

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE EXPANSION )  
OF THE DESIGNATED SERVICE AREA )  
OF SEI DATA, INC. AS AN ELIGIBLE ) CAUSE NO. 41052-ETC 44-S1  
TELECOMMUNICATIONS CARRIER IN )  
THE STATE OF INDIANA )

**DIRECT TESTIMONY OF ANTHONY CLARK IN SUPPORT OF THE EXPANSION  
OF THE DESIGNATED SERVICE AREA OF SEI DATA, INC. AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER**

**Q1. PLEASE STATE YOUR FULL NAME AND TITLE.**

A1. My name is Anthony Clark. I am the CEO and General Manager of SEI Data, Inc. (“SEI Data”).

**Q2. WHAT ARE YOUR JOB RESPONSIBILITIES FOR SEI DATA?**

A2. As CEO and General Manager of SEI Data, I make major corporate decisions, oversee the overall operations and resources of the company, and report directly to the company’s Board of Directors.

**Q3. PLEASE PROVIDE INFORMATION ON YOUR PROFESSIONAL BACKGROUND.**

A3. I have a degree in electronics and a certificate in finance, as well as 29 years of experience in the telecommunications industry. I have held various telecommunications positions, including construction, installation and repair; central office technician; central office manager; assistant operations manager; and general manager and CEO. I am a member of the Indiana Broadband Technology Association (“IBTA”) Small Company Committee, IBTA Convention Committee, and National Telecommunications Cooperative Association (“NTCA”) Government Committee.

**Q4. PLEASE PROVIDE BACKGROUND INFORMATION ON SEI DATA, INCLUDING THE SERVICES IT PROVIDES.**

A4. SEI Data is an Indiana corporation organized under Ind. Code § 23-1-1-1 *et seq.* and registered with the Indiana Secretary of State. A copy of SEI Data's Certificate of Existence is attached hereto as **Exhibit AC-1**. Its principal place of business is located at 14005 U.S. 50, Dillsboro, IN 47018. SEI Data often operates under its registered assumed business name SEI Communications and will offer services within the Expanded Service Area using this assumed business name. SEI Data is a competitive local exchange carrier ("CLEC") and wholly owned subsidiary of Southeastern Indiana Rural Telephone Cooperative, Inc. ("SIRTC"), a rural communications cooperative established under Ind. Code § 8-1-17-1 *et seq.* SEI Data has been offering internet access service since 1997, beginning with dial-up internet. The management team then oversaw the transition to Digital Subscriber Line ("DSL") service to increase the internet speeds that SEI Data was offering to customers. In 2013, with the help of its capable management team, SEI Data oversaw the fiber build within its current service area, which further increased offered speeds up to 1GB symmetrical. Today, SEI Data continues to offer broadband service up to 1G symmetrical to businesses and residents with fiber-to-the-home ("FTTH").

**Q5. WHAT CERTIFICATIONS DOES SEI DATA CURRENTLY HOLD FROM THE INDIANA UTILITY REGULATORY COMMISSION ("COMMISSION")?**

A5. On November 24, 1999 in Cause No. AA9911-4, SIRTC transferred to SEI Data its Certificate of Territorial Authority issued by the Commission under Cause No. 9811-3 (the "Original CTA") to resell interexchange, intrastate telecommunications services in Indiana. On February 2, 2000 in Cause No. 41560, the Commission granted a new Certificate of Territory Authority (together with the Original CTA, the "CTA") to SEI

Data, authorizing it to provide facilities-based switched and special access local exchange telecommunication services throughout Indiana. On August 15, 2019 in Cause No. CSP1907-23, the Commission officially acknowledged a change to SEI Data's CTA to authorize SEI Data to provide broadband, internet protocol-enabled services and advanced services in parts of Dearborn, Decatur, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott and Switzerland counties in Indiana. On January 13, 2021, SEI Data filed a Notice of Change to its authorized services and service area to become authorized to provide broadband and interconnected VoIP as a telecommunications service throughout the state of Indiana, which will encompass the Expanded Service Area.

By order approved on September 24, 2003 in Cause No. 41052-ETC 44, the Commission designated SEI Data as an ETC for a specified portion of the Madison, Indiana exchange. In addition to the Expanded Service Area requested in the Verified Petition, the original designated ETC service area of SEI Data is identified on **Exhibit A** attached to the Verified Petition.

