

Thomas Burns
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 **OLSEN THIELEN**
Certified Public Accountants & Consultants

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January 30, 2015

Dan Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place E, Suite 350
St. Paul, MN 55101-2147

Re: In the Matter of the Petition of Lake County Minnesota for Designation as an
Eligible Telecommunications Carrier Docket 15-65

Dear Mr. Dan Wolf:

Please find attached the amended Petition for Designation as an Eligible Telecommunications Carrier (“Petition”) for Lake County Minnesota. The attached copy includes the executed signature page, which was inadvertently omitted in the original filing.

Sincerely,

/s/ Thomas G. Burns

Thomas G .Burns
Consultant on behalf of Lake County Minnesota

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Petition of Lake County Minnesota for
Designation as an Eligible Telecommunications Carrier

MPUC Docket No.: _____

ORIGINAL FILING

Lake County Minnesota d/b/a Lake Connections ("Lake County") requests the Minnesota Public Utilities Commission (the "Commission") for an order designating it as an "eligible telecommunications carrier" ("ETC") for the limited purposes of 1) receiving funds awarded by the Federal Communications Commission (FCC) as part of the Rural Broadband Experiment; and 2) providing local services under the Lifeline/Link Up program.

The filing includes the following attachments:

- | | |
|--------------|--|
| Attachment 1 | One paragraph summary of the filing in accordance with Minn. Rules pt. 7829.1300 . |
| Attachment 2 | Petition for Designation as an Eligible Telecommunications Carrier, which contains a description of the filing, the impact on Petitioners and affected ratepayers, and the reasons for the filings, provided in accordance with Minn. Rules pt. 7829.1300, subp. 4(F). |
| Attachment 3 | Affidavit of Service. |

In addition, the following information is provided, in accordance with Minn. Rules pt. 7829.1300, subp. 4:

Utility:	Lake County Minnesota d/b/a Lake Connections
	601 3rd Ave Two Harbors, MN 55616
Date of Filing	January 29, 2015
Controlling Statute for Time in Processing the Filing	Minn. Rules pt. 7811.1400, subp. 12

If additional information is required, please contact me at 651.621.8322.

/s/ *Thomas G. Burns*

Thomas Burns
Consultant on behalf of Lake County Minnesota

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

SUMMARY OF FILING

Lake County Minnesota d/b/a Lake Connections ("Lake County") requests the Minnesota Public Utilities Commission (the "Commission") for an order designating it as an "eligible telecommunications carrier" ("ETC") for the limited purposes of 1) receiving funds awarded by the Federal Communications Commission (FCC) as part of the Rural Broadband Experiment; and 2) providing local services pursuant to the Lifeline/Link-up program.

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Petition of Lake County Minnesota for Designation as an Eligible Telecommunications Carrier MPUC Docket No.: _____

**PETITION FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

On December 5, 2014 the Federal Communications Commission provisionally awarded Lake County Minnesota dba Lake Connections ("Lake County") \$3.5M in Rural Broadband Experiment funds¹. The FCC requires awardees in this program to be designated as Eligible Telecommunications Carrier ("ETC") as a condition of receiving these funds. Lake County hereby petitions the Minnesota Public Utilities Commission for designation as an ETC for the limited purposes of receiving the one-time Rural Broadband Experiment Funds and ongoing support for federal Life Line and Link-Up programs.

In support of its Petition, Lake County states as follows:

- A. The legal name, address and telephone number of the Petitioner and its designated contact person are as follows:

Lake County Minnesota
601 3rd Ave
Two Harbors, MN 55616

Contact Person: Matthew Huddleston 218.834.8320

- B. The proposed effective date of designation of eligibility to receive Universal Service Support is immediately upon the Commission's issuance of an Order approving this Petition.
- C. The name and title of the officer or representative of Lake County authorizing this petition is Matthew Huddleston 218.834.8320, whose signature appears at the end of this petition.
- D. The service area for which designation is sought, the local exchange carrier and whether the local exchange carrier is a rural telephone company is set forth following:

¹ [FCC Docket No. 10-90, DA 14-1772, Released: December 5, 2014](#)

1. The service area for which Lake County requests designation as an ETC is the following area:

The Minnesota exchanges of Duluth, and Silver Bay where Qwest Corporation dba CenturyLink (CenturyLink) is the incumbent local exchange carrier; and Aurora, Babbitt, Ely, Embarrass, Hoyt Lakes, Isabella, Palo, and Two Harbors Minnesota exchanges where Citizens Telecommunications Company of Minnesota, LLC (“Citizens”) is the incumbent local exchange carrier. Unserved areas are also included in the Service Area.

A map of the Proposed Service Area is attached as Exhibit 1.

2. Lake County believes neither CenturyLink nor Citizens is a rural carrier as defined under [47 USC § 153\(44\)](#).

- E. Lake County’s Petition for designation as an ETC for the Service Area is consistent with the public interest, convenience and necessity, and satisfies the requirements for receiving universal service support under state and federal law, for the following reasons:

LAKE COUNTY and LAKE COMMUNICATIONS POSSESSES THE INTENT AND CAPABILITY OF PROVIDING SERVICE UPON REASONABLE CUSTOMER REQUEST THROUGHOUT THE SERVICE AREA

1. Lake County's Regulatory Authority – Lake Communications provides Interconnected VoIP Service as defined by the FCC rule Title [47 CFR Section 9.3.](#), over Lake County’s fiber optic network. The Courts have determined that Interconnected VoIP Services are information services pursuant and are not subject to state regulation.² The FCC is expected to re-address whether Interconnected VoIP Services will be subject to Title II of the Act as soon as next month. Regardless of how the FCC decides, further litigation on this topic is almost certain.

Lake County customers obtain access to the Public Switched Telephone Network though Lake Communications, Lake County’s selected vendor for this function. Lake Communications is a Competitive Local Exchange Carrier authorized by the Commission to provide local exchange and long distance service throughout the Service Area in Docket No: P-6869/NA-11-581. Lake County asserts the services provided by Lake Communications have been approved by the Commission, and comply with Commission rules for the purposes of this petition. Lake County will comply with whatever changes in law occur relative to state and federal regulation of Interconnected VoIP services.

