

**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Application of LTD Broadband LLC for            )  
Designation as an Eligible                                )  
Telecommunications Carrier for the Purpose        )     Docket No. 21- LTDT - 430 -ETC  
of Providing Services Supported by the                )  
FCC's Rural Digital Opportunity Fund.                )

**APPLICATION OF LTD BROADBAND LLC FOR DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER**

LTD Broadband LLC ("LTD Broadband" or the Company), by its counsel, respectfully submits this Application for Designation as an Eligible Telecommunications Carrier (ETC) pursuant to section 214(e)(2) of the Communications Act of 1934, as amended (the Act), and section 54.201 *et seq.* of the rules of the Federal Communications Commission (FCC). LTD Broadband requests that the Kansas Corporation Commission (Commission or KCC) grant it designation as an ETC in the proposed service area for purposes of receiving support from the federal Universal Service Fund (USF), including support through the FCC's high-cost USF program. Specifically, LTD Broadband seeks designation as an ETC on or before June 7, 2021 to receive funding awarded to the Company through the recently completed Rural Digital Opportunity Fund ("RDOF") Auction so that it can deploy broadband and voice communications in certain unserved territories in Kansas.

LTD Broadband was a successful bidder in the recently completed RDOF Auction, where it will be awarded high-cost funding to extend broadband and digital voice services into one hundred and ninety (190) census block groups (CBGs) in rural Kansas for 2,122 currently unserved locations. A list of awarded CBGs is attached as **Exhibit A**. A map of Kansas showing the locations of sites won by LTD is attached as **Exhibit B**. Because the RDOF support is essential to

LTD Broadband's ability to extend service in rural Kansas, the Company respectfully requests that the KCC expeditiously review and approve this Application.

## **I. Introduction**

### **A. The Company**

1. LTD Broadband is a privately-held limited liability company formed in the State of Nevada in October 2010. The Company's principal place of business is 69 Teahouse Street, Las Vegas NV 89138. Corey Hauer holds a 100% controlling interest in the Company. LTD Broadband has grown from a single water tower site in Rose Creek, Minnesota in 2011 to a network of over 2150 broadcast sites covering over 50,000 square miles servicing 16,000 customers. Currently LTD Broadband offers service in Iowa, Minnesota, Nebraska, South Dakota and Wisconsin. LTD Broadband continues its rapid expansion of its footprint averaging 30 new broadcast sites each month. LTD Broadband is also overbuilding much of its existing fixed wireless footprint with 5G millimeter wave fixed wireless equipment to enable gigabit speeds. LTD Broadband operates an extensive fiber network with geographically dispersed redundant paths to insure maximum reliability and throughout its tower network. LTD Broadband believes it is one of the fastest growing and largest providers (by coverage area) of fixed-wireless broadband in the country. For the RDOF areas, LTD Broadband intends to deploy fiber to the home (FTTH) in the last mile using GPON and XGPON technology to offer speeds up to 10 Gbps. Middle mile connections may utilize multi-gigabit fixed-wireless transmission paths in certain instances.

2. LTD Broadband is a Foreign Limited Liability Corporation that is active and in good standing with the Kansas Secretary of State, proof of which is attached in **Exhibit C**. Additionally, LTD Broadband will file an application for certificate of authority to serve as a telecommunications service provider in Kansas. The Company affirms that it will not partner with another entity in providing the services as an ETC.

## **B. Contacts**

3. All correspondence, communications, pleadings, notices, orders, inquiries and decisions relating to this Application should be addressed to:

Glenda L. Cafer (KS Bar #13342)  
Morris Laing Evans Brock & Kennedy, Chtd.  
800 SW Jackson, Suite 1310  
Topeka, KS 66612  
785 430-2003  
Email: gcafer@morrislaing.com

with a copy to:

Kristopher Twomey  
Law Office of Kristopher E. Twomey, P.C.  
1725 I Street, NW Suite 300  
Washington, D.C. 20006  
kris@lokt.net  
202 681-1850

Corey Hauer  
LTD Broadband LTD  
69 Teahouse Street  
Las Vegas, NV 89138  
coreyhauer@ltdbroadband.com  
507 369-6669

## **C. RDOF Auction**

4. The FCC established the RDOF to continue its efforts to accelerate deployment of high-speed fixed broadband service capable of speeds of at least 25 Mbps download and 3 Mbps upload to unserved and underserved Americans in rural areas.<sup>1</sup> The Phase I auction awarded funds to serve areas that are wholly unserved by fixed broadband service at speeds of 25/3 Mbps.<sup>2</sup> Phase II will award funds to serve areas that are only partially served and census blocks unawarded in the Phase I auction.<sup>3</sup>