**Q6. PLEASE SUMMARIZE SEI DATA'S REQUEST IN THIS PROCEEDING.**

A6. Pursuant to Section 214(e)(2) of the Communications Act of 1934 (the "Act") and Section 54.201 of the FCC's rules, SEI Data requests the Commission's approval of the Expanded Service Area in which SEI Data seeks to be designated as an ETC in order to receive federal support from the Rural Digital Opportunity Fund ("RDOF") Phase I. SEI Data was allocated RDOF Phase I support through its participation in the NRTC Phase I RDOF Consortium (the "Consortium"). The Consortium was provisionally awarded RDOF Phase I support from the FCC on December 7, 2020, and has allocated the awarded support and census block groups to its members, including SEI Data. SEI Data

will be eligible to receive this support subject to completing certain requirements, such as being designated as an ETC in the Expanded Service Area. Pursuant to Section 54.101(d) of the FCC's rules, any ETC, including an ETC designated to receive high-cost support, must offer Lifeline service in its designated service area. Accordingly, to the extent necessary, SEI Data also requests designation as a Lifeline provider within the Expanded Service Area. SEI Data respectfully requests that the Commission grant this petition on or before June 7, 2021 to ensure that SEI Data meets the FCC's June 7, 2021 deadline for designation as an ETC in the Expanded Service Area in order to receive the RDOF Phase I support allocated to SEI Data.

**Q7. PLEASE PROVIDE A BRIEF OVERVIEW OF THE RDOF PHASE I AUCTION.**

A7. On August 2, 2019, the FCC proposed the RDOF to provide an additional \$20.4 billion in support through a reverse auction to bring broadband service to areas that lack access to both fixed voice and 25/3 Mbps broadband services.<sup>1</sup> The minimum supported speed under RDOF is 25/3 Mbps, but the auction rules gives priority to faster broadband speeds of up to a gigabit per second and lower latency service. RDOF Phase I support recipients must offer the required voice and broadband service to *all* eligible homes and small businesses within the awarded areas. RDOF Phase I support will be disbursed over a 10-year period. While RDOF Phase I targeted census blocks that are *wholly* unserved with broadband at speeds of 25/3 Mbps, the FCC reserved some of the funding for Phase II, which will target census blocks that are only partially served, as well as census blocks unawarded in the Phase I auction.<sup>2</sup>

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<sup>1</sup> *In the Matter of Rural Digital Opportunity Fund et al., Notice of Proposed Rulemaking*, 34 FCC Rcd 6778 (August 1, 2019) (“*Rural Digital Opportunity Fund NPR*”).

<sup>2</sup> *In the Matter of Rural Digital Opportunity Fund et al., Report and Order*, 35 FCC Rcd 686 (January 20, 2020) (“*Rural Digital Opportunity Fund Order*”).

The FCC used a two-step application process for the RDOF Phase I auction. Potential bidders, including the Consortium, were required to submit a short-form application to establish eligibility to participate in the auction. The Bureau of Wireline Competition reviewed the short-form applications and approved bidders, including the Consortium, as qualified to participate in the auction. Winning bidders in RDOF Phase I must file a long-form application that demonstrates the bidder is legally, technically and financially qualified to receive support. The long-form application includes ownership disclosure, financial and technical capability certification, public interest obligations certification, an extensive description of technology and system design, available funds certification and ETC eligibility and documentation.<sup>3</sup> Winning bidders must also provide an irrevocable standby letter of credit to ensure that awarded funds can be recovered if the recipient does not comply with the RDOF Phase I deployment and service requirements.

**Q8. PLEASE DESCRIBE THE CONSORTIUM’S SHORT-FORM APPLICATION FOR THE RDOF PHASE I AUCTION.**

A8. Following the procedure established in the Auction 904 Notice,<sup>4</sup> the Consortium submitted its FCC Form 183 short-form application prior to the July 15, 2020 deadline. This application provided identification, operations and financial information of the Consortium’s members and described their proposed networks using RDOF Phase I funding. Specifically, SEI Data’s proposed deployment in the Expanded Service Area consists of a fiber-to-the-home (“FTTH”) network with symmetrical gigabit speeds,

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<sup>3</sup> See, generally, *Rural Digital Opportunity Fund Order*, 35 FCC Rcd 686.

<sup>4</sup> *In the Matter of Rural Digital Opportunity Fund et al., Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020, Notice and Filing Requirements and Other Procedures for Auction 904*, 35 FCC Rcd 6077 (June 11, 2020) (“Auction 904 Notice”).

which will allow SEI Data to utilize various technologies, such as active ethernet, gigabit passive optical network (“GPON”) and other next-generation technologies. For initial implementation, SEI Data will deploy GPON technology over an Adtran TA5000 platform, which will allow for the delivery of voice and data services across the broadband access platform. Based upon its Form 183 short-form application, the FCC determined that the Consortium members, including SEI Data, met the legal, technical and financial qualifications to participate in Auction 904 and to meet the service requirements associated with the performance tier and latency combination(s) on which the Consortium bid during Auction 904.