2. Lake County's Facilities and Commitment to Serve - Lake County will provide Interconnected VoIP Services throughout the Service Area over its newly-

²[Minnesota Public Utilities Commission v. Federal Communications Commission, 483 F.3d 570 \(8th Cir.2007\).](#)

installed fiber-optic facilities, through Lake Communications. Lake County is committed to provide service to all customers making a reasonable request for service. Lake County certifies that it will: (a) provide service on a timely basis to requesting customers within the Service Area where Lake County's network already passes the potential customer's premises; and (b) provide service within a reasonable period of time, if the potential customer is within the Service Area but not passed by Lake County's current network facilities, if service can be provided at reasonable cost by constructing network facilities.

3. Lake County's Basic Universal Service Offering - Lake County provides Interconnected VoIP service to customers in the Service Area, through Lake Communications. The services Lake Communications offers meet the Basic Local Service requirements under Minn. Rule 7812.0600. Lake County and its selected vendor of PSTN connectivity, have the ability and the intention to provide the voice telephony services required by 47 CFR § 54.101(a)³:
- Voice grade access to the public switched network or its functional equivalent;
 - Minutes of use for local service provided at no additional charge to end users;
 - Access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911
 - Toll limitation for qualifying low-income consumers

The universal service offering will be made available throughout the Service Area upon its designation as an ETC. The services Lake Communications provides to Lake County are described in its tariff, including provisions regarding customer's eligibility for and the availability of Lifeline⁴, Linkup⁵, and the Minnesota Telephone Assistance Plan⁶. The applicable sections of Lake Communications' tariff are attached as Exhibit 2. Lake County is committed to providing the supported services throughout the Service Area to all customers who make a request for such services. The local usage plans offered are comparable to those offered by the incumbent local exchange carriers. Lake County's local calling scope will mirror those of the ILECs and any mandatory Extended Area Service calling as part of the basic local service offering.

4. Lake County's Advertising Plan - Lake County currently advertises its services through several different channels of general distribution, including newspaper, and direct mail. Lake County will advertise the availability of its universal service offering throughout the Service Area through these same advertising channels it

³ FCC Connect America Order 11-161 rel. November 18, 2011 at ¶ 76-81 discusses the changes to 47 CFR § 51.101 and required voice service offerings

⁴ Lake Communications Local Exchange Tariff Section 4, page 3

⁵ Lake Communications Local Exchange Tariff Section 5, page 7

⁶ Lake Communications Local Exchange Tariff Section 4, page 5

currently employs. In addition, the availability of the offering throughout the Service Area will be listed continuously on Lake County's web site (currently anticipated to be located or linked at: <http://www.lakeconnections.com>). The service offering will also be published at least annually in the local newspaper, and will be posted at the Lake County offices in Two Harbors.

5. Lake County's 5-Year Plan for Use of Universal Service Support - Under the FCC's updated portability rules, Lake County will receive no federal high cost support, Lake County receiving none in 2014. Lake County would receive Lifeline/Link Up support to the extent it serves customers eligible for that program. Lake County would also be eligible to participate in FCC reverse auctions going forward.
6. Lake County's Ability to Remain Functional in Emergency Situations. Lake Communications network will remain functional in emergency situations:

Commercial power outage: The central office serving Lake County customers is equipped with electrical generators and battery power supply to provide service in the event of a commercial power outage.

Network failure: Loop plan facilities are not redundant. The redundant facilities typically found end office-to-access tandem facilities are not employed in Lake County's network, since the switch serving its customers is collocated with CenturyLink's access tandem.

As a certified CLEC, Lake Communications complies with, the Commission's Rules in Chapter [7810](#) establishing minimum standards on various operational matters, such as 7810.3900 (Emergency Operations); 7810.4900 (Adequacy of Service); and 7810.5300 (Dial Service Requirements).

7. Lake County's Satisfaction of Consumer Protection and Service Quality Standards – Lake County's selected vendor, Lake Communications, is subject to, and complies with, the Commission's Rules pertaining to service quality and consumer protection. Lake Communications' tariff has specific provisions outlining the following terms addressing consumer protection issues:

- Deposit and guarantee requirements⁷
- Customer Billing⁸
- Appropriate handling of customer complaints and billing disputes⁹
- Disconnection and notice requirements¹⁰

The specific provisions in Lake Communication's tariff, as well as the Commission's service quality rules by which Lake Communications is bound, will

⁷ Lake Communications Local Exchange Tariff, Section 2, pages 8-9

⁸ Lake Communications Local Exchange Tariff, Section 2, page 5

⁹ Ibid

¹⁰ Lake Communications Local Exchange Tariff, Section 2, page 11

apply throughout the Service Area and assure a high level of service quality and consumer protection.

8. Lake County's Acknowledgement Regarding Equal Access – Lake County's vendor, Lake Communications will provide equal access to long distance carriers within the Service Area.

DESIGNATING LAKE COUNTY AS AN ETC IN THE SERVICE AREA WILL SERVE THE PUBLIC INTEREST

9. Public Interest - Designation of Lake County as an additional ETC in the Service Area is in the public interest, as determined under the standards of [47 CFR § 54.202\(c\)](#) and the Commission's Order issued October 31, 2005, in Docket No. P999/M-05-1169. Consumers will benefit from an increased choice in service providers, and there are unique advantages to Lake County's service offering.
10. Superior Service Offering - Lake County believes its vendor's service offerings are superior to that received by the ILECs' customers in the Service Area. Lake County presently has fiber to the home in Service Area and plans to place fiber to the home going forward, offering a technically superior network to that of ILECs.

Lake County believes customers will additionally benefit from choosing a locally owned and based provider which has demonstrated its commitment to and success in responding to the service needs of its residents.