5. On December 7, 2020, the FCC issued a Public Notice wherein LTD Broadband was awarded \$1,320,920,718.60 in funding over ten years to serve a total of 528,088 locations in

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<sup>1</sup> See *Rural Digital Opportunity Fund; Connect America Fund*, WC Docket Nos. 14-259 and 10-90, Report and Order, FCC 20-5, ¶ 4 (Feb. 7, 2020) (RDOF Order).

<sup>2</sup> *Id.*, ¶¶ 5, 9.

<sup>3</sup> *Id.*

fifteen states.<sup>4</sup> In Kansas, the Company was awarded \$322,894.80 over ten years to build out and operate a network for advanced communications serving 2,122 unserved locations in 190 census block groups.<sup>5</sup> The FCC requires a company that is awarded support to obtain an ETC designation (encompassing receipt of high-cost support) for the areas covered by its successful bids within 180 days after being announced as a winning bidder (*i.e.*, by June 7, 2021).<sup>6</sup>

## **II. Federal Communications Act**

6. A state commission may, upon its own motion, or upon request, designate a common carrier to be an ETC for purposes of receiving universal service support in accordance with section 214(e)(2) of the Act. Designated ETCs must comply with the requirements of section 214(e)(1), which states:

A common carrier designated as an eligible telecommunications carrier . . . shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received –

(A) offer the services that are supported by the Federal universal service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the service offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefor using media of general distribution.

7. Section 214(e)(2) of the Act and section 54.201(c) of the FCC’s rules state that the state commission may, in the case of an area served by a rural telephone company – and shall, in the case of all other areas – designate more than one common carrier as an ETC for a service area the state commission designates, provided that each additional requesting carrier satisfies section

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<sup>4</sup> Rural Digital Opportunity Fund Phase I Auction (AUCTION 904) Closes, Winning Bidders Announced, FCC Form 683 Due January 29, 2021, FCC AU Docket No. 20-34, WC Docket No. 10-90 (December 7, 2020).

<sup>5</sup> *See id.*

<sup>6</sup> *See* RDOF Order at ¶ 81.

214(e)(1) of the Act and section 54.201(d) of the FCC’s rules. Before designating an additional ETC for an area served by a rural telephone company, section 214(e)(2) of the Act says that the state commission shall find that such designation is in the public interest.

### **III. DESCRIPTION OF SERVICE AREA**

8. LTD Broadband requests ETC designation for a service area that includes the census blocks in Kansas where it has been awarded RDOF support, as depicted in **Exhibits A and B**. In the RDOF Order, the FCC granted forbearance “from the statutory requirement that the ETC service area of [an RDOF] participant conform to the service area of the rural telephone company serving the same area.”<sup>7</sup>

### **IV. LTD BROADBAND SATISFIES THE REQUIREMENTS FOR ETC DESIGNATION**

#### **A. LTD Broadband is a Common Carrier**

9. As noted above, LTD Broadband holds FCC wireless licenses, on a common carrier basis, for the provision of fixed wireless services. The Company will utilize these existing (and additional) wireless licenses, as well as owned and leased fiber and other network assets to provide services in Kansas. Moreover, LTD Broadband will provide supported services on a common carrier basis, as defined in the Act and permitted by the FCC. Consequently, LTD Broadband is a common carrier.

#### **B. LTD Broadband Will Offer the Supported Services Throughout its ETC Designated Service Area**

10. LTD Broadband commits to provide (i) voice grade access to the public switched telephone network (PSTN) or its functional equivalent; (ii) minutes of use for local service provided at no additional charge to end users; (iii) access to emergency services; and (iv) toll

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<sup>7</sup> RDOF Order, ¶ 93.

limitation services to qualifying low-income consumers as provided in accordance with 47 C.F.R. §§ 54.400 *et seq.* throughout the service area for which ETC designation is received. LTD Broadband will advertise the availability of service through media of general distribution, including newspaper, radio, mail, website and/or television. The language in its advertising will conform to the requirements set forth by the Commission in Docket No. 06-GIMT-446-GIT.

