

# **DIVIDER**

**STATE OF NORTH DAKOTA  
INFORMATION TECHNOLOGY DEPARTMENT  
SFN 2053 (4-2002)**

**PU-2207-00-85**

**Pathnet, Inc./U S WEST Communications  
Interconnection Agreement Amendment  
Application  
Filed 3/1/2000**

**Closed 5/11/2000**

00

**Scott, Sandi L.**  
**From:** Bauske, Shelly A.  
**Sent:** Thursday, July 20, 2000 1:13 PM  
**To:** Scott, Sandi L.  
**Subject:** Money Received.....

Case No. PU-2207-00-85 - \$64.13 from Pathnet

**14 PU-2207-00-85**

Pages: 0

07/20/2000

Pathnet, Inc. / U S WEST Communications

\$64.13 received

CC: Comm Legal PUD (3)

**Scott, Sandi L.**  
**From:** Bauske, Shelly A.  
**Sent:** Monday, July 10, 2000 1:37 PM  
**To:** Scott, Sandi L.  
**Subject:** Money Received.....

Case No. PU-2249-00-116 - \$163.20 from Maxcess, Inc.

Case No. PU-2239-00-77 - \$128.27 from SRT

Case No. PU-2240-00-78 - \$64.14 from SRT

Case No. PU-2207-00-85 - \$64.14 from U S WEST

Case No. PU-2248-00-105 - \$64.13 from U S WEST

**13 PU-2207-00-85**

Pages: 0

07/10/2000

U S WEST Communications

\$64.14 received

CC: Comm Legal PUD (3)



**Public Service Commission**  
State of North Dakota

600 E Boulevard Ave. Dept. 408  
Bismarck, North Dakota 58505-0480  
e-mail: sab@oracle.psc.state.nd.us  
TDD 800-366-6888  
Fax 701-328-2410  
Phone 701-328-2400

COMMISSIONERS

Bruce Hagen  
President  
Susan E. Wefald  
Leo M. Reinbold

June 20, 2000

Executive Secretary  
Jon H. Mielke

Mr. Scott Macintosh  
U S WEST Communications, Inc.  
220 N 5<sup>th</sup> Street  
Bismarck, ND 58501

J Alfred Baird VP  
Pathnet Inc.  
1015 31<sup>st</sup> St NW Ste 500  
Washington DC 20007

RE: Case No. PU-2207-00-85  
Pathnet, Inc./U S WEST Communications, Inc.  
Amended Interconnection Agreement  
Application

Gentlemen:

Enclosed is a copy of the statement approved at the June 20, 2000 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2207-00-85.

Under N.D.C.C. 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the Telecommunications Company involved.

Please make your check payable to the Public Service Commission.

Sincerely,

Gloria Geiger  
Administrative Assistant  
701-328-2401

Enc.

12 PU-2207-00-85

Pages: 2

06/20/2000

Public Service Commission

Motion and statement for costs incurred

CC: Comm Legal PUD (3)

APPROVED:  
DATE: 6-20-00  
cam

MOTION

June 20, 2000

Pathnet, Inc./U S WEST  
Communications, Inc.  
Amended Interconnection Agreement  
Application

PU-2207-00-85

I move the Commission bill Pathnet, Inc. and U S WEST Communications, Inc., in the total amount of \$128.27 for costs incurred to date in Case No. PU-2207-00-85, Pathnet, Inc./U S WEST Communications, Inc., Amended Interconnection Agreement, Application.

ND Advertising Service, Inc.	\$128.27
U S WEST	\$64.14
Pathnet, Inc.	\$64.13

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Pathnet, Inc./U S WEST Communications, Inc.  
Amended Interconnection Agreement  
Application

Case No. PU-2207-00-85

**AFFIDAVIT OF SERVICE BY CERTIFIED MAIL AND ORDINARY MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **11th day of May, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Order**

The envelopes were addressed as follows:

Michael Lubin  
Pathnet Inc  
1015 31<sup>st</sup> St NW Ste 500  
Washington D C 20007  
**Cert. No. Z324 719 769**

J Alfred Baird VP  
Pathnet Inc  
1015 31<sup>st</sup> St NW Ste 500  
Washington D C 20007  
**Cert. No. Z324 719 770**

John Munn  
U S West Communications  
1801 California St Rm 5100  
Denver CO 80202  
**Cert. No. Z324 719 767**

**Sharon Helbling** further deposes and says that on the **11th day of May, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

