

March 16, 2021

Will Seuffert Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East Suite 350
St. Paul, MN 55101-2147

RE: **Comments of the Minnesota Department of Commerce on Petition of Big River Telephone Company, LLC for service area expansion, Docket No. P6652/SA-21-82**

Dear Mr. Seuffert:

Background

On January 26, 2021, Big River Telephone Company, LLC (Big River) filed an application to amend its existing certificate of authority to allow the Company to provide local exchange services in the municipality of Red Lake Falls. Big River's application falls under Minn. Rules pt. 7812.0300, Subd. 5. and Minn. Stat. §237.16, Subd. 4.

On February 5, 2021, the Minnesota Department of Commerce (Department) filed comments recommending that the Commission grant Big River's petition to serve the municipality of Red Lake Falls conditioned upon Commission approval of any necessary updates to its 911 plan and tariff, which incorporate the affected exchange.

On February 10, 2021, Garden Valley Telephone Company, dba Garden Valley Technologies (Garden Valley), filed reply comments stating that, while it was not objecting to the petition, it believes "it is important to inform the Commission and Department of customer issues that have previously arisen in a separate context involving Big River." In its comments, Garden Valley states that it has experienced customer service problems in the Thief River Falls exchange affecting customers who have terminated their service with Big River and moved that service to Garden Valley. Garden Valley has not experienced similar problems with other providers in the Thief River Falls exchange, which is served by both carriers and by the incumbent telephone in the exchange, Qwest dba CenturyLink. Garden Valley states that "the problems relate to failed completion of calls originating with current Big River customers who attempt to make calls to Garden Valley Thief River Falls CLEC customers who were formerly Big River customers. Specifically, in following up on complaints from Garden Valley customers, Garden Valley has determined that the calls being attempted by current Big River customers are not reaching the Garden Valley switching equipment. When Garden Valley has approached Big River to resolve these problems, Big River personnel have been unwilling to share information or readily cooperate in resolving the problems noting they will only work with a customer of Big River to resolve an issue. Garden Valley recognizes that problems cannot be resolved or completely prevented in advance."

On February 24, 2021, the Minnesota Public Utilities Commission (PUC) issued a Notice of Comment Period, requesting that Garden Valley provide further information on the issues described in its February 10, 2021 letter. The PUC also asked other parties to file reply comments addressing the concerns raised by Garden Valley and raising other issues or concerns. Garden Valley did not respond to the PUC's notice.

Department Comments

Garden Valley's February 10, 2021 letter alleges that some customers who have switched to Garden Valley as

their service provider, after having been customers of Big River, have experienced calls from existing Big River customers that fail to complete. The issues raised by Garden Valley in this matter appear to be an attempt to look out for the interests of its customers, without filing a formal complaint. If the allegations are correct, customers that chose to leave Big River should not need to return to Big River, to ensure that they can receive calls as well as place them.

The telecommunications network cannot properly function without the cooperation of the industry participants, whether such cooperation is voluntary or compelled. The PUC may wish to make clear that cooperation between these local service providers is expected to ensure calls in Minnesota are properly reaching their intended destination. If the call termination problems are unresolved by the companies, the PUC may wish to encourage the companies to come back to the PUC to seek relief. In any event, the burden for calls to be properly terminated is not the responsibility of customers and any customer harm resulting from calls not being completed is unacceptable.

/s/ DIANE DIETZ
Rate Analyst

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Reply Comments**

Docket No. P6652/SA-21-82

Dated this 16th day of March 2021

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Tim	Brinkman	tim.brinkman@gvtel.net	Garden Valley Telephone Company - Coop	206 Vance Ave S PO Box 259 Erskine, MN 56535	Electronic Service	No	OFF_SL_21-82_SA-21-82
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_21-82_SA-21-82
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-82_SA-21-82
Dan	Craigie	daniel.craigie@state.mn.us	Department of Public Safety	445 Minnesota St. Suite 1725 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-82_SA-21-82
David	Denton	david.denton@state.mn.us	DPS ECN	445 Minnesota Street Suite 137 St. Paul, Minnesota 55101	Electronic Service	No	OFF_SL_21-82_SA-21-82
Pete	Eggimann	PEGGIMANN@MN-MESB.ORG	Metropolitan Emergency Services Board	2099 University Ave W Ste 201 St. Paul, MN 551043431	Electronic Service	No	OFF_SL_21-82_SA-21-82
Brian	Grunhovd	brian.grunhovd@gvtel.net	Garden Valley Telephone Company d/b/a Garden Valley Technologies	206 Vance Ave S PO Box 259 Erskine, MN 56535	Electronic Service	No	OFF_SL_21-82_SA-21-82
Kevin	Keaveny	kkeaveny@bigrivercommunication.com	Big River Communications, LLC	24 S. Minnesota Ave cape girardeau, MO 63701	Electronic Service	No	OFF_SL_21-82_SA-21-82
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-82_SA-21-82
Alice	RobertsDavis	admin.info@state.mn.us	Department of Administration	15 Sherburne Avenue St. Paul, MN 55155	Electronic Service	No	OFF_SL_21-82_SA-21-82

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-82_SA-21-82
Dana	Wahlberg	dana.wahlberg@state.mn.us	Department of Public Safety	Town Square Ste 137 444 Cedar St St. Paul, MN 551015126	Electronic Service	No	OFF_SL_21-82_SA-21-82