(i) Voice Grade Access to the Public Switched Telephone Network

11. LTD Broadband will provide voice-grade access to the PSTN by providing interconnected VoIP service throughout its designated service area. This plan complies fully with the FCC's universal service rules and orders. In the 2011 USF Transformation Order, the FCC established the Connect America Fund (CAF) and found that its authority to promote universal service did not depend on the classification of interconnected VoIP as a telecommunications service or an information service and that "ETCs may use any technology in the provision of voice telephony service." Currently, the Company provides an extensive range of service offerings for residential, business and government customers, including broadband Internet Access and VoIP, available at several price levels and upload/download speeds. At this time, LTD Broadband delivers retail plans with download speeds of up to 50 Mbps. Supported by RDOF funding, the Company expects to build networks that will enable it to develop service plans with download speeds up to 1 Gbps consistent with representations made to the FCC in its RDOF short and long form project descriptions. LTD Broadband expects to offer a similar selection of plans (albeit incorporating improved upper-end download speeds) in Kansas.

(ii) Minutes of Use for Local Service

12. LTD's calling packages in Kansas will allow for unlimited local calling and unlimited domestic calling in the continental United States. Additional features include: caller ID; caller ID with name (if made available by caller); call forwarding; voicemail; enhanced 911; and

local number portability. “Local usage” means an amount of minutes of use of exchange services, prescribed by the FCC, provided free of charge to end users.” The FCC has not specified a minimum amount of local usage that a wireline ETC must offer. LTD Broadband will meet the local usage requirement by including unlimited local calling in its rate plans. The Company commits to comply with any minimum local usage requirements adopted in future by the FCC or by this Commission.

(iii) Access to Emergency Services

13. LTD Broadband complies fully with the FCC’s requirements for 911/E911 service provided in connection with VoIP services. In particular, the Company complies with the requirements of Section 9.5 of the FCC’s rules. At the time of service installation, LTD Broadband confirms with each subscriber the correct physical address (or Registered Location) for the service. In addition, the Company notifies each subscriber about the need to promptly update his or her Registered Location in the event the subscriber changes locations, to ensure that future emergency calls are correctly routed. Subscribers are made aware that this update can be easily achieved via a telephone call to customer service or through the LTD Broadband customer portal. Finally, each subscriber is informed that certain circumstances may interfere with emergency calls made using the VoIP service, including, e.g., unreported changes to a subscriber’s Registered Location, power outages and broadband network connectivity loss.

14. The Company currently provides its VoIP customers with access to 911/E911 emergency services through an arrangement with Inteliquent, a certified telecommunications carrier in Kansas. Emergency calls from LTD Broadband customers are connected to Inteliquent’s network via high speed Session Interface Protocol (SIP) trunks at LTD Broadband’s datacenters. The SIP trunks are configured for High Availability IP to ensure maximum call processing

effectiveness. As an ETC, LTD Broadband will continue to provide access to these critical services to customers throughout its service territory.

(iv) Toll Limitation for Qualifying Low-Income Consumers

15. At this time, LTD Broadband does not distinguish between local exchange and long distance calls in its voice offering. Consequently, those LTD Broadband plans that include voice services do not apply any additional charge for interexchange calls. If, in the future, LTD Broadband offers a service plan that does distinguish between toll and non-toll calls – and which makes additional charges for toll calls possible – the Company will offer toll limitation service to qualifying low-income consumers at no additional charge.

(v) Broadband Internet Access Services (BIAS)

16. LTD Broadband will provide BIAS service to customers, including the capability to transmit and receive data by wire or radio from all, or substantially all, Internet endpoints, excluding dial-up service. LTD Broadband, as an ETC, will offer BIAS services to low-income subscribers, consistent with its Auction 904 requirements and meet or exceed the FCC's RDOF deployment milestones.

**C. LTD Broadband Will Satisfy the “Own Facilities” Requirement for ETC Designation**

17. LTD Broadband commits that, throughout its service area, it will comply with Section 214(e)(1) of the Act and offer supported services “either using its own facilities or a combination of its own facilities and resale of another carrier’s services.” The Company provides service using a combination of network facilities and technologies. Its last-mile voice and broadband services are provided using fiber and fixed wireless microwave platforms. For its transport backbone, the Company relies upon point-to-point licensed wireless connections, owned fiber, leased dark fiber and ethernet. In Kansas, LTD Broadband will deploy similar network



arrangements to provide supported voice services and meet broadband requirements for RDOF support.

