

---

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

---

**IN THE MATTER OF THE FILING OF  
TRUCONNECT COMMUNICATIONS,  
INC'S PETITION FOR DESIGNATION  
AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER  
IN THE STATE OF SOUTH DAKOTA  
FOR THE LIMITED PURPOSE OF  
PROVIDING LIFELINE SERVICE TO  
QUALIFYING CUSTOMERS**

**Docket No. TC24-004**

---

**TRUCONNECT COMMUNICATIONS, INC.'S RESPONSE TO FIRST DATA  
REQUEST OF SOUTH DAKOTA PUBLIC UTILITIES COMMISSION STAFF**

TruConnect Communications, Inc. (TruConnect) provides the following response to the first data request of the South Dakota Public Utilities Commission Staff issued on March 18, 2024 (First Data Request). In accordance with the Staff's instructions set forth in the First Data Request, TruConnect is designating responses to Data Requests 1-1, 1-6, and 1-21 as CONFIDENTIAL. TruConnect is providing a confidential version of its response that includes all responses and a non-confidential version of its response that redacts those portions of the responses that are confidential.

Dated: April 19, 2024

**RESPONSE TO FIRST DATA REQUEST**

- 1-1. Provide updated financial statements for TruConnect for the year ended December 31, 2023, including a balance sheet, income statement, and a statement of cash flows, audited if available.**

**CONFIDENTIAL Response**

*See* CONFIDENTIAL Exhibit 1-1. TruConnect is providing unaudited financial statements for 2023. Audited financial statements for 2023 are not available at this time.

- 1-2. Provide TruConnect's proposed effective date as required by ARSD 20:10:32:43(2).**

**Response**

TruConnect is ready to commence offering Lifeline service in South Dakota promptly after the Commission designates TruConnect as an ETC and proposes an effective date of May 1, 2024. Upon issuance of the ETC designation order, TruConnect will complete a Lifeline program study area code (SAC) request and submit it to the Universal Service Administrative Company. TruConnect will start offering Lifeline service when it receives its SAC for South Dakota.

- 1-3. Given the ACP funds are expected to run out in April 2024, provide the impact to TruConnect's ACP customers' bills and available options to them with and without Lifeline.**

**Response**

TruConnect is one of the leading companies advocating to Congress to maintain and fund the ACP. However, in preparation for the ACP wind-down, TruConnect plans to continue to support its ACP customers and will continue to discount their bills until the end of May 2024. In the event the ACP is not re-funded, TruConnect will remain committed to providing Lifeline support to its existing customers who also had ACP and

**REDACTED**

will assist their ACP-only customers to enroll into the Lifeline program or a company pre-paid plan offering.

**1-4. Please confirm that although ACP funding is expected to be unavailable, TruConnect will provide Lifeline services in South Dakota.**

**Response**

TruConnect confirms that it will provide Lifeline services in South Dakota even if ACP funding is unavailable.

**1-5. Provide the number of Lifeline customers TruConnect has in each state it offers service in. Separate out by Tribal and non-Tribal customers.**

**Response**

As of the April 1, 2024 USAC NLAD Snapshot, TruConnect had the following Lifeline customers:

<b>State</b>	<b>Non-Tribal</b>	<b>Tribal</b>	<b>Total Customers</b>
Alabama	3,949	-	3,949
California	396,761	134	396,895
Massachusetts	7,658	-	7,658
New Jersey	25,237	-	25,237
Rhode Island	1,323	-	1,323
Tennessee	7,257	-	7,257
US Virgin Islands	927	-	927
Vermont	446	-	446
Virginia	12,410		12,410
<b>Total</b>	<b>455,968</b>	<b>134</b>	<b>456,102</b>

**1-6. Provide the number of non-Lifeline customers TruConnect has in each state it offers service in.**

**CONFIDENTIAL Response**

As of April 1, 2024, TruConnect had the following Non-Lifeline Customers:

**REDACTED**

**[REDACTED]**

**1-7. Is the Lifeline Offering provided in Exhibit 6 the same as TruConnect's offerings in other states? If TruConnect offers different Lifeline plans in other states, provide the details of each plan, specifying the state in which that plan is available.**

**Response**

TruConnect's Lifeline offering as described in Exhibit 6 to TruConnect's ETC Petition is the same as the offering in all other states where TruConnect has been designated as an ETC, with the exception of California. In California, TruConnect is designated as an ETC for purposes of participating in the federal Lifeline program and the California LifeLine program. TruConnect's Lifeline offering in California is described in Advice Letter 50A filed with the California Public Utilities Commission on November 28, 2023. *See* Exhibit 1-7.

**1-8. For TruConnect's Lifeline offerings in South Dakota, provide a breakdown of TruConnect's fixed cost and variable cost to serve a single Lifeline subscriber.**

**Response**

TruConnect does not maintain data regarding the fixed and variable cost to serve a single Lifeline subscriber. TruConnect purchases wireless services from its underlying carriers in bulk and such services are not priced on a subscriber level basis.

**REDACTED**

**1-9. Confirm TruConnect will not charge a number-portability fee on its Lifeline plans.**

**Response**

TruConnect confirms that it will not charge a number portability fee on its Lifeline plans.

**1-10. Are there any locations in TruConnect’s proposed service area that do not currently have a wireless Lifeline offering available to them? Are there any locations that do not have a prepaid wireless Lifeline offering available to them?**

**Response**

Based on a review of the most recent data available on the Universal Service Administrative Company’s website (*see* LI04-Qtly-Low-Income-Disbursement-Amts-by-Company-4Q2023.xlsx available at <https://www.usac.org/about/reports-orders/fcc-filings/>) only four wireless ETCs have Lifeline customers in South Dakota: Boomerang Wireless LLC (Boomerang); Cingular Wireless (AT&T); James Valley Wireless, LLC (James Valley); and Standing Rock Telecom, Inc. (Standing Rock). TruConnect is not aware of the precise areas of coverage for these four carriers, nor can it determine whether there are certain areas within its proposed service area where there is no wireless Lifeline offering or no prepaid wireless Lifeline offering available. Based on a review of available maps, the coverage areas for James Valley and Standing Rock are limited to certain rural areas in the north-central and north-east areas of South Dakota. TruConnect resells T-Mobile’s service and AT&T has its own network. TruConnect relies on T-Mobile, as well as Verizon Wireless to provide service in South Dakota. As depicted in the coverage maps filed with TruConnect’s ETC petition, those two carriers’ coverage areas encompass virtually the entire state. Based on TruConnect’s robust coverage of the

## REDACTED

state, it submits that it has the ability to offer Lifeline service to the vast majority of South Dakota residents who qualify for Lifeline benefits.

**1-11. Provide the details and pricing (including handset costs) of any prepaid Lifeline offerings by the wireless providers currently serving TruConnect's proposed service area. Provide the details and pricing (including handset costs) of any postpaid Lifeline offerings by the wireless providers currently serving TruConnect's proposed service area.**

### Response

The following monthly Lifeline plans are based on TruConnect's review of the ETCs' websites. TruConnect did not contact the listed ETCs to confirm the accuracy of the information on their websites.

#### Boomerang Wireless

- 300 voice minutes, 300 texts and 4.5 GB of data for \$0
- 500 voice minutes, 500 texts and 4.5 GB of data for \$1
- 1,000 voice minutes, 1,000 texts and 4.5 GB of month for \$5
- 1,500 voice minutes, 1,500 texts and 4.5 GB of data for \$10
- Unlimited voice minutes, unlimited texts and 4.5 GB of data for \$25
- Unlimited voice minutes, unlimited texts and 5 GB of data for \$26
- Unlimited voice minutes, unlimited texts and 6 GB of data for \$30
- Tribal: Unlimited voice minutes, unlimited texts and 4.5 GB of data for \$0
- Tribal: Unlimited voice minutes, unlimited texts and 5 GB of data for \$1
- Tribal: Unlimited voice minutes, unlimited texts and 6 GB of data for \$25
- No specific device information available online.

