (A.R.S.D §§ 20:10:24:02 (9) and 20:10:32:03 (12)):

Please see attached Confidential Exhibit E.

- (13) Information detailing the following matters associated with interconnection to provide proposed local exchange services: (A.R.S.D §§ 20:10:32:03 (13)):
 - (a) The identity of all local exchange carriers with which the applicant plans to interconnect.

Venture Vision will offer unlimited toll services, so there will be no need for local interconnection with other local exchange carriers.

(b) The likely timing of initiation of interconnection to provide proposed local exchange services: (A.R.S.D §§ 20:10:32:03 (13)):

See response to 13(a) above.

(c) A copy of any request for interconnection made by the applicant to any local exchange carrier.

See response to 13(a) and (b) above.

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A description of how the applicant intends to market its local exchange services, its target market, whether the applicant engages in multilevel marketing, and copies of any company brochures that will be used to assist in sale of the services. (A.R.S.D §§ 20:10:24:02 (16) and 20:10:32:03 (14)):

Venture Vision intends to market through door to door campaigns, open house events, brochures and flyers, as well as newspaper and radio ads.

(15) If the applicant is seeking authority to provide local exchange service in the service area of a rural telephone company, the date by which the applicant expects to meet the service obligations imposed pursuant to (A.R.S.D §§ 20:10:32:15) and applicant's plans for meeting the service obligations. (A.R.S.D §§ 20:10:32:03 (15)):

Venture Vision is not seeking authority to provide retail, end user local exchange service in the service area of a rural telephone company.

(16) A list of the states in which the applicant is registered or certified to provide telecommunications services, whether the applicant has ever been denied registration or certification in any state and the reasons for any such denial, a

statement as to whether or not the applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable. (A.R.S.D §§ 20:10:24:02(15) and 20:10:32:03 (16)):

Venture Vision has not applied for or been denied certification in any other state.

(17) The names, addresses, telephone numbers, E-mail addresses, and facsimile number of the applicant's representatives to whom all inquiries must be made regarding customer complaints and other regulatory matters. (A.R.S.D §§ 20:10:24:02 (3)):

Darla Pollman Rogers, Attorney for Venture Vision PO Box 280 Pierre, SD 57501 Ph: 605-224-5825 Fax: 605-224-7102 dprogers@riterlaw.com

(17) Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services. (A.R.S.D §§ 20:10:24:02(11) and 20:10:32:03 (18)):

Venture Vision will bill customers directly. Customer payments will be made directly to the Company.

(18) Information concerning the applicant's policies relating to solicitation of new customers and a description of the efforts the applicant shall use to prevent the unauthorized switching of local service customers by the applicant, its employees, or agents. (A.R.S.D §§ 20:10:24:02(12) and 20:10:32:03 (19)):

Venture Vision will follow federal and state rules regarding switching of local service customers.

(19) The number and nature of complaints filed against the applicant with any state or federal commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered. (A.R.S.D §§ 20:10:24:02(18) and 20:10:32:03 (20)):

None.

(20) Information concerning how the applicant will make available to any person information concerning the applicant's current rates, terms, and conditions for all of its telecommunications services. (A.R.S.D §§ 20:10:24:02(13) and 20:10:32:03 (21)): Current rates, terms, and conditions will be made available to the public and customers via direct mailings and via Venture Vision's website and brochures.

(21) Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications services being provided to the customer. The notification must be made at least thirty days in advance of the change. (A.R.S.D §§20:10:24:02(14) and 20:10:32:03 (22)):

Changes to rates, terms or conditions will be made at least thirty days in advance via direct mail, bill inserts, and/or email notification.

(22) A written request for waiver of those rules believed to be inapplicable. (A.R.S.D §§ 20:10:24:02(19) and 20:10:32:03(22)):

None at this time.

(23) Federal tax identification number and South Dakota sales tax number. (A.R.S.D §§ 20:10:24:02(17) and 20:10:32:03(24)):

> EIN -- 46-0391536 Sales Tax Number -- 1034-0298-ST

(25) Other information requested by the commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the local exchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws. (A.R.S.D §§ 20:10:24:02(20) and 20:10:32:03 (25)):

None at this time.

Dated this $\frac{4}{2}$ day of October, 2021.

Respectfully submitted,

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Darla Pollman Rogers Riter Rogers, LLP PO Box 280 Pierre, SD 57501 Attorney for Venture Vision

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Application for a Certificate of Authority on Behalf of Venture Vision, Inc. was sent by electronic notice or by mail to the following:

Ms. Patricia Van Gerpen Executive Director South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501

Jason Topp Senior Counsel – Regulatory Century Link Communications Company, LLC 200 S. Fifth St., Rm. 2200 Minneapolis, MN 55402

and to the most recent list of Competitive Local Exchange Providers as maintained on the South Dakota Public Utilities Commission website and attached hereto as **Exhibit F**.

Dated this $\underline{\underline{\mu^{+}}}$ day of October, 2021.

Pollman Koger

Darla Pollman Rogers