**D. LTD Broadband Will Advertise the Availability of its Services**

18. LTD Broadband will advertise the availability of the supported services throughout its designated service areas using direct mail. LTD Broadband agrees to comply with all form and content requirements for advertising that are adopted by the FCC or this Commission and that are required of all similarly designated ETCs. As discussed in its Application, LTD Broadband commits to direct advertising specifically towards Lifeline-eligible customers in the awarded census locations. This Lifeline services advertising will comply with the content requirements of FCC rule section 54.405(c), stating in “easily understood language, that it is a Lifeline service, that Lifeline is a government assistance program, the service is non-transferable, only eligible consumers may enroll in the program, and the program is limited to one discount per household.” These content points will be included in all Lifeline service- related materials issued by the Company, including print, broadcast and web-posted marketing materials as well as the materials used for customer enrollment and recertification. Provided as **Exhibit D** is a draft sample draft of the Company’s Lifeline advertising.

**E. Consumer Protection and Service Quality Standards**

19. LTD Broadband considers service quality and compliance with consumer protection standards to be integral to its operations. Consequently, throughout its more than eleven-year history of providing communications services, the Company has consistently prioritized customer service and dedicated the necessary resources to ensure customer satisfaction. The Company has not been the subject of any serious consumer complaints or investigations. At this time, LTD Broadband complies with all state and federal consumer protection requirements applicable to its operations. Upon designation as an ETC in Kansas, LTD Broadband will comply

with applicable consumer protection and service quality standards, as set forth by the FCC, this Commission and the State of Kansas. This will include compliance with all state and federal privacy standards, including the FCC's Customer Proprietary Network Information (CPNI) rules and the network performance disclosure requirements of 47 C.F.R. § 8.

**F. Emergency Situation Functionality**

20. The Company's network is designed to remain operational in emergency situations and to ensure uninterrupted service to customers. First, the network was developed, and continues to be expanded, utilizing state-of-the-art industry standard equipment and software. This ensures infrastructure durability to continue operations even under major stress events. Moreover, recognizing that no network is absolutely protected against adverse events, LTD Broadband has designed its network to provide for continued services even if one or more elements within the network temporarily fail. Throughout the layers of the Company's network, connections and transport resources are designed with redundancy to provide immediately available back-ups in the event of power cuts or other events. LTD Broadband employs a distributed data center model with duplication and load sharing as well as uninterrupted power supply (UPS) and generator backups. All point-of-presence (POP) locations will have failover power ability along with wireless re-route backhaul ability and multiple routing options within each WAN/fiber POP tower location. Within the data center are multiple network-to-network interfaces (NNIs) with Tier 1 Internet Service Providers (ISPs) and public internet exchanges including MICE, SiX, KCIX, QCIX, and DenverIX supporting full border gateway protocol (BGP) routing to each transit carrier to ensure uninterrupted uptime for subscribers. In addition, the Company's subscribers are provided with a UPS that is intended to provide backup power for up to twenty-four (24) hours in the event of outages.

**G. LTD Broadband Will Comply With all Applicable Kansas and FCC Reporting, Remittance, and Other Regulatory Obligations**

21. LTD Broadband will comply with all applicable Kansas and FCC requirements with respect to fees, charges, and reports. The Company will timely pay all applicable federal, state, and local regulatory fees, including universal service and E911 fees. Furthermore, LTD Broadband will comply with the ongoing reporting requirements for ETCs as set forth, and revised from time to time, by the KCC and the FCC. Additionally, LTD Broadband commits to respond to the KCC's requests for information, including requests regarding the Company's ability to assume responsibility to serve existing customers of another ETC that operates in the Company's designated service area that relinquishes all or part its ETC designation. LTD Broadband also will comply fully with measures adopted by the FCC and the KCC to prevent waste, fraud, and abuse within the USF. Moreover, the Company will notify the KCC in the future if any factors change that would affect its eligibility for an ETC designation. In the event that LTD Broadband determines to cease operations as an ETC, the Company will comply with the applicable relinquishment protocols of the FCC and the KCC.

**V. DESIGNATION OF LTD BROADBAND AS AN ETC IS IN THE PUBLIC INTEREST**

22. Designation of LTD Broadband as an ETC in Kansas will serve the public interest by facilitating the goal of deploying voice and high-speed broadband networks in unserved and underserved rural, high-cost areas, and it will promote competition in Kansas. The Company will deploy advanced communications to unserved and underserved areas in Kansas in accordance with the goals of the RDOF program. Expedited designation of LTD Broadband will serve the public interest by ensuring that the Company is eligible to receive federal high-cost USF support and deploy critical communications facilities as soon as possible. The services to be provided by the

Company will provide important connectivity to rural Kansas consumers, businesses, and community anchor institutions, including rural schools, libraries, and medical facilities.