11. Affordability – The local exchange services offered to Lake County's customers for universal service offerings are within the range of the ILEC's tariffed rates in the Service Area. Lake Communications' basic service offerings rates are identified in its Local Exchange Services¹¹ tariff.

Service	CenturyLink QC		Lake Communications	
	Installation	Monthly	Installation	Monthly
Residence Service	\$18.35	\$15.96	\$25.00	\$14.25
Business Service	\$47.90	\$34.61	\$50.00	\$33.00

Service	Citizens		Lake Communications	
	Installation	Monthly	Installation	Monthly
Residence Service	\$30.00	\$15.25	\$40.00	\$13.60
Business Service	\$30.00	\$29.50	\$40.00	\$27.10

¹¹ Lake Communications Local Exchange Tariff, Section 6

In addition, Lake County will provide the benefit of Lifeline and Link-Up discounts to qualifying subscribers.

12. Commitment to Service Quality - As noted in Paragraph E.7 above, Lake Communications is a certified CLEC in Minnesota is subject to, and complies with, the Commission's Rules pertaining to service quality and consumer protection.
13. No Negative Impact on Universal Service Fund - As noted in Paragraph E.5 above, Lake County would not receive federal high cost USF.

WAIVER REQUESTS

14. The funding FCC set aside for the Rural Broadband Experiment was granted for specific geographic areas by defined census blocks. Lake County has been provisionally awarded \$3.5M to provide broadband (and voice) services for the service area defined in [Exhibit 1](#). Commission's Rule 7811.1400 subpart 3 requires ETCs to provide service throughout an exchange. Lake County hereby requests the PUC waive its requirement to the extent that the census blocks comprising the Lake County project do correlate to exchange boundaries as contemplated in the Commission's rules.
15. Further, Lake County requests a waiver of the FCC's rule¹² which requires ETCs to file a five-year plan which "...describes with specificity proposed improvements or upgrades to the applicant's network..." Lake County will not receive Universal Service Funds on an ongoing basis. The Rural Broadband Experiment provides one-time funding of a fixed amount to establish facilities in the Service Area.

ETC CERTIFICATION

16. Request for Certification - Lake County requests that the Commission certify its use of support effective as of the date of Lake County's ETC designation for the Service Area.
17. Lake County's Certification - In support of its certification request, Lake County hereby certifies that it will use all federal high cost universal service support for the purposes intended.

CONCLUSION

18. Lake County meets the requirements of both state and federal laws and regulations for designation as an Eligible Telecommunications Carrier in the requested Service Area. Pursuant to [47 USC § 214\(e\)](#), the Commission should designate

¹² See. [47 CFR 54.202 \(a\)\(ii\)](#) Additional requirements for Commission designation of eligible telecommunications carriers. subpart (a)(ii)

Lake County as an Eligible Telecommunications Carrier for the Service Area. In so doing, the Commission will ensure that consumers in the Service Area have an opportunity to secure better and more reliable service at a rate equal to or less than that which they are currently paying. The consumers in the Service Area will benefit and the public interest will be served if Lake County's Petition is approved and it is designated as an ETC.

F. Intervention, Comments and Challenges to Petition.

1. Pursuant to Minnesota Rule [7811.1400](#), Subpar 5, Lake County has served a copy of this Petition on the Department of Commerce, the Office of Attorney General - Residential Utilities Division, the persons named on the general service list established pursuant to Minnesota Rule [7829.0600](#) and on the local service provider(s) authorized to provide services in the areas for which ETC designation is sought by this Petition.
2. A person wishing to challenge the form or completeness of this Petition must do so within 10 days of its filing pursuant to Minnesota Rule 7811.1400, Subpart 6.
3. A person wishing to comment on this Petition shall file initial comments within 20 days of filing of this Petition, which initial comments must include a recommendation on whether the filing requires a contested case proceeding, expedited proceeding or some other procedure, together with reasons for the recommendation pursuant to Minnesota Rule 7811.1400, Subpart 8.
4. If a person filing initial comments is not entitled to intervene in a Commission proceeding as a matter of right and desires full party status, that person shall file a Petition to Intervene pursuant to Minnesota Rule [7829.0800](#), or Rule [1400.6200](#) if the matter is before an Administrative Law Judge, before the reply comment period expires, pursuant to Minnesota Rule 7811.1400, Subpart 9. The Intervention Petition may be combined with the comments on the Petition.
5. Commenting parties have 10 days from the expiration of the original comment period to file reply comments which must be limited in scope to the issues raised in the initial comments pursuant to Minnesota Rule 7811.1400, Subpart 10.

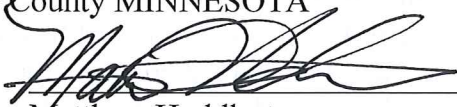
Wherefore, Lake County respectfully requests that the Commission:

- A. Designate Lake County Minnesota as an ETC for receipt of federal universal service support with respect to the Service Areas specified in this Petition;
- B. For such other and further relief as the Commission may deem just and reasonable.

The undersigned, Matthew Huddleston, County Administrator for Lake County Minnesota certifies that he has reviewed this Petition and the facts stated therein, of which he has personal knowledge, and that the same are true and correct to the best of his present knowledge and belief.

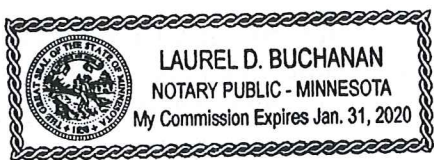
Respectfully submitted,


Lake County MINNESOTA

By: 
 Matthew Huddleston
 County Administrator

State of Minnesota)
 County of Lake)

Subscribed and sworn before me on January 28, 2015.