**Q9. PLEASE DESCRIBE THE CONSORTIUM’S AUCTION 904 WINNING BIDS.**

A9. On December 7, 2020, the FCC announced the winning bidders of Auction 904, including the Consortium, which was awarded \$19,791,000.70 in RDOF Phase I funding over 10 years.<sup>5</sup> The Consortium was the successful bidder for 30,318 locations in Indiana and participated in the FCC’s Divide Winning Bids procedure to allocate to SEI Data \$64,345.80 in RDOF Phase I funding for the census block groups identified on **Exhibit B** attached to the Verified Petition in this Cause. SEI Data is committed to provide voice and internet fiber optic service with 1G symmetrical speeds in these census block groups. The benefits to the community are residents being able to access almost anything at their fingertips. It will allow for e-learning, telecommuting and telehealth, to name a few. The deployment of this network will begin the engineering stage upon the designation of the Expanded Service Area as an ETC.

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<sup>5</sup>Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes; Winning Bidders Announced; FCC Form 683 Due January 29, 2021, AU Docket No. 20-34; WC Docket No. 19-126; WC Docket No. 10-90 (December 7, 2020) (“Winning Bidders Announcement”).

**Q10. PLEASE DESCRIBE SEI DATA’S SUBSEQUENT AUCTION 904 LONG-FORM APPLICATION.**

A10. Winning bidders of Auction 904 must submit the FCC Form 683 long-form post-auction application for support by no later than January 29, 2021 in order to become authorized by the FCC to receive the support awarded during Auction 904.<sup>6</sup> SEI Data will submit its Form 683 long-form application within the timeframe prescribed by the FCC and, following its submission, will make portions of said application available to the Commission upon request as the Commission considers the Verified Petition and in accordance with the Commission’s rules on confidential filings, if applicable. As part of the long-form application, SEI Data will acknowledge that it must be designated by the Commission as an ETC for all of the eligible census block groups allocated to it. SEI Data has 180 days from the release of the Auction 904 closing public notice (until June 7, 2021) to obtain ETC designation in the Expanded Service Area and to provide documentation of the same to the FCC.<sup>7</sup> SEI Data will not be authorized to receive RDOF Phase I support, nor will any such support be released to SEI Data, if it does not obtain the appropriate ETC designation in the Expanded Service Area.

**Q11. PLEASE DESCRIBE THE SERVICES AND PLANS THAT SEI DATA INTENDS TO OFFER IN THE EXPANDED SERVICE AREA USING RDOF PHASE I SUPPORT.**

A11. SEI Data will offer service plans within the Expanded Service Area that include voice and broadband services that meet the RDOF Phase I tier/latency requirements of SEI

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<sup>6</sup> *Auction 904 Notice*, 35 FCC Rcd 6077.

<sup>7</sup> *Auction 904 Notice*, 35 FCC Rcd 6077. The FCC indicated that if a long-form applicant is unable to obtain the necessary ETC designation within the 180-day timeframe, it would be appropriate to waive the 180-day timeframe if the long-form applicant is able to demonstrate that it has engaged in good faith efforts to obtain an ETC designation, but the proceeding is not yet complete. The FCC will presume that a long-form applicant acted in good faith if it files its ETC application with the state commission within 30 days of the release of the Auction 904 closing public notice.

Data's winning bids. The voice and broadband service plans to be offered by SEI Data include the following:

Boost	100/100 Mbps	\$64.96/month
Preferred	500/500 Mbps	\$79.95/month
Extreme	1G/1G	\$109.95/month
Voice		\$24.95/month

**Q12. IS SEI DATA MANAGERIALLY, FINANCIALLY AND TECHNICALLY CAPABLE OF PROVIDING THE SERVICES TO BE PROVIDED USING RDOF PHASE I SUPPORT?**

A12. Yes. The Board of Directors and management team of SEI Data are familiar with the managerial, financial and technical needs of a communications company. Specifically, SEI Data has been offering internet access service since 1997, starting with dial-up internet. The management team then oversaw the transition to DSL service to increase the internet speeds that SEI Data was offering to customers. In 2013, with the help of its capable management team, SEI Data oversaw the fiber build within its current service area, which further increased offered speeds up to 1GB symmetrical. Today, SEI Data continues to offer broadband service up to 1G symmetrical to businesses and residents with FTTH.