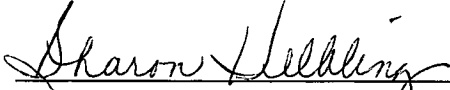
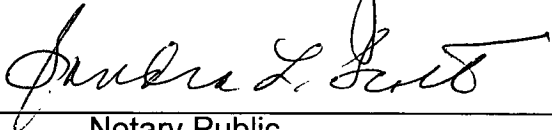
Scott Macintosh  
U S WEST  
P O Box 5508  
Bismarck ND 58502-5508

Dir-Interconnection Compliance  
U S WEST  
1801 California St Rm 2410  
Denver CO 80202

U S WEST Law Dept  
General Counsel-Interconnection  
1801 California St 51<sup>st</sup> Fl  
Denver CO 80202

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **11th day of May, 2000.**

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

SEAL

**SANDRA L. SCOTT**  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires JUNE 11, 2004

**MOTION**

**APPROVED:**

**DATE:** 5-10-00

*KMF*

**May 10, 2000**

**Pathnet, Inc./U S WEST Communications, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2207-00-85**

I move the Commission adopt the Order Approving Interconnection Agreement Amendments in the application of U S WEST for approval of interconnection agreement amendments negotiated with Pathnet, Inc., Case No. PU-2207-00-85.

JRL/sdh

000085-5.doc

**STATE OF NORTH DAKOTA**

**PUBLIC SERVICE COMMISSION**

**Pathnet, Inc./U S WEST Communications, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2207-00-85**

**ORDER APPROVING INTERCONNECTION AGREEMENT AMENDMENTS**

**May 10, 2000**

On March 1, 2000, in Case No. PU-2207-00-85, U S WEST Communications, Inc. (U S WEST) filed an application for approval of negotiated amendments to its interconnection agreement with Pathnet, Inc. to incorporate language that was inadvertently omitted from the original agreement approved by the Commission in Case No. PU-2207-99-650.

This agreement was filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under section 252(e)(2)(A), the Commission may only reject an agreement (or portion thereof) adopted by negotiation if it finds that:

1. the agreement (or portion thereof) discriminates against a telecommunications carrier that was not a party to the agreement;
2. the implementation of the agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity.

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253.

Section 252(e)(4) requires that the Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

On March 15, 2000, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive written comments on the agreement amendments until April 17, 2000. No comments have been received.

The Commission has reviewed the amended agreement and finds that it has not been shown to discriminate against a telecommunications carrier that was not a party to the agreement. The Commission further finds that implementation of the agreement

has not been shown to be inconsistent with the public interest, convenience and necessity.

### Order

The Commission orders:

1. The interconnection agreement amendments negotiated between Pathnet, Inc. and U S WEST filed with the Commission on March 1, 2000, are APPROVED.
2. The Commission retains continuing jurisdiction over the amended agreement at all times.
3. Notice of any changes to the amended agreement must be filed promptly with the Commission.
4. The amended agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the amended agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

### PUBLIC SERVICE COMMISSION

  
Susan E. Wefald  
Commissioner

  
Bruce Hagen  
President

  
Leo M. Reinbold  
Commissioner

# Affidavit of Publication

State of North Dakota )  
County of Burleigh )

RECEIVED  
APR 17 2000  
COMMUNICATIONS  
DIVISION

Laurie Thiel, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:  
SRT / ComNet / Pathnet, 1 time(s)  
as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: Laurie Thiel

Subscribed and sworn to before me this 3rd day of April, A.D. 2000

Laurie Schaffer

LAURIE SCHAFFER  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires DEC. 1, 2005

- 7 **PU-2248-00-105** Pages: 11  
04/17/2000  
North Dakota Advertising Service, Inc.  
Affidavit of Publication  
CC: Comm Legal PUD (3)
- 9 **PU-2240-00-78** Pages: 11  
04/17/2000  
North Dakota Advertising Service, Inc.  
Affidavit of Publication  
CC: Comm Legal PUD (3)
- 8 **PU-2239-00-77** Pages: 11  
04/17/2000  
North Dakota Advertising Service, Inc.  
Affidavit of Publication  
CC: Comm Legal PUD (3)

- 8 **PU-2207-00-85** Pages: 11  
04/17/2000  
North Dakota Advertising Service, Inc.  
Affidavit of Publication  
CC: Comm Legal PUD (3)

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**North Dakota Network Co./SRT Communications, Inc.      Case No. PU-2239-00-77**  
**Interconnection Agreement**  
**Application**