 Signature of Person Taking
 Acknowledgment

AFFIDAVIT OF SERVICE

In the Matter of the Petition of Lake County Minnesota for
Designation as an Eligible Telecommunications Carrier

MPUC Docket No.: _____

I, Thomas Burns, state that on January 29, 2015 I caused copies of the attached Notice regarding the filing of Lake County Minnesota's application for designation as an Eligible Telecommunications Carrier to be filed using eService or mailed by United States first class mail postage prepaid thereon, to the following persons:

Dr. Dan Wolf Executive Secretary	Linda Chavez Minnesota Department of Commerce
Curt Nelson Assistant Attorney General	Jason Topp CenturyLink 200 S Fifth St, Suite 390, Minneapolis, MN 55402
Kevin Saville Citizens Communications of Minnesota, Inc. 2378 Wilshire Boulevard Mound, MN 55364	Jeffrey Roiland Lake Communications 1441 Cedar Road, Two Harbors, MN 55616

[Date]

[Name and Address of Addressee]

In the Matter of the Petition of Lake County Minnesota for
Designation as an Eligible Telecommunications Carrier

MPUC Docket No.: _____

Pursuant to Minn. Stat. § 237.16, subd. 10, and Minn. Rule 7810.0200, notice is hereby given that Lake County Minnesota has submitted a petition for designation as an Eligible Telecommunications Carrier..

Comments or questions related to that application may be sent to either or both:

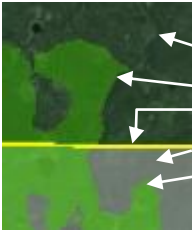
Minnesota Public Utilities Commission
122 Seventh Place East, Suite 350
St. Paul, MN 55101

Minnesota Department of Public Service
85 Seventh Place East, Suite 500
St. Paul, MN 55101

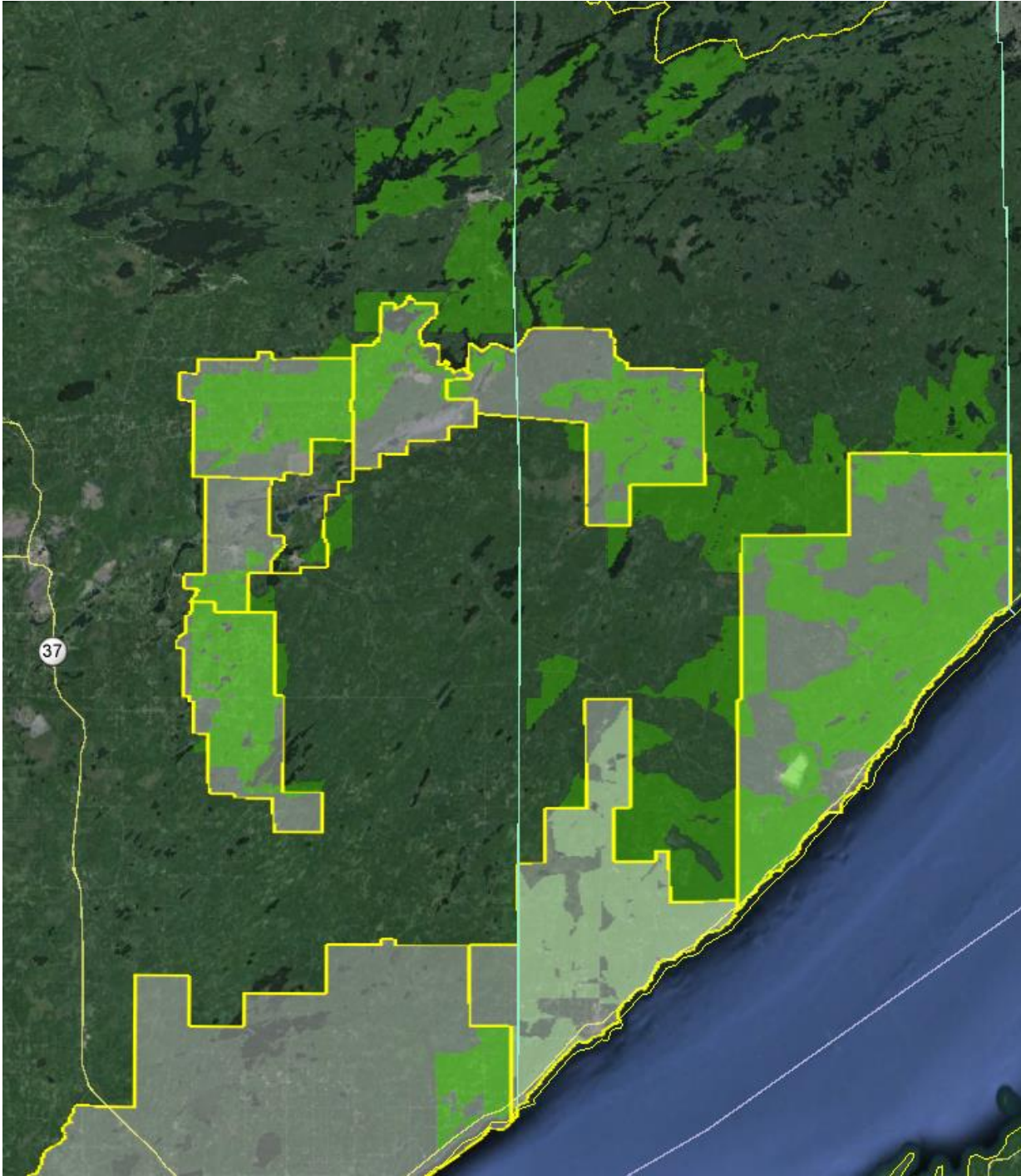
Lakewood County
Matthew Huddleston
601 3rd Ave
Two Harbors, MN 5561

The ETC Service Area is defined by the Census Blocks approved in the FCC project as represented on this map and listed following.