## **VI. CONCLUSION**

23. For the reasons set forth above, LTD Broadband respectfully requests that the KCC (i) expeditiously review and approve this Application on or before June 7, 2021; (ii) issue an Order designating the Company as an ETC in Kansas for the specific purpose of receiving federal high cost and low-income funding; and (iii) grant such other relief as the KCC deems to be appropriate.

Respectfully submitted,

*/s/ Glenda Cafer*

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[kris@lokt.net](mailto:kris@lokt.net)

*Counsel for LTD Broadband LLC*

## **Exhibit A**

List of RDOF Census Block Groups

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201030709001	201730080002	201759659003
201030709002	201730101061	201759659002
201030711022	201730009001	201759658002
201030711023	201730091004	201759658003
201039819002	201730100021	201759660001
202090438041	201730038002	201759657003
202090448041	201730100012	201759659001
202090440031	201730101072	201759658004
202090440041	201730064002	201759657002
202090448061	201730004002	200610006002
202090438022	201730055014	200610003002
202090438021	201730054004	200610006001
202090425021	201730072012	200610001003
202090448032	201730004001	200610007002
202090447023	201730095031	200610001001
202090424002	201730080001	200610003004
202090448042	201730092001	200610004001
202090400011	201730094013	200610002001
201730100042	201730081001	200150208002
201730091001	201730072042	200150203001
201730043002	201730071011	200150203002
201730057005	201730101111	200150209021
201730108011	201730101151	200150204002
201730004003	201730067001	200150202021
201730061001	201730101112	200150202022
201730091005	201730054002	200150209022
201730066001	201730102001	200150205002
201730098014	201730056003	201259511002
201730026002	201730072033	201259509001
201730078001	201730090003	201259513002
201730026001	201730076002	201259508004
201730024002	201730101114	201259512001
201730006002	201730051004	201259512002
201730095101	201730101091	201259508003
201730098013	201730073021	201259510001
201730059003	201730072041	200379573001
201730029003	201730030002	200379569002
201730043003	201730087001	200379570002
201730014004	201730031002	200379569003
201730089003	201759658001	200410844003
201730101101	201759660002	200410846001

200410846003	200790301001	201690007001
200410844002	200790304005	201690004002
201719571001	200790303003	201690008002
200910525021	200790303001	201690002002
200919800011	200790301002	200579621013
200910530061	200790304001	200579618003
200910529051	200790302001	200579620002
200910523061	200430203004	201974832003
200050817001	200099715003	200399512001
200050819001	200099713004	200739657003
200050817003	200099716005	200739657001
200050819004	200099716003	200999502002
201154896002	200530867004	200999501003
201154896003	201550011002	200999503002
201154898005	201550008004	201610002005
201154896004	201550008002	201610009005
200354937002	201550010001	201610007003
200354937001	201550002004	201610007004
200354941002	201550006002	201610010023
200354936002	201550004004	200959612001
200354935002	201690001003	200959612003
200354934001	201690003003	
200354940002	201690010003	