See <https://entouchwireless.com/lifeline-plans/>. Boomerang Wireless's Lifeline plans are prepaid.

#### AT&T

- Eligible customers will get at least a \$5.25 discount on their bill. Qualifying customers who live on federally recognized tribal lands may get up to an additional \$25 discount. See <https://www.att.com/wirelesslifeline/>. The least expensive single line post-paid plan appears to offer unlimited talk, text and data

## REDACTED

for \$50.99 plus taxes and fees. See <https://www.att.com/plans/wireless/>. The least expensive prepaid plan appears to offer unlimited talk, unlimited text and 30 GB of data for \$40, plus taxes and fees and a \$15 activation fee.

- AT&T offers numerous devices for sale. See <https://www.att.com/buy/phones/>.

### James Valley

- If you qualify, the Lifeline assistance program provides a \$9.25 credit on your monthly internet service or a \$5.25 credit on your monthly home phone or cell phone service. See <https://jamesvalley.com/residential/cell-phone-service/>. James Valley offers unlimited talk and text for \$25. Data plans, which are an additional cost include unlimited data for \$50, 10 GB of data for \$40 and 3 GB of data for \$30. See <https://jamesvalley.com/residential/plans/>. The plans do not indicate if they prepaid or postpaid.
- James Valley offers numerous devices for sale. See <https://jamesvalley.com/residential/phones/>.

### Standing Rock

- Customers receiving Lifeline will be receiving a total credit of \$34.25 on their monthly service bill. See <https://www.standingrocktelecom.com/lifeline>. Standing Rock offers unlimited talk and text and unlimited in-network data for \$45. See <https://www.standingrocktelecom.com/wireless#individualwirelessplans>.
- Standing Rock offers numerous devices for sale. See <https://www.standingrocktelecom.com/phones>. The plan does not indicate if it is prepaid or postpaid.

**REDACTED**

**1-12. How does TruConnect determine which underlying carrier will serve a customer? Do customers have the option to select the underlying carrier? If a customer is not satisfied with the service provider, can the customer switch to a different underlying carrier?**

**Response**

TruConnect assigns customers to the underlying carrier network that has the best coverage in the area surrounding the customer's home address. Customers do not have the option to select the underlying carrier and may not switch to a different underlying carrier.

**1-13. How will TruConnect verify a potential customer resides in a tribal area? Does the National Verifier confirm a potential customer resides in a tribal area?**

**Response**

TruConnect relies on the National verifier to confirm that a potential customer resides in a tribal area.

**1-14. Does TruConnect utilize tribal/reservation government or other tribal/reservation administrative services to distribute phones to customers?**

**Response**

TruConnect does not utilize tribal/reservation government or other tribal/reservation administrative services to distribute phones to customers.

**1-15. Does TruConnect plan to enter into any agreements with a Tribe where TruConnect would receive compensation for serving tribal areas?**

**Response**

TruConnect does not utilize tribal/reservation government or other tribal/reservation administrative services to distribute phones to customers.

**1-16. Provide a list of all handset models offered with TruConnect's Lifeline offering.**



## REDACTED

### Response

TruConnect does not provide free handsets to Lifeline subscribers. A Lifeline customer may bring their own handset and receive a free SIM card. A Lifeline subscriber also has the option of purchasing a handset from TruConnect. *See* [https://shop.truconnect.com/shop/?\\_product\\_categories=phones](https://shop.truconnect.com/shop/?_product_categories=phones). TruConnect's website lists a SIM card for \$9.99, but this charge is only applicable to non-Lifeline customers.

**1-17. Will TruConnect offer any refurbished handsets? If so, has TruConnect experiences any quality issues with its refurbished handsets compared to new handsets? Confirm that TruConnect will not misrepresent refurbished phones as new phones in advertisements and when signing new customers up for service.**

### Response

TruConnect does not offer any refurbished handsets.