SEI Data's management team has already overseen the construction of and currently maintains FTTH networks in its current service area. That SEI Data has already accomplished the build-out of a large FTTH broadband project proves that it has the resources, expertise, community connections and capabilities to handle the proposed project. SEI Data's key officers and employees include the following:

**Anthony Clark, CEO & General Manager**

Mr. Clark has been with SEI Data and SIRTIC for 29 years and currently serves as the CEO and General Manager. He is responsible for establishing SEI Data's goals and objectives and overseeing the entire workforce with the authority to make all employment



decisions. Additionally, Mr. Clark oversees daily operations, the control of budgets and use of resources. He is responsible for the overall accountability to the Board of Directors and performs other duties as the Board may authorize and require. Mr. Clark's managerial experience coupled with his experience in overseeing SEI Data's extensive networks over the years suggest that he is qualified and prepared to oversee the proposed project.

**Sheila McIntosh, Assistant General Manager/Business Operations Manager**

Ms. McIntosh has been with SEI Data and SIRTTC for 38 years and was named Assistant General Manager/Business Operations Manager in 2001. As Assistant General Manager/Business Operations Manager, Ms. McIntosh is responsible for all customer interfacing and training, billing and interfacing with state and federal regulators, as well as auditors. Additionally, Ms. McIntosh assists with planning and operations as needed. Finally, she is in charge of customer service and sales. Her extensive knowledge of SEI Data's operations, as well as her established relationships with customers, employees and state and federal regulators and auditors, prove that she is more than capable to assist in managing the proposed project and overseeing the implementation of the broadband network. Furthermore, her experience in advertising will be critical to promoting SEI Data's services in the new areas and getting customers to sign up for the new network.

**Ray Lawrence, Operations Manager**

Mr. Lawrence has been with SEI Data and SIRTTC for 21 years and currently serves as SEI Data's Operational Manager. Mr. Lawrence is responsible for coordinating all outside plant, central office, network and internet operations and planning. Additionally, he coordinates special services and solutions for high-speed data transport and internet services. Mr. Lawrence's 40 years of experience in the telecommunications industry make him an asset to the company and to this project. Moreover, his understanding of how each department at SEI Data fits together to run smoothly will be crucial for carrying out the proposed project and maintaining the FTTH network.

**Adam Peetz, Assistant Operations Manager**

Mr. Peetz has been with SEI Data and SIRTTC for 10 years and currently serves as Assistant Operations Manager. As Assistant Operations Manager, Mr. Peetz assists the Operations Manager in all facets of company operations and assists in the coordination and planning of projects relating to inside and outside operations. Mr. Peetz's experience with coordinating and planning past projects, including the FTTH network that has already been built within SEI

Data's current service area, demonstrate his clear understanding of what is necessary to execute a successful FTTH build.

**Scott Evans, Network Operations/Central Office Manager**

Mr. Evans has served in his role as Network Operations/Central Office Manager since 1999 and has been with SEI Data and SIRTIC for 24 years. As Network Operations/Central Office Manager, Mr. Evans is responsible for all central office and network and internet operations. Together with his employees, Mr. Evans manages the implementation of central office installations, upgrades and day-to-day services. He also designs internal and external networks and local cloud services. Mr. Evans and his team maintain 24/7/365 monitoring and dispatch for all networks and special services. Mr. Evans is not only extremely knowledgeable in developing and maintaining networks, but he also has experience with and the ability to teach others. His successful relationships with his employees and their dedication to ensuring that all networks run properly will not only be important during the build out of SEI Data's proposed project but also during the continuous monitoring of the network once the project has been completed.

**Randy Scudder, Plant Manager**

Mr. Scudder has been with SEI Data and SIRTIC for 23 years and has served as Plant Manager since 2013. As Plant Manager, Mr. Scudder is responsible for all engineering of current and future projects to be undertaken by SEI Data. Mr. Scudder oversees all outside operations employees either directly or indirectly. He approves all job engineering and mapping of the SEI Data network and customer installations. As the plant manager, he also oversees and approves budgeting, job estimates and orders for outside plant projects. Mr. Scudder plays a crucial role in reporting and projecting where customers would benefit most from deploying fiber and overseeing the deployment. Additionally, Mr. Scudder's extensive technical expertise, attention to detail and working relationship with his team make him a valuable member of the team that will be overseeing SEI Data's proposed project. Finally, his experience with past projects will allow SEI to easily carry out the proposed project and ensure it is a success.