**CommNet Cellular, Inc./SRT Communications, Inc.      Case No. PU-2240-00-78**  
**Interconnection Agreement**  
**Application**

**Pathnet, Inc./U S WEST Communications, Inc.      Case No. PU-2207-00-85**  
**Amended Interconnection Agreement**  
**Application**

**Essential.com, Inc./U S WEST Communications, Inc.      Case No. PU-2248-00-105**  
**Interconnection Agreement**  
**Application**

**AFFIDAVIT OF SERVICE BY CERTIFIED MAIL AND ORDINARY MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of March, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **six** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Notice of Opportunity to File Written Comments**

The envelopes were addressed as follows:

Warren Hight  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027  
**Cert. No. P443 354 763**

Valerie L Kendrick  
CommNet Celullar Inc  
8350 E Crescent Pkwy Ste 400  
Englewood CO 80111  
**Cert. No. P443 354 766**

**7**    **PU-2207-00-85**      Pages: 2  
03/17/2000  
Public Service Commission  
Affidavit of Service by Certified Mail and  
Ordinary Mail  
CC: Comm Legal PUD (3)

Michael Lubin  
Pathnet Inc  
1015 31<sup>st</sup> St NW Ste 500  
Washington D C 20007  
**Cert. No. P443 354 767**

J Alfred Baird VP  
Pathnet Inc  
1015 31<sup>st</sup> St NW Ste 500  
Washington D C 20007  
**Cert. No. P443 354 768**

John Duffy Peter Mills  
Essential.com Inc  
3 Burlington Woods Dr 4<sup>th</sup> Fl  
Burlington MA 01803  
**Cert. No. P443 354 771**

John Munn  
U S West Communications  
1801 California St Rm 5100  
Denver CO 80202  
**Cert. No. P443 354 772**

**Sharon Helbling** further deposes and says that on the **17th day of March, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Scott Macintosh  
U S WEST  
P O Box 5508  
Bismarck ND 58502-5508

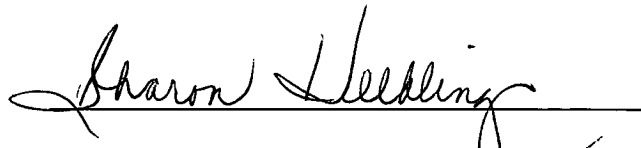

Steven D Lysne  
SRT Wireless  
P O Box 2027  
Minot ND 58702-2027

Dir-Interconnection Compliance  
U S WEST  
1801 California St Rm 2410  
Denver CO 80202

U S WEST Law Dept  
General Counsel-Interconnection  
1801 California St 51<sup>st</sup> Fl  
Denver CO 80202

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **17th day of March, 2000**.

  
  
Notary Public

SEAL

**SANDRA L. SCOTT**  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires JUNE 11, 2004

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

North Dakota Network Co./SRT Communications, Inc.  
Interconnection Agreement  
Application

Case No. PU-2239-00-77

CommNet Cellular, Inc./SRT Communications, Inc.  
Interconnection Agreement  
Application

Case No. PU-2240-00-78

Pathnet, Inc./U S WEST Communications, Inc.  
Interconnection Agreement  
Application

Case No. PU-2207-00-85

Essential.com, Inc./U S WEST Communications, Inc.  
Interconnection Agreement  
Application

Case No. PU-2248-00-105

**AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR E-MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of March, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

**Notice of Opportunity to File Written Comments**

The envelopes were addressed as follows:

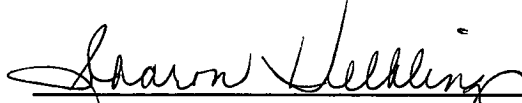
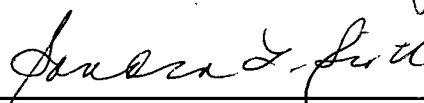
**See Attached List**

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **17th day of March, 2000**.



