

STATE OF IOWA
DEPARTMENT OF COMMERCE
IOWA UTILITIES BOARD

IN RE:

LTD BROADBAND LLC

DOCKET NO. ETA-2019-0001

RESPONSE TO STAFF LETTER

On May 7, 2021, LTD Broadband filed an application to amend its existing ETC designation to include additional locations awarded in Iowa as part of the FCC's RDOF auction. On May 13, 2021, the Board filed a letter requesting additional information on four issues. Each is addressed in turn below.

1. **Census Blocks**. Staff requested that LTD Broadband file a revised Exhibit 1 with a listing of census blocks, rather than census block groups. That list of census blocks awarded in Iowa is filed with this letter as **Supplemental Exhibit 1**.

2. **Gigabit Service**. Staff is correct that LTD Broadband applied for and was awarded support for gigabit service. LTD Broadband certifies that it will offer gigabit service in the census blocks where the award was for gigabit service within the time required by the RDOF rules. LTD Broadband will install fiber to optical network terminals in each of the RDOF-eligible locations that request its gigabit service.

3. **Tribal Areas**. Staff asked about the tribal application for the handful of tribal overlap areas. LTD Broadband has been corresponding with the Meskwaki Nation since April 14, 2021, and has requested information about contact persons and processes for working with the Tribe on the RDOF buildout. While Meskwaki Nation states that it is already well served, to the extent the FCC included those census blocks in the auction, LTD Broadband is continuing to

work and will continue to work with the Tribe on the issue. While LTD Broadband acknowledges the Board's rule requiring a copy of the tribal application at the time of the ETC application, LTD Broadband states that as a matter of implanting RDOF the requirement should not be strictly applied. LTD Broadband has initiated outreach to the Tribal Authorities. The timing of when Meskwaki Nation provides a contact or form of application is beyond LTD Broadband's control. Moreover, the requirement in advance of a more formal arrangement or process with a Tribe is contrary to the RDOF Order, which provided:

While we remain committed to promoting deployment on Tribal lands, we decline to extend a Tribal-specific preference to Tribal entities or to require a nontribal entity to "prove an established partnership" prior to the auction.

Rural Digital Opportunity Fund, WC Docket No. 19-126, Report and Order, 35 FCC Rcd 686, ¶ 28 (2020).¹ If, however, the Board would prefer, LTD Broadband, in the absence of a form of application from Meskwaki Nation, can send a letter or form titled as an Application and include the relevant information similar to that in the application filed with the Board and file a copy of such an Application.

4. **Reports and Registration.** Staff also asked about annual reports and IUB registration. LTD has registered with the new IUB 247 system and is awaiting activation of its account to make its 2020 filing. Attached as **Supplemental Exhibit 2** is the 2019 filing that was submitted recently by LTD using the previous system. In the previous two years, LTD did not have any voice customers to report. LTD will be reporting its first voice customers in its latest filing.

¹ LTD Broadband also has ample time to work a process out with Meskwaki Nation: the first buildout benchmark doesn't occur until year three. See *Rural Digital Opportunity Fund*, WC Docket No. 19-126, Report and Order, 35 FCC Rcd 686, ¶ 45, 55 and n. 151 (2020)

Respectfully submitted this 18th day of May, 2021.

By: /s/ Bret A. Dublinske

Bret A. Dublinske, AT0002232
FREDRIKSON & BYRON, P.A.
111 East Grand Avenue, Suite 301
Des Moines, IA 50309
Telephone: 515.242.8900
Facsimile: 515.242.8950
Email: bdublinske@fredlaw.com

**ATTORNEYS FOR
LTD BROADBAND LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of May, 2021, he had the foregoing document electronically filed with the Iowa Utilities Board using the EFS system which will send notification of such filing (electronically) to the appropriate persons.

/s/ Bret A. Dublinske

Bret A. Dublinske