

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
IOWA UTILITIES BOARD

IN RE:

LTD BROADBAND LLC

DOCKET NO. ETA-2019-0001

**RESPONSE TO BOARD REQUEST FOR  
ADDITIONAL INFORMATION**

On May 7, 2021, LTD Broadband filed an Application to Amend Eligible Telecommunications Carrier Designation. On May 13, 2021, Board Staff sent a letter requesting additional information, which LTD Broadband provided on May 18 and May 19. The Board then issued an Order Requesting Additional Information on May 4, 2021. That Order requests four specific items, addressed below.

1. LTD Broadband has filed all required reports with the FCC and USAC. As the Board's Order noted, LTD Broadband had filed an IUB Annual Report in 2019, and has filed its current IUB Annual Report in IUB 24/7; LTD Broadband inquired of Board Staff about filing the report that would have been filed in 2020 and was told that they were up to date. LTD Broadband states, however, that a report filed in 2020 for 2019 would have been identical to the report filed in 2019 for 2018. Additionally, LTD Broadband earlier this year made the filings for its Dual Party Relay Reports for the time period indicated in the Board's Order – Third Quarter 2019 through Fourth Quarter 2020. (While the Board's records should confirm this, LTD Broadband has the filing receipts if needed.) As part of working through this response with local counsel, however, LTD Broadband determined that several of the filed DPRS reports will need to be amended (see Responses 2 and 3 below); LTD Broadband is making those corrections

immediately. (LTD Broadband is reviewing all prior filings under the guidance of local counsel and will promptly make any other necessary amendment.)

2. LTD Broadband has paid the \$0.18 due as a Dual Party Relay Service Assessment by check dated June 7, 2021; LTD Broadband verified that the check has been processed. As is discussed in Responses 1 and 3, LTD Broadband believes an additional \$0.81 is due and will make that payment as it amends its DPRS reports (those payments should post today).

3. The Board requested information on when LTD Broadband began offering retail service, and why it did not file a registration prior to offering service. LTD Broadband had one customer beginning in November 2019, and a second starting in October 2020. It has added two more in 2021; one was in June after LTD Broadband was registered. None are in its ETC territory. LTD Broadband has not actively marketed its services, and connected this small number of customers as a test of a VoIP service. Because of the varying and unsettled status of IP-enabled service regulations, LTD Broadband was not aware that non-ETC VoIP services had to be registered in Iowa. As discussed below, LTD Broadband believes that issues like this will be avoided going forward by additional in-house regulatory staff and by use of Iowa counsel.

4. As stated in LTD Broadband's prior filings, LTD Broadband has been in communication with the Meskwaki Tribe. As LTD Broadband understands Ordering Clause 4 of the Board's Order, the Board is requesting evidence that the IUB Application has been provided to the Tribe. Attached is a copy of a Cover Letter transmitting the complete Application and Exhibits, a Delivery Label for a delivery service, and the delivery Tracking showing delivery. Should the Board require an affidavit as to what was attached to the letter, LTD Broadband can provide that.

The Board also noted that LTD Broadband had not discussed “what remedial actions had been, or would be, taken to evidence the expertise and commitment needed to carry to out the same regulatory requirements for a larger service area. . .” LTD Broadband notes that it has not to date had an obligation to provide ETC service – it remains in its permitted buildout period. Because it was not marketing its services and had only two VoIP lines of service it was trying out, it was not focused on and did not understand it had regulatory filing obligations, which it intended to comply with beginning with the active marketing roll out of its services. Similarly, LTD Broadband had not staffed up yet because it did not have meaningful customers or customer revenues.

The Board should be assured, however, that LTD Broadband takes its regulatory obligations seriously. The FCC believed LTD Broadband was sufficiently capable to select LTD Broadband as one of the largest RDOF carriers. LTD Broadband had been relying on national counsel for its national issues, but also for efficiency its state matters, including in Iowa. In April 2021, however, LTD Broadband retained experienced local counsel in Iowa who is more familiar with Iowa-specific ETC requirements and who routinely makes ETC related filings for other providers. Additionally, LTD Broadband will be hiring additional in-house regulatory/compliance staff to stay ahead of filings going forward. These two changes will allow LTD Broadband to better understand and timely comply with Iowa Utilities Board requirements.

LTD Broadband believes it has provided all of the information and explanation the Board has requested, and has taken and is taking steps to improve its processes going forward. Accordingly, LTD Broadband respectfully requests that the Board grant the amendment to LTD Broadband’s designation to allow it to fulfill the goals of the FCC’s RDOF program in Iowa. If the Board has further questions or requires further information, please let us know and we will

promptly provide the information to facilitate completion of the expansion of LTD Broadband's designation.

Respectfully submitted this 6<sup>th</sup> day of July, 2021.

By: /s/ Bret A. Dublinske

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**ATTORNEYS FOR  
LTD BROADBAND LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 6th day of July, 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