



ATTORNEYS AT LAW

314 EAST THAYER AVENUE • P.O. BOX 400 • BISMARCK, ND 58502
TELEPHONE (701) 223-2890 • FAX (701) 223-7865 • www.pearce-durick.com

PATRICK W. DURICK

pwd@pearce-durick.com

June 25, 2010

RECEIVED

JUN 25 2010

PUBLIC SERVICE COMMISSION

HAND DELIVERED

Darrell Nitschke
Executive Director
North Dakota Public Service Commission
Capitol
600 East Boulevard, Twelfth Floor
Bismarck, North Dakota 58505

Re: Midcontinent Communications/North Dakota Telephone Company
PETITION FOR APPROVAL OF THIRD AMENDMENT TO
INTERCONNECTION AGREEMENT

Dear Mr. Nitschke:

Enclosed for filing are the original and seven copies of MIDCONTINENT COMMUNICATION'S PETITION FOR APPROVAL OF THIRD AMENDMENT TO INTERCONNECTION AGREEMENT.

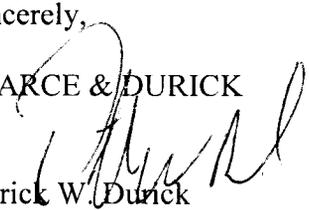
This document is also being transmitted electronically to your office. Also enclosed is an extra copy of the Petition to be filed stamped and returned in the self-addressed, stamped envelope.

After filing, please set this matter for a hearing. Thank you for your attention to this matter.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

PEARCE & DURICK


Patrick W. Durick

* Counsel to Midcontinent Communications

PWD/ak

Enclosures

cc: Donald Negaard, Esq. (via email)
Annette Bendish (via email)
Nancy Vogel (via email)
J.G. Harrington (via email)
Patrick Fahn (via email)

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PU-10-309 Filed: 6/25/2010 Pages: 8
Third Amendment to Interconnection Agreement

Midcontinent Communications

Patrick Durick, Atty., Pearce & Durick

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

Case No.

Midcontinent Communications, a)
South Dakota Partnership,)
)
Complainant,)
)
vs.)
)
North Dakota Telephone Company,)
)
Respondent.)

**MIDCONTINENT COMMUNICATION'S PETITION FOR APPROVAL OF
THIRD AMENDMENT TO INTERCONNECTION AGREEMENT**

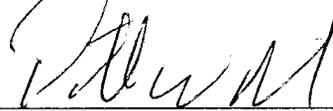
On April 13, 2010, Midcontinent Communications ("Midcontinent") made a Bona Fide Request to North Dakota Telephone Company ("Turtle NDTC") for wholesale resale of telecommunications services that NDTC provides at retail to subscribers who are not telecommunications carriers for the New Rockford, North Dakota exchange and also for an interconnection agreement with NDTC for the purpose of facilities-based interconnection, the exchange of traffic, number portability and other customary arrangements between incumbent telephone companies such as NDTC and competitive LECs such as Midcontinent for that exchange.

Thereafter, Midcontinent and NDTC voluntarily entered into a THIRD AMENDMENT TO INTERCONNECTION AGREEMENT. Said agreement is marked as Exhibit "A" and attached hereto.

WHEREFORE, Midcontinent requests that the Commission enter an Order approving the THIRD AMENDMENT TO INTERCONNECTION AGREEMENT pursuant to 47 U.S.C. § 252(e)(1).

Dated this 25th day of June, 2010.

PEARCE & DURICK



PATRICK W. DURICK, ND #03141
Individually and as a Member of the Firm
314 E. Thayer Avenue
P. O. Box 400
Bismarck, ND 58502-0400
(701) 223-2890
(701) 333-0126 - Fax
pwd@pearce-durick.com

Attorneys for Midcontinent Communications

THIRD AMENDMENT TO INTERCONNECTION AGREEMENT

THIS AMENDMENT TO INTERCONNECTION AGREEMENT ("Amendment") is effective as of July 31, 2010 (the "Effective Date"), by and between Midcontinent Communications, a South Dakota Partnership ("Midcontinent") with offices at 3901 N Louise Avenue, Sioux Falls, SD 57107 and North Dakota Telephone Company ("NDTC") with offices at 211 22nd St NW, PO Box 180, Devils Lake, ND 58301. This Amendment may refer to either NDTC or Midcontinent or both as a "Party" or "Parties."