## **Exhibit B**

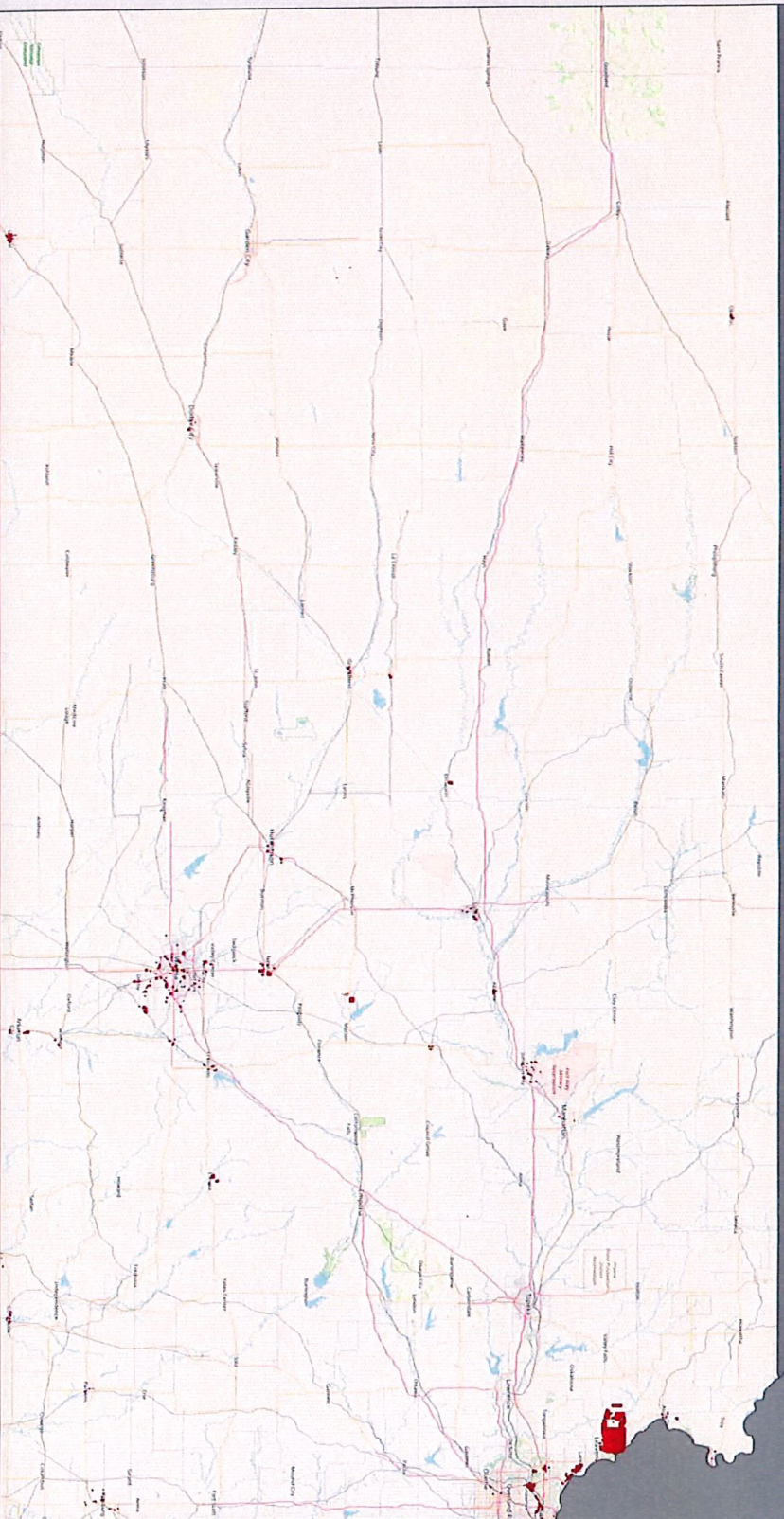
Map of Sites Awarded to LTD Broadband



# RDOF (LTD)



Kansas



Key

 LTD Won Sites

Confidential & Proprietary (c) 2020 Cardinal Communications

28/2021

## **Exhibit C**

Kansas Secretary of State Form



**SCOTT SCHWAB**  
Secretary of State



Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594  
(785) 296-4564

## STATE OF KANSAS

February 08, 2021

LTD BROADBAND LC  
PO BOX 3064  
BLOOMING PRAIRIE MN 55917

RE: LTD BROADBAND LC

ID. # 5423611 (USE IN ALL CORRESPONDENCE WITH OUR OFFICE)

Enclosed is certified copy of the foreign limited liability company application for registration in the state of Kansas. Your foreign limited liability company's business entity identification number is at the top of this page. This business entity identification number should be used in all correspondence with our office.

Every foreign limited liability company must file an annual report with our office and pay a filing fee. The annual report and fee are due together on the 15th day of the fourth month following the tax closing month. (For example, if the tax closing month is December, the due date is April 15 of the following year). The annual report may be filed as early as January 1. An annual report is not required if the company has not been incorporated for six months prior to its first tax year end. If the company operates on a tax year end other than the calendar year, you must notify our office in writing prior to December 31.


The annual report may be filed electronically at [www.sos.ks.gov](http://www.sos.ks.gov) or you may obtain a paper form from the Web site.