**Donny Walston, Assistant Plant Manager/Engineer**

Mr. Walston has been with SEI Data and SIRTIC for 12 years and has served as Assistant Plant Manager/Engineer since 2008. He supervises internal construction/customer installation crews and is also the inspector for any contract construction crews working on SEI Data's behalf. Additionally, Mr. Walston engineers new construction for individual customers. Finally, he is well-versed in SEI Data's Mapcom system. His familiarity with SEI Data systems,

as well as his experience with construction crews and customers that SEI Data works with, suggest that he has the knowledge and relationships to help SEI Data successfully complete the proposed project.

**Jarrold Bruther and Matt Strassell, Engineering/Mapping Coordinators**

Mr. Bruther and Mr. Strassell have been with SEI Data and SIRTIC for 14 and seven years, respectively, and currently serve as SEI Data's Engineering/Mapping Coordinators. Both engineer customer drops and work with the customer to ensure that SEI Data meets the customer's expectation during construction and installation. They also complete mapping of customer installations in the Mapcom system. Mr. Bruther's and Mr. Strassell's interactions with customers have allowed them to foster close relationships with residents in the community, which will be critical to helping promote SEI Data's proposed project.

In addition, SEI Data owns and operates various network facilities and back office, billing and customer support functions to provide the services required as an ETC. Additionally, SEI Data will provide to the FCC, pursuant to the Auction 904 procedure, audited financial statements, including balance sheets, net income and cash flow, which have been audited by an independent certified public accountant. As evidenced by the FCC's selection of the Consortium as a winning bidder in Auction 904, the FCC is satisfied, based upon the financial information provided, that the members of the Consortium, including SEI Data, are financially capable of providing the required services.

**Q13. WHAT IS THE SERVICE AREA IN WHICH SEI DATA SEEKS DESIGNATION AS AN ETC IN THIS PROCEEDING?**

A13. In the *Winning Bidders Announcement*, the Consortium was named the winning bidder for 30,318 locations in Indiana and participated in the FCC's Divide Winning Bids procedure to allocate to SEI Data \$64,345.80 in RDOF Phase I funding for the census block groups identified in **Exhibit B** to the Verified Petition. Thus, SEI Data is

requesting designation as an ETC in the associated census block groups in Indiana listed in **Exhibit B** attached to the Verified Petition. A map of the Expanded Service Area was attached as **Exhibit A** to SEI Data's Verified Petition. All of the awarded census block groups are within the ILEC study areas of CenturyLink, Inc. (Study Area Code 320832) and Frontier North, Inc. (Study Area Code 320779), which are not rural telephone companies as defined in 47 CFR § 51.5.

**Q14. IF DESIGNATED AS AN ETC, WILL SEI DATA PROVIDE THE REQUIRED VOICE AND BROADBAND SERVICES THROUGHOUT THE ENTIRE EXPANDED SERVICE AREA?**

A14. Yes. SEI Data intends to provide all of the required services in the Expanded Service Area. SEI Data will provide state-of-the-art broadband services via an FTTH network with symmetrical gigabit speeds, specifically using GPON technology, to all locations within the eligible census block groups allocated to SEI Data as part of the RDOF Phase I auction. This technology provides carrier-grade internet over a fiber optic cable network. SEI Data will provide voice grade access to the public switched telephone network by using redundant ethernet uplinks from the proposed FTTH electronics to its existing Ribbon C15 softswitch to facilitate voice services.

**Q15. IS SEI DATA A COMMON CARRIER PURSUANT TO 47 USC § 153(11)?**

A15. Yes. The term "common carrier" includes any person engaged as a common carrier for hire in interstate or foreign communication by wire or radio.<sup>8</sup> SEI Data will offer communication services for sale to the public by wire and transmits communications both interstate and intrastate, making it a "common carrier" for purposes of being designated at an ETC and receiving universal service support.

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<sup>8</sup> 47 USC § 153(11).

**Q16. WILL SEI DATA PROVIDE SERVICES REQUIRED TO BE PROVIDED BY AN ETC USING ITS OWN FACILITIES OR VIA RESALE OF ANOTHER CARRIER'S SERVICES?**

A16. Consistent with the requirements of Section 214(e)(1) of the Act and sections 54.101 through 54.207 of the FCC's rules, SEI Data will provide all services required in order to be eligible for high-cost universal service support using its own facilities. Specifically, SEI Data will use its own FTTH facilities and redundant ethernet uplinks therefrom to its own softswitch to provide services to end users in the Expanded Service Area. It will use its existing data network routers, internet uplinks and internet service provider services to support new customers within the allocated census block groups.