SEAL

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

**PU-2207-00-85**

Copies To:

State Library (8 copies)

Historical Society

Associated Press

donlee@martin-associates.com  
Don Lee  
81 Grand St  
New York NY 10013

Myer Shark  
Knollwood Place Apts #221  
3630 Phillips Pkwy  
St Louis Park MN 55426

jlchapman@acomminc.com  
Jerry Chapman  
Acomm Inc  
510 1st Ave N Ste 203  
Minneapolis MN 55403-0343

jtmgr@bektel.com  
Jerome Tishmack  
BEK Communications Cooperative  
PO Box 230  
Steele ND 58482-0230

ken@staff.ctctel.com  
L Dan Wilhelmson  
Consolidated Communications Networks  
Inc  
PO Box 1077  
Dickinson ND 58601-1077

ken@staff.ctctel.com  
L Dan Wilhelmson  
Consolidated Telephone Cooperative  
PO Box 1077  
Dickinson ND 58601-1077

nschmid@acginc.net  
Neil Schmid  
FirstTel Inc  
2900 West 11th St  
Sioux Falls SD 57104

cooperstown@mlgc.com  
Ray Brown  
Griggs County Telephone Company  
Cooperstown ND 58425

Myer Shark  
2277 Gene Autry Tr Unit C  
Palm Springs CA 92264

nlarsen@nvc.net  
Clint Hanson  
Accent Communications Inc  
235 E 1st Ave  
Groton SD 57445

smassey@bepc.com  
Sheryl Massey  
Basin Electric Power Coop  
1717 E Interstate Ave  
Bismarck ND 58501-0564

jtmgr@bektel.com  
Jerome Tishmack  
BEK Communications I Inc  
PO Box 230  
Steele ND 58482-0230

ken@staff.ctctel.com  
L Dan Wilhelmson  
Consolidated Telcom Inc  
PO Box 1077  
Dickinson ND 58601-1077

drtc@drservices.com  
Roger L Johnson  
Dickey Rural Telephone Cooperative  
PO Box 69  
Ellendale ND 58436-0069

meredith.gifford@gecapital.com  
Meredith Gifford  
GE Capital Comm Services Corp  
6540 Powers Ferry Rd  
Atlanta GA 30339

r1aqua@rrv.net  
Ronald Laqua  
Halstad Telephone Company  
PO Box 55  
Halstad MN 56548-0055

hold@texas.net  
Dana Wilson  
Home Owners Long Distance Inc  
8647 Wurzbach Rd #M-1  
San Antonio TX 78240-1245

kander@ictc.com  
Keith Anderson  
Inter-Community Telephone Co  
PO Box 8  
Nome ND 58062-0008

itci@means.net  
Bruce Reuber  
Interstate Telcom Consulting Inc  
130 Birch Ave W  
Hector MN 55342-0668

Michel.Murray@MCI.com  
Michel Murray  
MCI WorldCom Inc  
707 17th St Ste 3600  
Denver CO 80202

john\_sullivan@cable.comcast.com  
John Sullivan  
McLeodUSA

amy.ibis@dtg.com  
Amy Ibis  
McLeodUSA  
140 North Phillips Ave Ste 404  
Sioux Falls SD 57104-6711

sbunn@mlgc.com  
Shelie Bunn  
Moore & Liberty Telephone Co  
Enderlin ND 58027

dhill@ndarec.com  
Dennis Hill  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

dclark@hq.ictc.net  
Diane Clark  
IDT Corporation  
190 Main St  
Hackensack NJ 07601

kander@ictc.com  
Keith Anderson  
Inter-Community Telephone Co. II  
PO Box 8  
Nome ND 58062-0008

skat@means.net  
Steven Katka  
Loretel Systems Inc  
13 E 4th Ave  
Ada MN 56510

skillebrew@deltacom.com  
Sharon Killebrew  
McLeodUSA

whaas@mcleodusa.com  
William Haas  
McLeodUSA  
P O Box 3177  
Cedar Rapids IA 52406-3547

gerrya@midrivers.com  
Gerry Anderson  
Mid-Rivers Telephone Coop Inc  
PO Box 280  
Circle MT 59215-0280

hfuglest@ndarec.com  
Harlan Fugelsten  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

pschaner@ndarec.com  
Patti Schaner  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

lclemens@nft.net  
Larry Clemens  
Noonan Farmers Tele Co  
Noonan ND 58765

cajuul@norstan.com  
Cathy Juul  
Norstan Network Services Inc  
P O Box 5715  
Minnetonka MN 5534333-57

klund@nccray.com  
Kenneth Lund  
Northwest Communications Corp  
PO Box 38  
Ray ND 58849-0038

jram@erols.com  
John Ramsey  
Parcel Consultants Inc  
150 Commerce Rd  
Cedar Grove NJ 07009

ddunning@polarcomm.com  
David Dunning  
Polar Telcom Inc  
PO Box 270  
Park River ND 58270-0270

jvonduyke@phoneforall.com  
Jeff Walker  
Preferred Carrier Services Inc  
14681 Midway Rd Ste 105  
Dallas TX 75244

