

OFFICIAL  
EXHIBITS

45519

IURC  
PETITIONER'S

EXHIBIT NO.

DATE

5-19-21

REPORTER

Reset Form



**APPLICATION FOR A CERTIFICATE OF TERRITORIAL AUTHORITY FOR  
COMMUNICATIONS SERVICE PROVIDERS**

State Form 52648 (R7 / 11-19)

INDIANA UTILITY REGULATORY COMMISSION

**Applicants are required to file electronically, in the Commission's Online Services Portal:  
[ <https://iurc.portal.in.gov/> ]**

IC 8-1-32.5-6(a) states, "Except as provided in IC 8-1-32.5-6(c), before a communications service provider ("CSP") may offer communications service to its customers in Indiana, the CSP must apply to the Commission for a Certificate of Territorial Authority (CTA). A CSP that seeks a certificate under IC 8-1-32.5 shall submit an application on a form prescribed by the Commission..."

**This CTA application shall be considered the "form prescribed by the Commission" under IC 8-1-32.5-6.**

Definitions for terms used in this application appear in the Instructions attached as **Appendix A. Please review Appendix A before completing this form.**

**PLEASE NOTE:** Engaging in activities described in IC 8-1-32.3 is not necessarily the equivalent of offering "communications services", as that term is used in IC 8-1-32.5-3. Therefore, an entity engaging in activities described in IC 8-1-32.3 will not automatically be considered either:

- (1) a communications service provider, as that term is used in IC 8-1-32.5-4; or
- (2) a "facilities-based local exchange carrier," as that term is used in IC 8-1-32.5-5.

Consequently, engaging in one or more of the activities described in IC 8-1-32.3 will not automatically trigger the statutory provisions regarding filing, review, and/or approval of a CTA set forth in IC 8-1-32.5-6, 32.5-8, or elsewhere in IC 8-1-32.5.

**Applicants are required to:**

- Check the applicable box(es), on the next page, to identify the Type(s) of communications service they seek to offer in Indiana; and
- List each communications service they propose to offer in Indiana. The list of service(s) must be consistent with the box(es) checked and with the responses elsewhere in the application. Proposed services described herein must also be consistent with the Instructions and Definitions in Appendix A.

**NOTE:** Applicants should not classify the same service as both a telecommunications service and an information service. This specifically applies to, but is not limited to, VoIP services or other "IP-enabled services."

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

Check all that apply:

☒ **TELECOMMUNICATIONS SERVICE AS DEFINED IN 47 U.S.C. 153**

interconnected VoIP service, dedicated transport telecommunications services  
facilities based telecommunications service

*Please list, on the lines above, each type of telecommunications service, including, but not necessarily limited to, facilities-based local exchange; bundled resale of local exchange; commercial mobile service; retail interexchange service (either facilities-based or resold); operator services; interconnected VoIP service or other internet protocol ("IP") enabled services; switched access; special access; dedicated transport telecommunications services; or advanced services (please explain how it falls under this definition). "Telecommunications service" is defined in the instructions.*

☒ **INFORMATION SERVICE AS DEFINED IN 47 U.S.C. 153.**  
internet access service, broadband service

*Please list, on the lines above, each type of information service, including, but not necessarily limited to, computer to computer VOIP; interconnected VoIP service or other internet protocol ("IP") enabled services; mobile texting, data, or internet access service; broadband service; or advanced services (please explain how it falls under this definition). "Information service" is defined in the instructions.*

☐ **VIDEO SERVICE AS DEFINED IN IC 8-1-34-14.**

*Please list, on the lines above, any local franchises that are in place.*

**Note: A Video Service Provider that does not currently have a video franchise must apply for, and obtain, a state issued video franchise from this Commission, as specified in IC 8-1-34-16. The video franchise application form is available on the Commission's website.**

#### **I. Applicant Contact Information**

*(All CSP CTA Applicants are required to complete this section.)*

A. Legal Name of Applicant: LTD Broadband LLC

B. Name(s) under which the company will be offering communications services in Indiana:  
*(Company names, including any "doing business as" names or aliases must be registered with Indiana Secretary of State)*  
LTD Broadband LLC

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

C. Company Address (number and street, city, state, and ZIP code): 69 Teahouse St  
Las Vegas NV 89138

Main Telephone Number: 507-369-6669

FAX Number: \_\_\_\_\_

E-mail Address: coreyhauer@ltdbroadband.com

Website Address: www.ltdbroadband.com

D. Name, title, and other contact information of company's primary contact person for ongoing IURC communications with the company (including regulatory affairs and/or customer service personnel):

Name and Title: Corey Hauer, CEO

Telephone Number: 507-318-0143

FAX Number: \_\_\_\_\_

Mailing Address (number and street, city, state, and ZIP code): P.O. Box 3067

Blooming Prairie MN 55917

E-mail Address: coreyhauer@ltdbroadband.com

E. Name, title, and other contact information of attorney or other contact person for **this application**, if different from D. above:

Name and Title: Nikki Shoultz Esq.