Key:



- Unservd Territory
- Served by LC in Unserved Territory
- Exchange Boundary
- Unservd by LC in MN Exchange
- Served by LC in MN Exchange



FIPS Census Blocks

271370154002008	270753701001266	270753703001140	270753701004026
271370154002002	270753701001430	270753701002827	270753701002323
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Exhibit 1
Lake County ETC Service Area

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271370139003054	270753701001433	270753701003125	271370139002125
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271370105001079	270753701001118	271370139003015	270753701003086
271370139003026	270753701002269	270753701002210	271370140001026
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270753701004093	270753701001250	271370154002091	270753701001261
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271370139003001	270753701001328	271370154003134	270753703001040
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271370153001010
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270753701003177
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271370154002095
271370155002356
271370139002020
271370139002015
270753701002127
270753701002001
270753701003001
270753701003073
270753701003092
270753701003056
270753701003053
271370139001011
271370114002187
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270753701003069
271370139001059
270753701003059
271370139002027
271370139001060
271370139002130
271370105001004

The selected tariff pages following address:

- **Deposit and guarantee requirements**
- **Customer Billing and Disputes**
- **Disconnection and notice requirements**
- **Lifeline and MN TAP**
- **Link-Up**
- **Basic Local Service Rates**

Deposit and Guarantee Requirements

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XI. CUSTOMER SERVICE - USE OF

- A. Business or residential telephone service, as distinguished from coin telephone service, is furnished only for use by the customer, their family, employees or business associates, or persons residing in the customer's household, except as the use of the service may be extended to joint users or to persons temporarily subleasing a customer's residential premises. The Company has the right to refuse to install customer service or to permit such service to remain on premises of a public or semipublic character when the station is so located that the public in general, or patrons of the customer may make use of the service. At such location, however, customer service may be installed provided the instrument is so located that it is not accessible for public use.

XII. DEPOSITS

- A. Deposit and Guarantee Requirements

The Company may require a deposit or guarantee of payment from any customer or applicant who has not established good credit with the Company. Deposit or guarantee of payment requirements as prescribed by the Company will be based upon standards which bear a reasonable relationship to the assurance of payment. The Company will determine whether a customer has established good credit with the Company, except as herein restricted:

1. A customer, who within the last 12 months has not had service disconnected for nonpayment of a bill and has not been liable for disconnecting of service for nonpayment of a bill, and the bill is not in dispute, shall be deemed to have established good credit.
2. The Company shall not require a deposit or a guarantee of payment based upon income, home ownership, residential location, employment tenure, nature of occupation, race, color, creed, sex, marital status, age, national origin, or any other criteria which does not bear a reasonable relationship to the assurance of payment or which is not authorized by Minnesota Statutes or Rules.

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A. Deposit and Guarantee Requirements (*Continued*)

3. The Company will not use any credit reports other than those reflecting the purchase of utility services to determine the adequacy of a customer's credit history without the permission in writing of the customer. Any credit history so used shall be mailed to the customer in order to provide the customer an opportunity to review the data. Refusal of a customer to permit use of a credit rating or credit service other than that of a utility shall not affect the determination of the Company as to that customer's credit history.
4. Qualifying applicants for Lifeline Service may initiate service without paying a deposit if they voluntarily elect to have Toll Blocking on their line. Toll Blocking will provide at no charge to Lifeline customers.
5. When required, a customer may assure payment by submitting a deposit. A deposit shall not exceed an estimated two months' gross bill or existing two months' bill where applicable. All deposits shall be in addition to payment of an outstanding bill or a part of such bill as has been resolved to the satisfaction of the Company, except where such bill has been discharged in bankruptcy. The Company will not require a deposit or a guarantee of payment without explaining in writing why that deposit or guarantee is being required and under what conditions, if any, the deposit will be diminished upon return. The deposit shall be refunded to the customer after 12 consecutive months of prompt payment of all bills to the Company. The Company may, at its option, refund the deposit by direct payment or as a credit on the bill. With notice any deposit of a customer shall be applied by the Company to a bill when the bill has been determined by the Company to be delinquent. The Company will issue a written receipt of deposit to each customer from whom a deposit is received and will provide a means whereby a depositor may establish a claim if the receipt is unavailable.

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A. Deposit and Guarantee Requirements (*Continued*)

6. Interest shall be paid on deposits in excess of \$20 at the rate set by the Commissioner of the Department of Commerce as required by Minnesota Statute 325E.02. The interest rate may be found on the Department of Commerce website at www.commerce.state.mn.us.
7. Upon termination of service, the deposit with accrued interest shall be credited to the final bill and the balances shall be returned within 45 days to the customer.

B. Guarantee of Payment

1. The Company may accept, in lieu of deposit, a contract signed by a guarantor satisfactory to the Company whereby payment of a specified sum, not exceeding the deposit requirement is guaranteed. The term of such contract shall be for no longer than 12 months, but shall automatically terminate after the customer has closed and paid the account with the Company, or at the guarantor's request upon 60 days' written notice to the Company. Upon termination of a guarantee contract or whenever the Company deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required for good cause upon reasonable written notice to the customer.
2. The service of any customer who fails to comply with these requirements may be disconnected upon notice as prescribed in Minnesota Rules. The Company shall mail the guarantor copies of all disconnect notices sent to the customer whose account was guaranteed unless the guarantor waives such notice in writing.

XIII. DIRECTORIES

- A. The Incumbent Local Exchange Carrier (ILEC) will furnish to customers, without charge, the ILEC directory as necessary for the efficient use of the service. Copies of other directories may be provided at a nominal fee.
- B. No liability for damages arising from errors in/or omissions of directory listings, or listings obtained from the "Information Operator" shall attach to the Company. In the case of additional or extra listings for which a charge is made, its liability shall be limited to the monthly rate for each such listing for the charge period during which the error or omission continues.

Customer Billing and Disputes

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I Advance Payments

1. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or installation charges which may be applicable, in addition to such special construction and installation charges as are to be borne by the applicant. The amount of the advance payment is credited to the customer's account on the first bill rendered.
2. Federal, State or Municipal governmental agencies may not be required to make advance payments.