pam@tnics.com  
Pamela Harrington  
RC Communications Inc  
PO Box 197  
New Effington SD 57255-0197

ardondoran@rrt.net  
Ardon Doran  
Red River Telecom Inc  
PO Box 136  
Abercrombie ND 58001-0136

rer@norlight.com  
Robert E Rogers  
NorLight Inc  
275 N Corporate Dr  
Brookfield WI 53045

pagndta@btigate.com  
Patricia Gisinger  
North Dakota Telephone Assoc  
PO Box 2614  
Bismarck ND 58502-2614

royce@restel.net  
Royce Aslakson  
Parcel Consultants Inc  
150 Commerce Rd  
Cedar Grove NJ 07009

ddunning@polarcomm.com  
David Dunning  
Polar Commun Mut Aid Corp  
PO Box 270  
Park River ND 58270-0270

ddunning@polarcomm.com  
David Dunning  
Polar Telecommunications Inc  
PO Box T  
Park River ND 58270

protel@citilink.com  
Scott Lee  
Protel Advantage Inc  
1144 Larpenteur Ave W  
St Paul MN 55113-6317

ardondoran@rrt.net  
Ardon Doran  
Red River Rural Tele Assoc  
PO Box 136  
Abercrombie ND 58001

jdbtbb@ndak.net  
Jan Boschee  
Reservation Telephone Cooperative  
Parshall ND 58770

mbrestel@ndak.net  
Marcia Burckhard  
Reservation Telephone Cooperative  
Parshall ND 58770

pam@tnics.cc  
Pamela Harrington  
Roberts Cty Tele Coop Assoc  
New Effington SD 57255

warrenlh@srttel.com  
Warren Hight  
Souris River Tele Coop  
PO Box 2027  
Minot ND 58702-2027

suelh@srttel.com  
Sue Hamilton  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

stevedl@srttel.com  
Steve Lysne  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

christm@srttel.com  
Chris Morsefield  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

lynnan@srttel.com  
Lynn Nelson  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

johnar@srttel.com  
John Reiser  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

davidrs@srttel.com  
David Smith  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

kimrw@srttel.com  
Kim Weydahl  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

mdickers@state.nd.us  
Marcy Dickerson  
State Tax Department  
Utility Tax Appraiser  
State Capitol  
Bismarck ND 58505

grndelec@iw.net  
Darrell Henderson  
Stateline Telecomm Inc  
PO Box 39  
Bison SD 57620-0039

clarson@telegroup.com  
Caroline Larson  
Telegroup Inc  
2098 Nutmeg Ave  
Fairfield IA 52556

bgreene@magicnet.net  
Barbara Greene  
Telephone Co of Central Florida Inc  
3599 W Lake Mary Blvd Ste E  
Lake Mary FL 32746-3417

thomasc@totaltel.com  
Tom Carroll  
TotalTel Inc  
150 Clove Rd 8th Fl  
Little Falls NJ 07424

bpipkin@touch1.com  
Leigh Ann Wooten  
Touch 1 Long Distance Inc  
100 Brookwood Rd  
Atmore AL 36502

maryg@uslink.net  
Mary Goodman  
U S Link Inc  
200 2nd St  
Pequot Lakes MN 56472

kjvannin@usgs.gov  
K Vannin  
U S Geological Survey

tkunkle@uswest.com  
Timothy Kunkleman  
U S WEST  
1801 California St Rm 4630  
Denver CO 80202

jmunnn@uswest.com  
John Munn  
U S WEST Communications Inc  
1801 California Rm 5100  
Denver CO 80202

sschwan@uswest.com  
Suzy Schwandt  
U S WEST Communications, Inc.  
P O Box 5508  
Bismarck ND 58502-5508

agallentine@usagl.com  
Abbe McDonald-Gallentine  
USA Global Link Inc  
50 N 3rd St  
Fairfield IA 52556

tsusak@vocall.com  
Tony Susak  
VoCall Communications Corp  
284 Sheffield St  
Mountainside NJ 07092

pihland@means.net  
Paul Ihland  
Wolverton Telephone Company  
Wolverton MN 56594

lahall@usgs.  
Lenora Hall  
U S Geological Survey

afranklin@us-south.net  
Anne Franklin  
U S South Communications Inc  
250 Williams St Ste 2360  
Atlanta GA 30303

smacint@uswest.com  
Scott Macintosh  
U S WEST Communications Inc  
PO Box 5508  
Bismarck ND 58502-5508

saberry@uswest.com  
Sharon Berry  
U S WEST Communications Inc  
409 1st Ave N  
Fargo ND 58102-4802

johng@unidial.com  
John Greive  
UniDial Communications Inc  
1901 Eastpoint Pkwy  
Louisville KY 40223

kander@ictc.com  
Keith Anderson  
Valley Communications Inc  
P O Box 8  
Nome ND 58062

bonniek@westriv.com  
Bonnie Krause  
West River Telecomm Coop  
PO Box 467  
Hazen ND 58545-0467