Telephone Number: 317-684-5242

FAX Number: 317-223-0242

Mailing Address (number and street, city, state, and ZIP code): 111 Monument Cir Suite 2700

Indianapolis IN 46204

E-mail Address: nshoultz@boselaw.com

\*Additional contact person(s) may be included as an attachment to the application.

F. Parent Company's Legal Name, Address, and Telephone Number (if applicable):

*(CSPs that will only offer a service(s) described in IC 8-1-2.6-1.1 are not required to provide their parent company information. See IC 8-1-32.5-6(e).)*

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

**II. Service Information**  
(Add additional sheets if necessary.)

**In Indiana, will Applicant ONLY offer communications services described in IC 8-1-2.6-1.1?**

Check one: ☐ YES ☒ NO

**If you checked the "Yes" box, please list the specific communications services, as described in IC 8-1-2.6-1.1, the Applicant proposes to offer<sup>1</sup>:**

**PLEASE NOTE:** Any communications services you list above that you believe are described in IC 8-1-2.6-1.1 must also be consistent with the applicable definition(s) for the same service(s) in Appendix A. Applicants that only offer service described in I.C. 8-1-2.6-1.1 are not required to complete Section II below.

Pursuant to I.C. 8-1-32.5-6(e), a CSP that is only offering a service(s) described in I.C. 8-1-2.6-1.1 is only required to report and certify the accuracy of some of the information requested in this form. Not all portions of the form are applicable to such a CSP. See Appendix A.

**APPLICANTS THAT ONLY OFFER SERVICE(S) DESCRIBED IN I.C. 8-1-2.6-1.1 ARE NOT REQUIRED TO COMPLETE SECTION II BELOW.<sup>2</sup>**

**INSTRUCTIONS FOR II.A. AND II.B.** The service area(s) you list in your response to II.B. must be either a subset of, or the same as, the geographic area(s) you list in your response to II.A. This means that any service area(s) listed in your response to II.B. must be within the boundaries of the geographic area(s) listed in your response to II.A.

A. Please describe the geographic area(s) for which the applicant seeks authority.  
all counties in Indiana

B. Please provide a description of each service area in Indiana in which the applicant proposes to offer communications service (i.e., county, city, or town, or exchange).  
all counties in Indiana

C. Please provide a description of each type of communications service that the provider proposes to offer in each of the service areas identified in II.B. The services listed should be consistent with the box(es) checked on Page 2 and the services listed on Page 2 or elsewhere in the application.  
interconnected VoIP service, dedicated transport telecommunications services  
internet access service, broadband service, facilities based telecommunications service

<sup>1</sup> The following are examples of services that are not described in IC 8-1-2.6-1.1; if you offer these services, you are not eligible for the streamlined certification filing and review procedures under IC 8-1-32.5-6(e):

(1) Non-retail IP enabled services (e.g., IP enabled services you provide on a wholesale, or provider-to-provider basis);  
(2) Video service, as defined in IC 8-1-34-14; and,  
(3) Local exchange and interexchange services.

<sup>2</sup> IC 8-1-32.5-6(e).

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

- D. For each type of service identified in II.C., please indicate whether the communications service will be offered only to residential customers, only to business customers, or to both residential and business customers.  
both

- E. Please provide an estimated date of deployment (year and quarter) for each communications service identified under II.C. in each service area identified in II.B. The list of services should be complete and consistent with the boxes you checked on Page 2 and the services listed there or elsewhere in the application.  
Q3 to Q4 2021

- F. Does the applicant seek authorization to offer facilities-based local exchange service? ☒ Yes ☐ No

- G. Is applicant offering only wholesale communications services (to other providers), only retail communications services (including facilities-based and resold services), or both?  
both

- H. Will the applicant operate as a Local Cooperative Corporation pursuant to IC 8-1-17-3? ☐ Yes ☒ No  
(If yes, please submit three (3) original articles of incorporation as required by IC 8-1-17-5 et seq.<sup>3</sup>)

- I. Please list other states in which applicant is authorized to provide communications services and the types of services offered.  
Minnesota, Iowa, Illinois: interconnected VoIP and internet access

### III. Additional Requirements

**All CSP CTA Applicants** are required to fulfill these Part III requirements unless explicitly exempt under Indiana law or as otherwise noted herein and/or in Appendix A.