VIII. APPLICATION OF REGULATIONS

- A. The regulations set forth herein apply to intrastate services and facilities furnished within the State of Minnesota by LAKE COMMUNICATIONS, INC of Minnesota, hereinafter referred to as the Company, subject to the jurisdiction of the Minnesota Public Utilities Commission.
- B. When services and facilities are provided in part by the Company and in part by other companies, the regulations of the Company apply to that portion of the service or facilities furnished by it.

IX. CUSTOMER BILLING

- A. The customer is responsible for all charges in conjunction with the services furnished.
- B. Monthly recurring charges are billed in advance. Special billing arrangements may be established for services provided to governmental agencies.
- C. Bills are due when rendered, unless otherwise specified on the bill, and may be paid by mail or at the business office of the Company or at any agency authorized to receive such payments.
- D. For billing purposes, each month is presumed to have thirty (30) days.
- E. Retroactive billing adjustments will not be made for a period exceeding one year.

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- F. In the event of a dispute between the customer and the Company regarding any bill, the Company may require the customer to pay the undisputed portion of the bill to avoid discontinuance of service for nonpayment. In the event the dispute is not reconciled, the Company shall advise the customer that they may make application to the Public Utilities Commission for review and disposition of the matter and the amount of any required escrow payment.

X. CUSTOMER EQUIPMENT AND CHANNELS**A. General**

A Customer may transmit or receive information or signals via the facilities of the Company.

B. Station Equipment

The Customer is responsible for providing and maintaining any terminal equipment on the Customer's premises. The electric power consumed by such equipment shall be provided by, and maintained at the expense of, the Customer. All such terminal equipment must be registered with the FCC under 47 C.F.R., Part 68 and all wiring must be installed and maintained in compliance with those regulations. The Company will, where practicable, notify the Customer that temporary discontinuance of the use of a service may be required; however, where prior notice is not practicable, nothing contained herein shall be deemed to impair the Company's right to discontinue forthwith the use of a service temporarily if such action is reasonable under the circumstances. In case of such temporary discontinuance, the Customer will be promptly notified and afforded the opportunity to correct the condition which gave rise to the temporary discontinuance. During such period of temporary discontinuance, the credit allowance for service interruptions as set forth in Section XIX (C) (1) following is not applicable.

The Customer is responsible for ensuring that Customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or other persons. Any additional protective equipment required to prevent such damage or injury be provided by the Company at the Customer's expense.

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XIV. ESTABLISHMENT OF CREDIT

- A. *Reserved for future use.*

XV. FALSE OR MISLEADING INFORMATION

- A. The Company may refuse to install or discontinue service with 5 days notice, excluding Sundays and legal holidays, if it finds that an applicant or subscriber has furnished false or misleading information, relating to credit or otherwise, in an effort to obtain or retain service.

XVI. FRAUD OR FRAUDULENT INTENT

- A. *Reserved for future use.*

XVII. LATE PAYMENT CHARGE

- A. Late payment charge on the unpaid balance of 1.50 percent or \$1.00, whichever is greater, applies to each customer's bill when the previous month's bill has not been paid in full, leaving a minimum unpaid balance of \$20.00 or more. The late payment charge will be carried forward and is included in the total amount due on the current bill.
- B. A customer shall not be liable for any Late Payment Charge applicable to a disputed portion of that customer's bill so long as the customer pays the undisputed portion of the bill and enters into bona fide negotiations to resolve the dispute. A late payment charge will not be added after a bill goes final.

XVIII. NONPAYMENT OF BILLS

- A. Telephone service furnished to subscriber may be discontinued for the nonpayment of a bill for service, provided the bill has not been paid within 21 days from the date of such bill. Normally the subscriber will be given written notice 5 days, excluding Sundays and legal holidays, prior to discontinuance. Service will not be discontinued on a Friday, Saturday, Sunday or legal holiday.

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- B. Service furnished a subscriber may be discontinued or denied for nonpayment of a bill for other services, either presently being furnished or formerly furnished to the same subscriber at another location unless the subscriber pays the amount due on the other service or make arrangements satisfactory to the Company for the payment of such amount and meets the payment requirements agreed upon.

XIX. OBLIGATION OF THE COMPANY FOR:

A. Furnishing of Service

1. The Company's obligation to furnish service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and rights for the provisioning and maintenance of the necessary circuits and equipment.

B. Maintenance and Repair

1. All costs associated with the maintenance and repair of services furnished by the Company will be borne by the Company, except as specified elsewhere in this tariff.
2. The Company will be reimbursed for any loss or damage to its facilities on the customer's premises resulting from intentional destruction or any other cause.
3. Access to customer's premises, at any reasonable hour, will be given to representatives of the Company for the purpose of inspection, repairing, testing or removing any part of the Company's facilities.

C. Liability

1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays or errors or defects in transmission occurring in the course of furnishing service and not caused by negligence of the customer, shall in no event exceed an amount equivalent to the proportionate charge to the customer for the period of service during which such mistakes, omissions, interruptions, delays or errors or defects in transmission occurs.

Lifeline and MN TAP

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<p>C. Restrictions</p> <ol style="list-style-type: none">1. Only one option consisting of a specified list of codes is allowed per telephone number.2. Customer can specify a maximum of 32 codes per list.3. This service offered where available. <p>D. Monthly Rates</p> <ol style="list-style-type: none">1. \$0.00 for up to 6 codes, plus2. \$0.00 per code for codes 7 thru 20, plus3. \$0.00 per code for codes 21 thru 32. <p>E. Conditions</p> <ol style="list-style-type: none">1. The initial service period is one month.2. Applicable service ordering charges apply.		
<p>IV. <u>LIFELINE AND MINNESOTA TELEPHONE ASSISTANCE PLAN</u></p> <p>A. Definitions</p> <p>Lifeline is the local service offering that is available to low income consumers for which such consumers pay reduced charges as a result of the federal support described in 47 C.F.R. § 54.403 and Sections 6 and 7 below and that includes the services required to be provided for federal universal support eligibility under 47 C.F.R. § 54.101. The Telephone Assistance Plan (TAP) provides additional state credits against the recurring monthly rates for the provision of local residential service for eligible residential subscribers.</p> <p>B. Eligibility for the Federal Lifeline Credit</p> <ol style="list-style-type: none">1. The customer must reside in an exchange where the Company has been certified as an “Eligible Telecommunications Carrier.”		