**Q17. WILL SEI DATA PROVIDE VOICE GRADE ACCESS TO THE PUBLIC SWITCHED TELEPHONE NETWORK OR ITS EQUIVALENT?**

A17. As set forth in the Verified Petition, SEI Data will provide voice grade access to the public switched telephone network or its equivalent by using redundant ethernet uplinks from the proposed FTTH electronics to its existing Ribbon C15 softswitch to facilitate voice services.

**Q18. WILL SEI DATA PROVIDE MINUTES OF USE FOR LOCAL SERVICE AT NO ADDITIONAL CHARGE TO END USERS?**

A18. As part of the voice grade access to the public switched telephone network, an ETC must provide minutes of use for local service at no additional charge to end users.<sup>9</sup> The FCC has yet to specify a minimum amount of local usage to be offered by an ETC, but SEI Data will offer rate plans that provide subscribers with minutes of use for local service at no additional charge.

**Q19. WILL SEI DATA PROVIDE ACCESS TO EMERGENCY SERVICES?**

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<sup>9</sup> 47 CFR § 54.101(a)(1).

A19. SEI Data will provide access to emergency services for its customers in the requested ETC service area, including access to both 911 and enhanced 911 service from local public service answering points (“PSAPs”). Specifically, SEI Data will provide 911 and enhanced 911 services via trunks to INdigital.

**Q20. WILL SEI DATA PROVIDE TOLL LIMITATION SERVICES TO QUALIFYING LOW-INCOME CUSTOMERS?**

A20. SEI Data will offer toll limitation to qualifying low-income customers at no additional charge within the Expanded Service Area. With a service application, an applicant must provide documentation showing proof of income or proof of participation in a Lifeline-qualifying assistance program. Only one Lifeline discount is available per household. It may be applied to either a landline or wireless telephone or broadband internet with speeds of 20/3 Mbps or greater. If 20/3 Mbps is not available, then the customer must take the highest speed that is at least 4/1 Mbps or greater. Some exceptions may apply for a broadband internet service discount. If a household receives more than one Lifeline discount, it must select a single provider or be subject to penalties.

**Q21. WILL THE BROADBAND SERVICES PROVIDED BY SEI DATA IN THE EXPANDED SERVICE AREA BE CAPABLE OF TRANSMITTING AND RECEIVING DATA FROM ALL OR SUBSTANTIALLY ALL INTERNET ENDPOINTS?**

A21. Pursuant to 47 CFR § 54.101(a)(2), SEI Data will provide broadband services with the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of communications service, but excluding dial-up service. SEI Data will not prioritize among endpoints, and there is no plan or intent to limit connectivity within or outside the network.

**Q22. HOW WILL SEI DATA ADVERTISE THE AVAILABILITY OF THE VOICE AND BROADBAND SERVICES REQUIRED TO BE PROVIDED BY AN ETC?**

A22. SEI Data will advertise the availability and rates for the voice telephony and broadband access services to be offered within the Expanded Service Area using media of general distribution, as required by Section 54.201(d)(2) of the FCC's rules.<sup>10</sup> Specifically, SEI Data will advertise these services on its internet website, in printed materials submitted to local agencies serving Lifeline customers, and within its telephone directory. For Lifeline services, SEI Data will advertise the availability of these services and charges through media of general distribution in a manner reasonably designed to reach potential Lifeline customer and make them aware of such offers. SEI Data intends to follow the FCC's Lifeline advertising guidelines in establishing an advertising program for its Lifeline services to reach eligible households that do not currently receive service. These guidelines suggest posting notices at public transportation stops and agencies, shelters and soup kitchens; running public service announcements; providing information booths at central locations; providing customer service to disabled program participants on an equal basis by using telecommunications relay services ("TRS"), text telephone ("TTY"), and speech-to-speech ("STS") services; and providing outreach materials in Braille. Additionally, the guidelines suggest developing advertising that can be read by members of any sizeable non-English speaking populations and coordinating outreach efforts with governmental agencies that administer relevant government assistance programs.

**Q23. WHAT INFORMATION HAS SEI DATA PROVIDED THE FCC THAT SATISFIES THE REQUIREMENTS OF A FIVE-YEAR IMPROVEMENT PLAN WITH RESPECT TO THE SERVICES PROVIDED USING RDOF PHASE I SUPPORT?**

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<sup>10</sup> 47 CFR § 54.201(d)(2).