Applicant further represents that it will:

- Comply with Indiana law (including but not limited to Title 8 of the Indiana Code, IURC regulations (170 IAC §§ 1 & 7), and applicable current and future Orders of the IURC.)<sup>4</sup>
- Notify the Commission of any change in the legal name, address, control or status of the CTA, or service area (if applicable), type of communications service, etc., pursuant to IC 8-1-32.5-12, using the CSP Notice of Change Form prescribed by the Commission, which is available on the Commission's website. <https://www.in.gov/iurc/2400.htm>. Such notification of change shall be provided to the Commission at least thirty (30) days prior to the occurrence of the change.
- If applicable, file intrastate access tariffs, concurrences, and exceptions pursuant to the Commission's filing procedures and provide informational copies of interstate access tariffs in electronic format, when specified by the Commission.
- If applicable, provide the Commission with current and updated/corrected hyperlinks to the company's intrastate and interstate access tariffs, concurrences, and exceptions, consistent with the IURC's General Administrative Order (GAO) 1998-2.

<sup>3</sup> The Commission is required to provide notice of CTA applications of local cooperative corporations to each facilities-based local exchange carrier operating in territory contiguous to the area in which the cooperative corporation proposes to render telephone service pursuant to IC 8-1-17-5(d).

<sup>4</sup> Telecommunications Service Providers and Video Service Providers are subject to enforcement remedies per IC 8-1-29.5.

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

#### IV. Attachments

**All CSP CTA Applicants (with no exceptions)** are required to submit the following additional information:

- A. A copy of the Applicant's Certificate of Authority from the Indiana Secretary of State (NOT a "business entity report"), authorizing the applicant to do business within the State of Indiana. (IC 8-1-32.5-6(b)(1)) (A tax statement or other tax-related documentation from the Indiana Department of Revenue **is not acceptable**.)
- Applicant shall include its Certificate of Authority from the Indiana Secretary of State for any "doing business as" names or aliases as well as its legal name.
  - Applicants that are units of a municipal government, or are owned by a municipal government entity, may submit their local authorizing ordinance in lieu of the Secretary of State Certificate of Authority.
- B. A statement signed under penalty of perjury by an officer or another person authorized to bind the applicant (*see attached affidavit, which is Part VI in the CTA Application.*). (IC 8-1-32.5-6(b)(3))

**All CSP CTA Applicants** are required to provide the following additional documentation, **except** those applicants that are, or will be, offering ONLY communications services described in IC 8-1-2.6-1.1.<sup>5</sup> Additional information regarding IC 8-1-2.6-1.1 appears in Appendix A.

- C. Information demonstrating the financial<sup>6</sup>, managerial and technical ability to provide each communication service identified in the application.
- The applicant's most recent financial statement or balance sheet or that of the parent company if separate Indiana operations have not yet been established. Applicants that are municipalities may submit their local budget. (IC 8-1-32.5-6(b)(2)).
  - Biographies of the applicant's corporate officers responsible for Indiana indicating managerial and technical qualifications. (IC 8-1-32.5-6(b)(2)).

Although an evidentiary hearing before the Commission is not required, the Commission shall hold an evidentiary hearing, if one is requested pursuant to IC 8-1-32.5-9(a).

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<sup>5</sup> See, IC 8-1-32.5-6(e).

<sup>6</sup> If the applicant believes that financial or other information required to be submitted with the CTA Application is exempt from public disclosure under IC 5-14-3, the applicant should follow the procedures in 170 IAC 1-1.1-4 and Appendix A regarding confidential information prior to submitting that information.

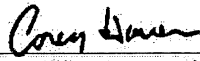
Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC \_\_\_\_\_

**V. Application Verification**

All CSP CTA Applicants (with no exceptions) are required to provide the following verification:

I, as an authorized corporate officer or person authorized to bind the company, affirm under the penalties of perjury that the above representations made in this application are true.



3/12/21

\_\_\_\_\_  
Signature and Date (month, day, year)

\_\_\_\_\_  
Corey Hauer, CEO

\_\_\_\_\_  
Name and Title (printed or typed)

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: LTD Broadband LLC

## VI. AFFIDAVIT

**All CSP CTA Applicants (with no exceptions)** are required to complete the affidavit shown below, as requested, below (See IC 8-1-32.5-6(b)(3)):

I, Corey Hauer (print name), as an authorized corporate officer or person authorized to bind LTD Broadband LLC (company name), affirm under penalty of perjury that:

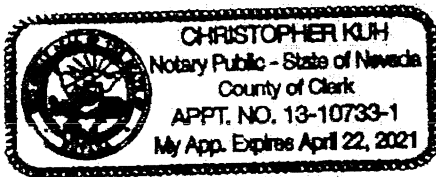
- Applicant has filed or will timely file with the Federal Communications Commission ("FCC") all forms required by the FCC.
- Applicant agrees to comply with the Commission's customer notification requirements per IC 8-1-32.5-6(b)(3)(B) and 8-1-32.5-11(b) (not applicable to "a provider of commercial mobile service").
- Applicant (including providers of commercial mobile service<sup>7</sup>) agrees to update the information provided in the application on a regular basis pursuant to IC 8-1-32.5-12.
- Applicant agrees to notify the Commission when the applicant commences offering communications service in each service area identified in the application (Pursuant to IC 8-1-32.5-6(e), this requirement is not applicable to CSPs that only offer a service(s) described in IC 8-1-2.6-1.1.).
- Applicant agrees to pay any lawful rate or charge for switched and special access services required by:
  - applicable interconnection agreements; or
  - lawful tariffs or orders approved or issued by a regulatory body having jurisdiction.
- Applicant agrees to report, at the time requested by the Commission, information required under IC 8-1-2.6-13(c)(9) (not applicable to "a provider of commercial mobile service").

Corey Hauer  
Signature  
CEO

Title  
3/12/21

Date (month, day, year)

Subscribed and Sworn to before me, a Notary Public, this 12<sup>th</sup> day of March, A.D. 2021



Christopher Kuh  
Signature

Printed Name

My Commission Expires (month, day, year): 04/22/2021

My State and County of Residence: Nevada, Clark

<sup>7</sup> There is an exception in IC 8-1-32.5-12(6) to the information that "a provider of commercial mobile service" must provide. This exception does not apply to the other subdivisions in IC 8-1-32.5-12.

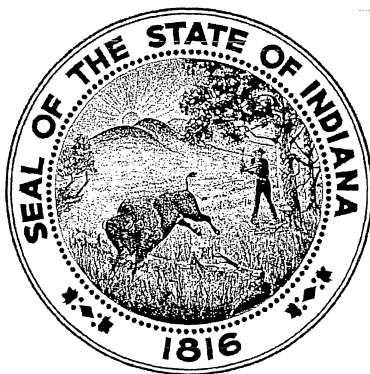


State of Indiana  
Office of the Secretary of State

Foreign Registration Statement  
of  
**LTD BROADBAND LLC**

I, CONNIE LAWSON, Secretary of State, hereby certify that an Registration Statement of the above Foreign Limited Liability Company has been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Code.

NOW, THEREFORE, with this document I certify that said transaction will become effective Monday, March 01, 2021.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, March 03, 2021

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

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To ensure the certificate's validity, go to <https://bsd.sos.in.gov/PublicBusinessSearch>

## **LTD Broadband**

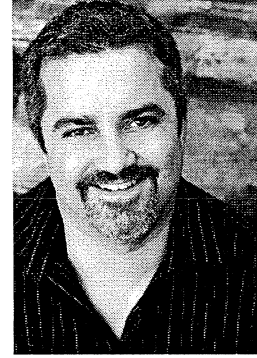
Corey Hauer

CEO

LTD Broadband LLC

coreyhauer@gmail.com

507-318-0143 cell



Corey is founder of LTD Broadband. He has over 25 years experience in building companies and systems focused on broadband networks.

LTD Broadband provides fixed-wireless broadband service to thousands of residential, commercial and education sites across rural Iowa, Minnesota, Nebraska and South Dakota. Under Corey's leadership, LTD Broadband has grown to be the second largest provider (by footprint) of fixed-wireless broadband in the US in just 8 years. LTD Broadband has over 2000 towers covering over 50,000 square miles.

Corey has provided IT consulting expertise to rural telecommunications firms, hospitality, wireless ISPs, a regional airline, law firms and manufacturers. He has deep knowledge of telecom and network architecture and has helped these firms deploy new technologies and network architectures.

Prior to founding LTD Broadband Corey founded a wireline ISP/CLEC and had a successful exit for its LLC members.

### **Education**

Purdue University, West Lafayette, Indiana - Computer & Electrical engineering

**Dallas Weitzel - Network Engineer**

15 years experience working for fixed-wireless ISPs in Minnesota and Nebraska. Deep knowledge in building scalable cookie-cutter network designs.

**Rebecca Severtson - Office Manager**

20 years experience managing billing, collections and customer care staff. Responsible for developing and documenting process and procedures.

**Chad Peterson - Field Service Manager**

5 years experience doing installations and repairs. Was elevated to team lead 2 years ago and has been responsible for developing and training field service techs.

**Justin Hansen - Tower Tech Manager**

8 years experience doing buildout, installations and repairs. Was elevated to team lead 2 years ago and has been responsible for developing and training tower techs.

**Haley Tollefson - Marketing Director**

7 years experience directing marketing. Skilled in measuring effectiveness of different marketing methods and tuning messaging to maximize ROI on marketing spend.

Attachment 3 – LTD Broadband Financial Information

**LTD BROADBAND**  
**CONFIDENTIAL FINANCIAL INFORMATION**  
[TO BE SUPPLIED FOLLOWING RULING ON  
MOTION FOR CONFIDENTIAL TREATMENT]