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- B** .Eligibility for the Federal Lifeline Credit *(Continued)*
2. To qualify for the Federal Lifeline Credit, the customer must be currently eligible for at least one of the following programs:
 - a. Medical Assistance (MA)
 - b. Food Support (food stamps)
 - c. Supplemental Security Income (SSI)
 - d. Federal Public Housing Assistance
 - e. Low-income Home Energy Assistance Program (LIHEAP); or
 - f. Minnesota Family Investment Program (MFIP)
 - g. Supplemental Nutrition Assistance Plan (SNAP)
 3. Individuals who do not qualify under any of the requirements in “1” above, but live on a federally recognized reservation may qualify if the applicant signs a document certifying under penalty of perjury that the applicant receives benefits from at least one of the following programs:
 - a. Bureau of Indian Affairs General Assistance
 - b. Tribally Administered Temporary Assistance for Needy Families
 - c. Head Start (only for those meeting its income qualifying standard) or
 - d. National School Lunch Program’s free lunch program
 4. Eligibility will be established by the Company by obtaining from a customer a document signed by the customer certifying under penalty of perjury that the customer receives benefits from one of the above programs and identifying the program or programs from which the customer receives benefits. On the same document, a qualifying low-income customer must also agree to notify the Company if the customer ceases to participate in the program or programs.

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- 5 When the Company is notified by the customer that the customer no longer participates in such a program, the federal credits to that customer's monthly charges shall cease beginning with the start of the billing cycle beginning in the month after the month in which notification is received.
- 6 Certification Revocation - If the Telephone Company discovers that conditions exist that disqualify the recipient of Federal Lifeline and/or TAP credits, local service will be billed at full rate. The customer will be billed retroactively to whichever is the most recent of the dates Federal Lifeline and/or TAP assistance commenced or the recipient no longer qualified for the service not to exceed 12 months.
- C. Eligibility for the State TAP Credit
1. The state TAP credit is only available to residential subscribers who meet the eligibility requirements for the Federal Lifeline Credit in "B" above.
 2. The customer must reside in Minnesota or have moved to Minnesota and intends to remain.
- D. Application of the Federal Lifeline and State TAP Credits
1. TAP Customers not Eligible for Lifeline - These customers are eligible for \$3.50 credit per month.
 2. TAP Customers Eligible for Lifeline - These customers are eligible for a Lifeline credit of \$8.25 and Tier 3 of the Federal Lifeline support equal of one-half the amount of the state support up to a maximum of \$2.50 per month, plus a state TAP credit of \$3.50. The Federal Lifeline Credit shall be applied first to reduce the federal End-User Common Line Charge, with any remaining federal credit to be applied to reduce rates for residential service meeting the qualifications of 47 C.F.R. Section 54.101. The state TAP credit shall be applied to further reduce the rates charged for residential GENERAL SERVICES.
- E Regulations
1. The Federal Lifeline and state TAP credit will begin at the customer's earliest possible billing cycle but no later than the second billing cycle after the date the application for the Federal Lifeline and state TAP credit is received by the telephone company.
 2. A service charge shall not be billed to establish qualification for either the Federal Lifeline or state TAP credit

C

MN TAP Continued

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<p style="margin-left: 40px;">3. When a customer enrolls for the state TAP credit, the Company is reimbursed for the cost of the service order activity.</p> <p>F. Funding</p> <p style="margin-left: 40px;">1. The Federal Lifeline credit is funded through the FCC universal service program.</p> <p style="margin-left: 40px;">2. The State TAP credit shall be funded through the State Telephone Assistance Plan Surcharge on access lines which pay the 911 surcharge. The Minnesota Department of Commerce sets the TAP surcharge.</p> <p>G. Rates</p> <p style="margin-left: 40px;">State TAP Surcharge</p> <p style="margin-left: 40px;">The TAP rate is the effective rate ordered by the Minnesota Public Utilities Commission and is billed with the 911 fee. The Company is responsible for billing and collecting and remitting the surcharge to the appropriate government agency.</p> <table style="width: 100%; margin-left: 40px;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Credits</th> <th style="text-align: left; border-bottom: 1px solid black;">Monthly Credits</th> <th></th> </tr> </thead> <tbody> <tr> <td>State TAP Credit</td> <td>Note 1</td> <td style="text-align: right;">C</td> </tr> <tr> <td>Federal Lifeline Credit</td> <td>Note 2</td> <td style="text-align: right;">C</td> </tr> </tbody> </table> <p style="margin-left: 40px;">Note 1: The State TAP Credit is the effective rate ordered by the Minnesota Public Utilities Commission. Information regarding the Credit Rate can be accessed at the Minnesota Department of Commerce web site at: http://mn.gov/commerce</p> <p style="margin-left: 40px;">Note 2: The Federal Lifeline Credit is the effective rate ordered by the Federal Communications Commission (FCC). Information regarding the Credit Rate can be accessed at the FCC web site: http://www.fcc.gov/</p>			Credits	Monthly Credits		State TAP Credit	Note 1	C	Federal Lifeline Credit	Note 2	C
Credits	Monthly Credits										
State TAP Credit	Note 1	C									
Federal Lifeline Credit	Note 2	C									

N

Link-Up

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V. LINK-UP AMERICA SERVICE CONNECTION PROGRAM

A. Benefits

The Link-Up America Service Connection Program is a federally sponsored lifeline assistance program designed to make telephone service accessible to low-income residential households who are currently not on the public switched network. Through this program, the service connection charge for the initial installation of the main access line, as described in Section 6, page 1, will be discounted to the applicant at a rate of 50 percent, not to exceed \$30.00. (The remaining portion of the service connection charge may be installment billed in equal increments.)