A23. In accordance with the ETC designation requirements applicable to winning bidders in Auction 904 adopted by the FCC, SEI Data requested in its Verified Petition that the Commission waive the requirement in the Commission's General Administrative Order 2019-5 that SEI Data file a five-year improvement plan.<sup>11</sup> As an Auction 904 winning bidder, SEI Data will provide the FCC with audited financials, cost estimates and descriptions of proposed improvements to its network throughout the Expanded Service Area. In addition, as part of its Form 683 long-form application, SEI Data will provide the FCC with a project schedule describing the major milestones associated with the project and defining a plan to complete the network deployment within the timeframe prescribed by the FCC.

**Q24. EXPLAIN THE CAPABILITY OF SEI DATA TO REMAIN FUNCTIONAL IN EMERGENCY SITUATIONS.**

A24. SEI Data provides access to a reasonable amount of back-up power to ensure functionality without an external power source, the ability to reroute traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations. In its Verified Petition, SEI Data described its capabilities of remaining functional in emergency situations for the Expanded Service Area.

**Q25. EXPLAIN HOW SEI DATA INTENDS TO COMPLY WITH APPLICABLE CONSUMER PROTECTION AND SERVICE QUALITY STANDARDS WITH RESPECT TO THE SERVICES PROVIDED USING RDOF PHASE I SUPPORT.**

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<sup>11</sup> General Administrative Order of the Indiana Utility Regulatory Commission 2019-5 (December 27, 2019) ("GAO 2019-5"); *WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197, 10-90 (July 10, 2018) ("Federal ETC Procedural Guidance"). The Federal ETC Procedural Guidance was released during the CAF Phase II Auction and provided guidance for CAF Phase II recipients seeking federal ETC designation. However, the Federal ETC Procedural Guidance was re-released during the RDOF Phase I Auction, and its justification for waiving the five-year plan requirement remains true with respect to RDOF Phase I recipients. *See* RDOF Phase I (Auction 904) releases: <https://www.fcc.gov/auction/904/releases>.



A25. SEI Data commits to satisfying all applicable state and federal requirements related to consumer protection and service quality standards with respect to the services provided using RDOF Phase I support. In its Verified Petition, SEI Data described its planned compliance with applicable consumer protection and consumer quality standards.

**Q26. HOW WILL SEI DATA’S SERVICE OFFERINGS RECEIVING RDOF PHASE I SUPPORT BENEFIT INCREASED CONSUMER CHOICE?**

A26. The Expanded Service Area is generally considered unserved or underserved by communication providers. SEI Data’s service offerings will provide services to some customers who currently do not have access to such services. To the extent some customers within the ETC areas already have access to some level of service, SEI Data’s service offerings in the requested Expanded Service Area will promote increased competitive choice, thereby increasing innovation and incentivizing other carriers to improve their existing networks to remain competitive. This will ultimately result in greater access to high-speed broadband and voice services, as well as improved service quality for customers in the requested ETC service area.

**Q27. PLEASE EXPLAIN THE UNIQUE ADVANTAGES OF SEI DATA’S SERVICE OFFERINGS RECEIVING RDOF PHASE I SUPPORT.**

A27. As fully set forth in the Verified Petition, SEI Data’s use of the RDOF Phase I support in the awarded census block groups will directly advance the Act’s principal goals of securing lower prices and higher quality services for consumers and encouraging the rapid deployment of new technology to all citizens regardless of location or income.<sup>12</sup> Not only will SEI Data’s service offerings in the Expanded Service Area provide critical high-speed and reliable connectivity to consumers and promote economic growth and

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<sup>12</sup> *Telecommunications Act of 1996*, Pub. L. No. 104-104, 110 Stat. 56.

competition, it also has been determined by the FCC, in awarding RDOF Phase I support to SEI Data, that said service offerings would promote the public interest. Customers in these areas will be able to receive up to 1G symmetrical service installed and maintained by local employees.

**Q28. PLEASE EXPLAIN HOW SEI DATA’S USE OF RDOF PHASE I SUPPORT WILL IMPACT THE UNIVERSAL SERVICE FUND.**

A28. As set forth in the Verified Petition, the funds awarded to SEI Data pursuant to Auction 904 have already been set aside by the FCC for that specific purpose; thus, SEI Data’s use of said funds will have no *per se* impact on the Universal Service Fund. The use of Auction 904 to award the funds ensured that funding went to bidders who could provide services to unserved or underserved areas for the lowest possible cost to the Universal Service Fund. Additionally, as set forth in the Verified Petition, permitting SEI Data to provide services in previously unserved areas will increase the contributions that SEI Data makes to the Universal Service Fund based upon a portion of its revenues.

