

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

IN THE MATTER OF THE APPLICATION
OF NATIVE AMERICAN TELECOM, LLC
FOR A CERTIFICATE OF AUTHORITY TO
PROVIDE LOCAL EXCHANGE SERVICE
WITHIN THE STUDY AREA OF
MIDSTATE COMMUNICATIONS, INC.

Docket No. TC11-087

**DIRECT TESTIMONY OF
GENE DEJORDY
ON BEHALF OF
NATIVE AMERICAN TELECOM, LLC**

February 7, 2014

EXHIBIT A

Gene DeJordy
Background Statement
February 2014

- Experience** **Founder, Native American Telecom Enterprise, LLC.** Established broadband and local telephone carriers on Native American Indian reservations using advanced wireless technologies; identify, develop, and implement telecommunications businesses models eligible for funding sources for start-up and on-going operations (July 08 – present).
- Attorney/Consultant, Dakelyn Consulting, Connecticut and Washington, D.C.** Provide legal, regulatory, public policy, government affairs, and business development consulting to communications companies and tribal governments; identify telecom opportunities for start-up and developing companies; provide due diligence review of new acquisitions and established business ventures (Nov 07 to present).
- Senior Vice President, Alltel, Little Rock, Arkansas.** Part of the senior operations team (sales, marketing, finance, business development, regulatory); responsible for regulatory affairs, universal service operations, interconnection, E911, and other legal and public policy matters for a national wireless carrier; staff of 37 individuals, including 4 in-house attorneys and outside counsel in 35 states and DC (Aug 05 – Nov 07 upon sale to GS/TPG).
- Vice President of Legal/Regulatory Affairs, Western Wireless, Bellevue, WA.** Responsible for: legal, regulatory and legislative affairs at the federal, state, and local level; regulatory business development, including universal service, CLEC, broadband and internet service, and Indian reservations; legal matters and litigation arising from regulatory issues; negotiation of agreements governing telecommunications services; compliance with local, state, and federal requirements imposed on wireless service providers; implementation of government mandates, such as E911 (Dec 95 – Aug 05).
- Attorney, Swidler and Berlin, Washington, D.C.** Responsible for providing legal advice to a diverse clientele of video companies, competitive providers, wireless carriers, interexchange carriers, manufacturers and other entities in the telecommunications industry, and foreign governments (Sep 93 – Dec 95).
- Regulatory Counsel, Federal Communications Commission, Washington, D.C.** Worked on a wide range of common carrier issues (Aug 92 – Sep 93).
- Business Manager and Engineer, International Thomsen and Mitre Corporation, Massachusetts.** Prior to law school, worked as an engineer and then as a manager for a start-up telecommunications business.
- Education** **Juris Doctorate, Catholic University of America, Washington, D.C.** Graduated top 20% of class in 1992 (1989 – 1992)
- Master of Science, Telecommunications Policy, George Washington University, Washington, D.C., 3.6 GPA**
- Bachelor of Science, Technology and Management, University of Maryland, College Park, Maryland**

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Gene DeJordy

Specific Accomplishments

Business Operations

Established Native American Telecom Enterprise, LLC to develop businesses on Indian reservations.
Created tribally owned entities on the Crow Creek and Pine Ridge reservations.
Manage the design, construction, and operation of telecommunications businesses.
Manage the universal service operations (sales, engineering, operations) for a mobile wireless carrier.

Legal Management

Established a legal, regulatory, and government affairs consulting practice (Dakelyn Consulting).
Established a legal/regulatory department designed to create business opportunities, enhance operational efficiencies, further political and public policy objectives, and ensure compliance with a myriad of legal and regulatory obligations.
Manage legal/regulatory group of 37 individuals.
Manage extensive network of outside attorneys/consultants in 35 states and D.C.
Oversee a multi-million dollar budget for legal and consulting expenses.

Regulatory Development

Established the largest competitive carrier eligible for more than \$350M in universal service support.
Obtained all regulatory approvals for a company to provide competitive local and long distance telecommunications services in more than 20 states.

Successful advocate on public policy. Positioned a company to be a recognized leader in advocating its interest before Congress and the FCC on wireless issues; established a D.C. office to increase a company's presence and influence.

Represent Tribal Governments.

Attorney for the Crow Creek Sioux Tribe and the Oglala Sioux Tribe Utilities Commission.
Entered into a historic agreement with an Indian Tribe for the construction of a wireless network; secured key relationships with influential state and local government officials resulting in decisions that created a favorable business environment.

Choreograph Successful Public/Media Affairs. Arranged signing ceremony involving members of Congress, the Administration, and FCC; coordinated media campaign and public relations campaign to maximize exposure; positioned a company to participate in key forums at federal and state level.

Lobbying/Witness/Advocate. Lobby members of Congress, federal officials, and state governments; testify; panelist at industry events; publicly advocate position.

Reversal of Forfeiture. Obtained reversal of two notices of apparent liability, one for alleged anti-collusion and the other for alleged environmental violations.

Preemption of Anti-Competitive State Practices. Obtained FCC decisions declaring certain provisions of the Kansas state universal service fund to be invalid and South Dakota's denial of universal service eligibility to be unlawful.

Won 16 interconnection arbitration cases. Won precedent setting interconnection arbitrations establishing cost-based rates.

Obtained entry into the universal service market. Became first competitive carrier in the country to obtain universal service support in rural telco areas.

Influential on public policy. Successful in positioning a company to be influential on key telecommunications issues before state legislatures and regulatory commissions, resulting in favorable legislation and regulation.

Antitrust Victory. Obtained a precedent setting antitrust decision against a telephone company for disconnecting interconnection service.

Interconnection Wins. Secured court decisions affirming state arbitration decisions.

Wireless Local Loop Favorable Decision. Obtained favorable court decisions through ND Supreme Court that wireless offering is not subject to state regulation.

Universal Service Entry Barriers Eliminated. Obtained ND and SD court decisions overturning state denial of entry into the universal service market.

Compliance. Established an excellent record of compliance with a myriad of local, state and federal regulations; established a detailed compliance program to ensure that a company is in compliance with applicable legal and regulatory requirements; implement controls to meet the requirements of Sarbanes-Oxley legislation.

Due Diligence. Performed due diligence for the acquisition of companies and business groups.

Non-Profit Foundation. Established Native Yes We Can Foundation to assist Native American communities on technological solutions for social and educational purposes.