**1-18. Will TruConnect use Marketing Agents to enroll customers? If so, does TruConnect compensate Marketing Agents based on enrollments? What procedures does TruConnect have in place to assure its Marketing Agents do not misuse beneficiary data?**

### Response

TruConnect contracts with third party distributors who hire enrollment representatives (i.e., marketing agents) to conduct outreach for the purpose of educating consumers about the program and enrolling them. TruConnect's agreements with third party distributors obligate distributors to compensate enrollment representatives in a manner that complies with the FCC's rules which prohibit commission compensation that is based on the number of consumers who apply for or are enrolled in the Lifeline program. *See* 47 C.F.R. § 54.406(b). TruConnect ensures that its enrollment representatives do not misuse beneficiary data by requiring them to receive training developed by TruConnect before they are permitted to enroll customers in the Lifeline

**REDACTED**

program. As required by the FCC's rules, TruConnect relies on the National Verifier to confirm that applicants are eligible to receive Lifeline service. In addition, prior to enrolling an individual in Lifeline, TruConnect verifies the identity of each applicant and reviews its customer database to ensure that the individual is not currently receiving Lifeline service from TruConnect and that any low-income program beneficiary who is relied upon to qualify an applicant for Lifeline service is not currently identified as the qualifying beneficiary for another customer.

**1-19. TruConnect provided sample advertisements in Exhibit 4. Provide a copy of all media sources used in the advertising of TruConnect's services and charges, including point of sale materials, customer direct mail, customer brochures, and print media.**

**Response**

TruConnect does not utilize direct mail and print media. TruConnect does provide customer brochures at in-person marketing events. However, TruConnect is in the process of revising its customers brochures given the imminent wind-down of ACP.

**1-20. Provide the Terms and Conditions for plans and enrollment. Are said Terms and Conditions available to potential customers prior to enrollment?**

**Response**

See Exhibit 1-20. TruConnect's terms and conditions are available to potential customers on TruConnect's website at <https://www.truconnect.com/terms-and-conditions>.

**1-21. In what states does TruConnect provide services in that generate revenue outside of the Lifeline program? What was the breakdown of TruConnect's Lifeline revenue versus non-Lifeline revenue in 2022 and 2023?**

**CONFIDENTIAL Response**

TruConnect receives non-Lifeline revenue for services provided to customers in the following states: **[REDACTED]**

**REDACTED**

**[REDACTED]**

**1-22. Will TruConnect furnish its own coverage information and maps to potential customers or rely on maps and coverage information from the underlying carriers?**

**Response**

TruConnect provides its own coverage information on its website at <https://www.truconnect.com/wireless/coverage/map>.

**1-23. Does TruConnect have any plans to utilize other underlying carriers in the future? If so, which carriers are being considered?**

**Response**

TruConnect currently does not have any plans to utilize any other underlying carriers.

**1-24. Explain how TruConnect's affiliate networks re-route traffic around damaged facilities.**

**Response**

TruConnect's Lifeline services remain functional in emergency situations. TruConnect utilizes the extensive and well-established T-Mobile and Verizon network infrastructure and wireless transmission facilities to provide TruConnect's mobile services. Through TruConnect's relationships with T-Mobile and Verizon, TruConnect provides to its customers the same ability to remain functional in emergency situations as provided by T-Mobile and Verizon to their own customers. As Tier I mobile network operators, T-Mobile and Verizon have redundancies, back-up generator power and an extensive disaster recovery program. T-Mobile and Verizon networks are capable of

**REDACTED**

managing traffic spikes that may occur during emergency situations and can reroute traffic in the event of damaged facilities. T-Mobile and Verizon have sufficient back-up power to ensure functionality if their external power supply is unavailable.

**1-25. Explain how TruConnect's affiliate networks manage traffic spikes resulting from emergency situations.**

**Response**

*See Response to Request 1-24.*