PLEASE NOTE: For information regarding taxes, contact the Kansas Department of Revenue at (785) 368-8222 or [www.ksrevenue.org](http://www.ksrevenue.org).

rct

**FA** KANSAS SECRETARY OF STATE **542 3611**  
**Application for Registration of Foreign Covered Entity**

Memorial Hall, 1st Floor (785) 296-4564  
 120 S.W. 10th Avenue kssos@ks.gov  
 Topeka, KS 66612-1594 https://sos.kansas.gov

0969 01 051 010 \$165.00	FILED BY KS SOS 02-08-2021 10:08:18 AM FILE#: 5423611
 <b>05809444</b>	

All information on the application for registration must be complete and accompanied by the correct filing fee or the document will not be accepted for filing. A certificate of existence or good standing from the home state must accompany the application.

**Choose type of covered entity:**

<input type="checkbox"/> <b>Corporation for profit</b> (fee \$115) 51-03	<input type="checkbox"/> <b>Series limited liability company</b> (fee \$165.00) 51-33 (Complete statement 11a, if applicable)
<input type="checkbox"/> <b>Corporation not for profit</b> (fee \$115) 51-17	<input type="checkbox"/> <b>Limited partnership</b> (fee \$165) 51-06
<input checked="" type="checkbox"/> <b>Limited liability company</b> (fee \$165) 51-10	<input type="checkbox"/> <b>Limited liability partnership</b> (fee \$165) 51-18 (Statement 11b applies)

**1. Name of covered entity:**  
 Must exactly match name on certificate.

LTD Broadband LLC

**2. State or foreign country of origin:**

Nevada

**3. Date of formation in home state:**

Month	Day	Year
10	31	2011

**4. Include a statement (certificate of good standing/existence\*) issued within 90 days of the application by the proper officer of the jurisdiction where such foreign entity is organized (usually the Secretary of State or comparable agency) that the entity exists in good standing under the laws of the jurisdiction of its organization.**

\* Click here to see each state/jurisdiction's certificate and issuing agency.

**5. Date the covered entity began doing business in Kansas if different than the filing date:**

Month	Day	Year

See FA-I #5 for additional filings and fees that may be due.

**6. Name of resident agent and address of registered office in Kansas:**  
 Must be a Kansas street address. A P.O. Box is unacceptable.

Name InCorp Services, Inc.	
Street Address 534 S Kansas Ave, Suite 1000	
City Topeka	State KS
	Zip 66603



**7. Mailing address:**

Address will be used to send official mail from the Secretary of State's office

Attention Name

LTD Broadband, LLC

Address

PO Box 3064

City

Blooming Prairie

State

MN

Zip

55917

Country

USA

**8. Fiscal year end:**

December 31

**9. Full nature and character of business to be conducted in Kansas:**

Internet service provider

**10. The foreign covered entity hereby consents, without power of revocation, that actions may be commenced against it in the proper court of any county in the state of Kansas; and the foreign covered entity stipulates and agrees that such service shall be taken and held in all courts to be valid and binding as if due service had been made upon the authorized persons of the foreign covered entity.**

**11a. This statement applies to foreign series limited liability companies only, and applies only if the series limited liability company is chosen as type of covered entity.**

The limited liability company is governed by an operating agreement that establishes or provides for the establishment of a series of members, managers, limited liability company interests or assets having separate rights, powers or duties with respect to specified property or obligations of the foreign limited liability company or profits and losses associated with specified property or obligations.

Check all that apply:

☐

The debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series, if any, are enforceable against the assets of such series only, and not against the assets of the foreign limited liability company generally or any other series thereof.

☒

Any of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the foreign limited liability company generally or any other series thereof shall be enforceable against the assets of such series.

**11b. This statement applies to foreign limited liability partnerships only, and applies only if the foreign limited liability partnership is chosen as type of covered entity.**

The above-named partnership elects to be a foreign limited liability partnership.

**12. I declare under penalty of perjury pursuant to the laws of the state of Kansas that the foregoing is true and correct.**

Signature of Authorized Person

*Corey Hauer*

Name of Signer (Printed or Typed)

Corey Hauer

# SECRETARY OF STATE



## CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, Barbara K. Cegavske, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **LTD BROADBAND LLC**, as a limited liability company duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since October 22, 2010, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on January 13, 2019.

*Barbara K. Cegavske*

Barbara K. Cegavske  
Secretary of State

Electronic Certificate  
Certificate Number: C20190113-0083



I hereby certify this to be a true and correct copy of the original on file.  
Certified on this date: Feb 8, 2021  
SCOTT SCHWAB  
Secretary of State *Scott Schwab*

## **Exhibit D**

Sample Lifeline Advertisement





## LIFELINE | MAKING PHONE & INTERNET MORE AFFORDABLE

LTD Broadband is a telecommunications provider who provides basic and enhanced services within its service territory, including services supported by Federal Universal Service funds and eligible for Federal Lifeline assistance.