B. Eligibility Requirements

1. The customer must reside in an exchange where the Company has been certified as an "Eligible Telecommunications Carrier."
2. Application has not been claimed as a dependent for Federal Income Tax purposes, unless he or she is more than sixty years old, and
3. Applicant meets income requirements under criteria "4" or "5" below.
4. Applicant can show current participation in one of the following assistance programs to his or her local exchange company.
 - a. Minnesota Family Investment Plan (MFIP);
 - b. Medicaid/Medical Assistance;
 - c. Federal Public Housing Assistance;
 - d. National School Lunch Free Lunch Program;
 - e. Food Stamps;
 - f. Energy Assistance; or
 - g. Supplemental Security Income

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h. Proof of eligibility must accompany the completed application form. Proof of eligibility can be made either in person at the local exchange company's business office or by mailing a copy of the applicant's proof of participation and enclosing that with a completed application to the local exchange company's business office.

5 Applicant can show household income level of 135 percent or less of the federal poverty level. Household income is defined as total gross income from all sources for all members of the applicant's household.

a. The applicant must show verification of income requirements by showing previous calendar year's completed federal tax return(s) or proof that their household income level was below the federal level necessitating they file a tax return for the previous calendar year.

C. Eligibility Determination

1. In determining an applicant's eligibility, the eligibility criteria "1" through "5" listed above need to be fulfilled.
2. Applicants will be able to self-certify criteria "2".
3. Criterion "1" and "4" must be certified by the applicant's local exchange company.

D. Credit and Collections

1. Credit References

The credit verification procedures used for all applicants who apply for service with the Company will also be used for applicants who apply for service under the Link-Up America program.

2. Deposits

The deposit standards used for all applicants who apply for service with the Company will also be used for applicants who apply for service under the Link-Up America program.

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<hr/>		
<p>3. Collection Standards</p> <p>Once service has been established for a Link-Up America applicant, he or she will be expected to adhere to the same bill payment policies expected of any other Lake Communications customer.</p>		
<p>The balance of this page is intentionally left blank</p>		

Basic Local Service Rates

Lake Communications Two Harbors, MN		MINNESOTA PRICE LIST						Section 6 Page 1 Version 1		
		LOCAL SERVICES								
Issued: 06/01/11		Effective: 09/01/11								
Exchange	ILEC	Residential			Business			Trunk		
		Flat Rate	EAS Rate	NRC	Flat Rate	EAS Rate	NRC	Flat Rate	EAS Rate	NRC
Biwabik	Qwest	\$14.25	\$2.15	\$25.00	\$33.00	\$5.35	\$50.00	\$34.55	\$7.50	\$50.00
Brimson	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Brookston	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Buhl	Qwest	\$14.25	\$3.85	\$25.00	\$33.00	\$9.65	\$50.00	\$34.55	\$12.50	\$50.00
Chisholm	Qwest	\$14.25	\$0.85	\$25.00	\$33.00	\$2.05	\$50.00	\$34.55	\$3.20	\$50.00
Cook	Qwest	\$14.25	\$4.35	\$25.00	\$33.00	\$10.50	\$50.00	\$34.55	\$12.50	\$50.00
Crane Lake	Citizens	\$13.60	\$0.36	\$40.00	\$27.10	\$0.73	\$40.00	\$27.10	\$0.73	\$40.00
Duluth	Qwest	\$14.25	\$0.95	\$25.00	\$33.00	\$2.35	\$50.00	\$34.55	\$3.20	\$50.00
Ely	Citizens	\$13.60	\$0.00	\$40.00	\$27.10	\$0.00	\$40.00	\$27.10	\$0.00	\$40.00
Embarrass	Citizens	\$13.60	\$2.30	\$40.00	\$27.10	\$4.55	\$40.00	\$27.10	\$4.55	\$40.00
Floodwood	Citizens	\$13.60	\$4.00	\$40.00	\$27.10	\$7.95	\$40.00	\$27.10	\$7.95	\$40.00
Grand Marais	Qwest	\$14.25	\$0.55	\$25.00	\$33.00	\$1.30	\$50.00	\$34.55	\$2.10	\$50.00
Greaney	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Hibbing	Qwest	\$14.25	\$0.65	\$25.00	\$33.00	\$1.50	\$50.00	\$34.55	\$2.30	\$50.00
Hoyt Lakes	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Isabella	Citizens	\$13.60	\$0.00	\$40.00	\$27.10	\$0.00	\$40.00	\$27.10	\$0.00	\$40.00

Basic Local Service Rates

Lake Communications Two Harbors, MN		MINNESOTA PRICE LIST LOCAL SERVICES							Section 6 Page 2 Version 1	
Issued: 06/01/11					Effective: 09/01/11					
Exchange	ILEC	Residential			Business			Trunk		
		Flat Rate	EAS Rate	NRC	Flat Rate	EAS Rate	NRC	Flat Rate	EAS Rate	NRC
Kabetogama	Citizens	\$13.60	\$3.80	\$40.00	\$27.10	\$7.65	\$40.00	\$27.10	\$7.65	\$40.00
Meadowlands	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Palo	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Silver Bay	Qwest	\$14.25	\$0.00	\$25.00	\$33.00	\$0.00	\$50.00	\$34.55	\$0.00	\$50.00
Tofte	Qwest	\$14.25	\$1.15	\$25.00	\$33.00	\$2.80	\$50.00	\$34.55	\$4.35	\$50.00
Tower	Citizens	\$13.60	\$3.60	\$40.00	\$27.10	\$7.15	\$40.00	\$27.10	\$7.15	\$40.00
Two Harbors	Citizens	\$13.60	\$3.65	\$40.00	\$27.10	\$7.55	\$40.00	\$27.10	\$7.55	\$40.00
Virginia (including Eveleth)	Qwest	\$14.25	\$1.30	\$25.00	\$33.00	\$3.30	\$50.00	\$34.55	\$3.90	\$50.00