**Q29. IS THE DESIGNATION OF SEI DATA AS AN ETC IN THE EXPANDED SERVICE AREA IN THE PUBLIC INTEREST?**

A29. Yes. As explained herein, SEI Data’s designation as an ETC in the Expanded Service Area and subsequent provision of services in this area would benefit increased consumer choice, provide unserved and underserved areas with critical communications infrastructure and promote economic development without having a detrimental impact upon the Universal Service Fund. Such designation furthers the goals of the Act and subsequent FCC rules.

**Q30. PLEASE DESCRIBE SEI DATA’S PLANNED LIFELINE SERVICE OFFERINGS IN THE EXPANDED SERVICE AREA.**

A30. SEI Data will provide Lifeline voice and broadband service throughout the Expanded Service Area to qualifying low-income consumers pursuant to the Lifeline program rules.<sup>13</sup> The terms and conditions of SEI Data's Lifeline offering will be posted on SEI Data's website at [www.seidata.com](http://www.seidata.com). They include details on the number of minutes provided as part of the plan, additional charges (if any) for toll calls, and rates for each plan. Customers will be provided with these terms after completion of enrollment. SEI Data will complete income verifications based on information provided by Lifeline.

**Q31. HOW WILL SEI DATA ADVERTISE AND DISCLOSE THE TERMS OF ITS LIFELINE SERVICE OFFERINGS TO QUALIFYING CUSTOMERS?**

A31. SEI Data will advertise the availability of Lifeline services and charges through media of general distribution in a manner reasonably designed to reach potential Lifeline customers and make them aware of such offerings, as required by 47 CFR § 54.405(b), including by disclosing SEI Data's name, that the service is a Lifeline service, that it is a government assistance program, that the service is non-transferable, and that it is available only to eligible consumers and limited to one discount per household. Specifically, SEI Data will advertise the availability of Lifeline services using the same media outlets as described herein for the advertisement of telephone and internet services and including all required statements pertaining to the availability of Lifeline services. Guidelines for participation in Lifeline will be available on SEI Data's website and printed materials.

**Q32. DOES THIS CONCLUDE YOUR TESTIMONY?**

A32. Yes.

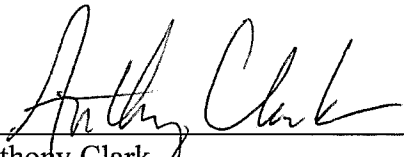
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<sup>13</sup> See 47 CFR §§ 54.101(c), (d); 54.405(a); 47 CFR Subpart E; *Lifeline and Link Up Reform and Modernization et al.*, Third Report and Order *et al.*, WC Docket No. 11-42 *et al.*, 31 FCC Rcd 3962 (2016).

**VERIFICATION**

I, Anthony Clark, CEO and General Manager of SEI Data, Inc., affirm under penalties of perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Dated: January 12, 2021

  
\_\_\_\_\_  
Anthony Clark  
CEO and General Manager  
SEI Data, Inc.

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Direct Testimony of Anthony Clark in Support of the Expansion of Designated Service Area of SEI Data, Inc. as an Eligible Telecommunications Carrier has been electronically served upon the following this 13<sup>th</sup> day of January, 2021:

Indiana Office of Utility Consumer Counselor  
115 W. Washington Street, Suite 1500 South  
Indianapolis, Indiana 46204  
infomgt@oucc.in.gov

/s/ Jeremy L. Fetty

Jeremy L. Fetty (26811-06)  
PARR RICHEY FRANSEN PATTERSON  
KRUSE LLP  
251 N. Illinois Street, Suite 1800  
Indianapolis, Indiana 46204  
Telephone: (317) 269-2500  
Facsimile: (317) 269-2514  
Email: jfetty@parrlaw.com

1601184

**State of Indiana  
Office of the Secretary of State**

**CERTIFICATE OF EXISTENCE**

To Whom These Presents Come, Greeting:

I, CONNIE LAWSON, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records and the proper official to execute this certificate.

I further certify that records of this office disclose that

**SEI DATA, INC.**

duly filed the requisite documents to commence business activities under the laws of the State of Indiana on January 31, 1997, and was in existence or authorized to transact business in the State of Indiana on January 12, 2021.

I further certify this Domestic For-Profit Corporation has filed its most recent report required by Indiana law with the Secretary of State, or is not yet required to file such report, and that no notice of withdrawal, dissolution, or expiration has been filed or taken place. All fees, taxes, interest, and penalties owed to Indiana by the domestic or foreign entity and collected by the Secretary of State have been paid.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, January 12, 2021

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

1997020251 / 20211808644

All certificates should be validated here: <https://bsd.sos.in.gov/ValidateCertificate>

Expires on February 11, 2021.