We offer a discounted digital phone service to make calling more affordable to qualified consumers. Lifeline qualified consumers may be eligible to receive a discount on either digital phone or broadband internet service.

*To qualify, a household must participate in one of the following:*

- Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamps)
- Medicaid
- Supplemental Security Income (SSI)
- Veterans and Survivors Pension Benefit
- Federal Public Housing
- Income at or below 135% of the federal poverty level

To learn more about the Lifeline program and discounts you may be eligible to receive visit the FCC's Lifeline Program page at:  
<https://www.fcc.gov/consumers/guides/lifeline-support-affordable-communications>

PO BOX 3064, BLOOMING PRAIRIE, MN 55917 | (507) 369-6669 | [WWW.LTDBROADBAND.NET](http://WWW.LTDBROADBAND.NET)



## AFFIDAVIT

BEFORE ME, the undersigned authority, appeared Corey Hauer, and being duly sworn, stated and affirmed the following:

1. My name is Corey Hauer. I am Chief Executive Officer of LTD Broadband LLC ("LTD"), a Nevada Limited Liability Company authorized by the Kansas Secretary of State to transact business in the state on February 8, 2021. I am authorized to give this Affidavit on behalf of LTD in support of LTD's Application for designation as an Eligible Telecommunications Carrier ("ETC") pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, as amended (the "Act"). hereby affirm that every statement made in the Application is true and correct to the best of my knowledge.
2. Applicant was a successful bidder in the Rural Digital Opportunity Fund ("RDOF") Auction (Auction 904) in the census block groups depicted on Exhibit A to the Application and seeks designation in those census block groups only.
3. Applicant acknowledges that a carrier must obtain designation as an Eligible Telecommunications Carrier ("ETC") from the Commission in order to be eligible to receive support from the federal Universal Service Fund, including CAF II funding, pursuant to 47 U.S.C. § 151 et seq. and 47 U.S.C. § 214(e)(2).
4. Applicant is also applying for a Certificate of Convenience and Necessity and Applicant will be a common carrier for purposes of obtaining ETC designation under 47 U.S.C. § 214(e)(2).
5. Applicant will offer voice telephony service and broadband internet service as those services are defined in 47 C.F.R. § 54.101(a).
6. Applicant will provide the supported services throughout the area requested for designation in accordance with 47 C.F.R. § 54.201(d).
7. Applicant will advertise the availability of the supported services and the charges therefore in accordance with 47 C.F.R. § 54.201(d)(2).
8. Applicant affirms that the supported services will be provided using Applicant's own facilities or a combination of its own facilities and resale of another carrier's services in accordance with 47 C.F.R. § 54.201(d)(1).
9. Applicant will comply with the service requirements applicable to the support it receives in accordance with 47 C.F.R. § 54.202(a)(1)(i).
10. Applicant will comply with the minimum service standards detailed at 47 C.F.R. § 54.408(b)(3).

11. Applicant affirms that all enrollments in the Lifeline program will be performed in compliance with all requirements for the Lifeline program, including but not limited to, those applicable to the verification of identity, address and eligibility of Lifeline subscribers.

12. Applicant affirms that the requested ETC designation is in the public interest in accordance with the Federal Communication Commission's recognition, in Public Notice DA 20-1422, released on December 7, 2020, that entities seeking ETC designation in relation to federal high-cost support demonstrate their ability to efficiently offer service and meet their public interest obligations through the competitive bidding process.

13. I hereby affirm that every statement made in the Application is true and correct to the best of my knowledge.

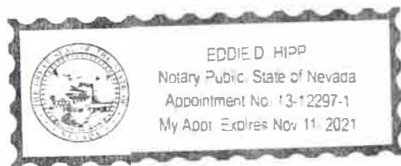
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

State of Nevada  
County of Clark.



Corey Hauer  
Chief Executive Officer

Sworn to and subscribed before me on the 21<sup>st</sup> day of April 2021.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 11/11/21

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SHAWNEE        )

**VERIFICATION**

I, Glenda Cafer, verify under penalty of perjury that I have caused the foregoing pleading to be prepared; that I have read and reviewed the same; and that the contents thereof are true and correct to the best of my information, knowledge, and belief.

*/s/ Glenda Cafer*