W I T N E S S E T H

WHEREAS, NDTC is a local exchange telecommunications company authorized to provide telecommunications services in the state of North Dakota; and

WHEREAS, Midcontinent is a competitive local exchange telecommunications company authorized to provide telecommunications services in the state of North Dakota; and

WHEREAS, the Parties have entered into an agreement (the "Agreement") pursuant to Sections 251 of the Telecommunications Act of 1996 ("the Act") for the purposes of resale of NDTC service, and that agreement has been approved by the North Dakota Public Service Commission (the "Commission"); and

WHEREAS, the Agreement was amended by Amendment to Interconnection Agreement (the "Amendment") effective March 31, 2008 and the Amendment has been approved by the North Dakota Public Service Commission (the "Commission"); and

WHEREAS, the Agreement was further amended by Amendment to Interconnection Agreement (the "Amendment") effective July 31, 2009 and the Amendment has been approved by the North Dakota Public Service Commission (the "Commission"); and

WHEREAS, the Parties wish to further amend their Agreement as amended by the Third Amendment (the "Third Amendment") specifically for the purposes of fulfilling their obligations pursuant to Sections 251 of the Act.

NOW THEREFORE, in consideration of the mutual agreements contained herein, NDTC and Midcontinent agree as follows:

1. Substitution of Amended Terms and Conditions

Upon approval of this Third Amendment by the Commission, the Parties shall substitute the following documents attached hereto for the corresponding documents in their current Agreement:

1.1 General Terms and Conditions

1.1.1 Section 2.2

The resale and facilities based provisions of this Agreement shall be effective in the Rugby exchange on March 31, 2008 and July 31, 2008 respectively and shall be effective

in the Harvey exchange on July 31, 2009. The resale and facilities based provisions of this Agreement shall be effective in the New Rockford exchange on July 31, 2010.

1.1.2 Revised Exhibit 1 - Attached

1.2 Revised Resale Attachment 1 Exhibit B – Area of Resale - Attached

1.5 Ancillary Services Attachment

Section 1.1

ILEC utilizes Ramsey County, Wells County, Sheridan County, Eddy County and Pierce County for the provision of 911/E-911 services. The CLEC is responsible for connecting to Ramsey County, Wells County, Sheridan County, Eddy County and Pierce County and populating Ramsey, Wells, Sheridan, Eddy and Pierce County's database. All relations between County and CLEC are totally separate from this Agreement and ILEC makes no representations on behalf of Ramsey, Wells, Sheridan, Eddy and Pierce Counties.

2. Continuance of Current Arrangements

1. The current Agreement shall remain in effect until such time as this Amendment is approved by the Commission.

IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year written below.

NDTC	Midcontinent
By:  Name: Dave Dircks Title: General Manager Date: <u>6/18/10</u>	Midcontinent Communications By: _____ Name: Nancy Vogel Title: Director of Revenue Assurance By: Midcontinent Communications Investor LLC, Managing Partner of Midcontinent Communications Date: _____

in the Harvey exchange on July 31, 2009. The resale and facilities based provisions of this Agreement shall be effective in the New Rockford exchange on July 31, 2010.

1.1.2 Revised Exhibit 1 - Attached

1.2 Revised Resale Attachment 1 Exhibit B - Area of Resale - Attached

1.5 Ancillary Services Attachment

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IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year written below.

NDTC	Midcontinent
By: _____ Name: Dave Dircks Title: General Manager Date: _____	Midcontinent Communications By: <u>Nancy A. Vogel</u> Name: Nancy Vogel Title: Director of Revenue Assurance By: Midcontinent Communications Investor LLC, Managing Partner of Midcontinent Communications Date: <u>6/25/10</u>

Revised Exhibit 1

EAS INTERCONNECTION NETWORK ARRANGEMENTS TABLE

LOCAL CALLING SCOPE AND NPA/NXXS

<u>Exchanges in Local Calling Area</u>	<u>Midcontinent NPA/NXX</u>	<u>NDTC NPA/NXX</u>
Devils Lake Calling Area:		
Devils Lake	701-544	701-662, 665
Crary		701-398
Fort Totten		701-766
Penn		701-393
Starkweather		701-292
Warwick		701-294
Webster		701-395
Rugby Local Calling Area:		
Rugby	701-881	701-776
Balta		701-542
Knox		701-583
Harvey Local Calling Area		
Harvey	701-635	701-324
Fessenden		701-547
New Rockford Local Calling Area		
New Rockford	701-972	701-947
Sheyenne		701-996

REVISED AREA OF RESALE

Exchange Name

Devils Lake, North Dakota
Rugby, North Dakota
Harvey, North Dakota
New Rockford, North Dakota