Neil Talbot  
81 Grand St  
New York NY 10013

Myer Shark  
2277 Gene Autry Trail Unit C  
Palm Springs CA 92264

Ann Faught  
Absaraka Co-op Tele Co  
Absaraka ND 58002

ACN Communications Services Inc  
32991 Hamilton Ct  
Farmington Hills MI 48334

Mark Waind  
Altru Health System  
1200 South Columbia Rd  
Grand Forks ND 58201

John Summers  
AmeriTel Pay Phones Inc  
180 Northwest Oldham Pkwy  
Lee's Summit MO 64081

Arch Paging  
11437 Valley View Rd  
Eden Prairie MN 55344

Leeann Brunnette  
AT&T  
321 E Walnut St  
Des Moines IA 50309

Jack Medaris  
Atlas Communications LTD  
484 Norristown Rd Ste 123  
Blue Bell PA 19422

Dorothy Jones  
Bell Atlantic Communications Inc  
1320 N Courthouse Rd 9th Fl  
Arlington VA 22201

Bethany Management Services Inc  
201 South University Dr  
Fargo ND 58103

Jennifer Whitley  
Business Discount Plan Inc  
3780 Kilroy Arpt Wy  
Long Beach CA 90806

Rachel Rothstein  
Cable & Wireless Comm Inc  
8219 Leesburg Pike  
Vienna VA 22182

Scott Geston  
Cable One of Fargo  
P O Box 10624  
Fargo ND 58106-0624

Choctaw Communications Inc  
8400 S Gessner  
Houston TX 77074

Robert Fallan  
Coast International  
14303 W 95th St  
Lenexa KS 66215-5210

Comcast Telecommunications  
1500 Market St  
Philadelphia PA 19102

Molli Harper  
Commnet Cellular Inc  
8350 E Crescent Pkwy Ste 400  
Englewood CO 80111

Murray Barr  
Competitive Strategies Group Inc  
70 East Lake St 7th Fl  
Chicago IL 80112

Elaine McHale  
Concert Communications Sales LLC  
295 N Maple Ave Rm 5463A2  
Basking Ridge NJ 07920

D D D Calling Inc  
5120 Woodway Ste 8020  
Houston TX 77056

Robert Hill  
Dakota Central Telecom I  
PO Box 299  
Carrington ND 58421-0299

Dickey Rural Communications Inc  
PO Box 69  
Ellendale ND 58436-0069

Easton Telecom Services Inc  
4646 W Streetsboro  
Richfield OH 44286

Excel Communications Inc  
P O Box 650582  
Dallas TX 75265

Framco Inc  
P O Box 388  
Fargo ND 58107

Craig Brewerton  
Geo Economics  
PO Box 4272  
Missoula MT 59806-4272

Lucille Nilson  
Griggs County Telephone Company  
Cooperstown ND 58425

GTE Communications Corp  
5221 N O'Connor Blvd  
Irving TX 75039

IdeaOne Telecom Group LLC  
3239 39th St SW  
Fargo ND 58104

Robert Hill  
Dakota Central Tele Coop  
PO Box 299  
Carrington ND 58421-0299

Darcy Delaney  
DavelTel Inc  
10120 Windhorst Rd  
Tampa FL 33619

DSLnet Communications LLC  
545 Long Wharf Dr  
New Haven CT 06511

Eclipse Communications Corp  
2001 NW Sammamish Rd #100  
Issaquah WA 98027

Brad Van Leur  
FirstTel Inc  
2900 West 11th St  
Sioux Falls SD 57104

Ronald Rodemerk  
Frontier Comm International  
180 S Clinton Ave  
Rochester NY 14646-0500

Giuseppe Vitale  
Giuseppe Vitale Pres  
UKI Communications Inc  
500 N Rainbow Blvd Ste 300  
Las Vegas NV 89107

Group Long Distance Inc  
6600 N Andrews Ave Ste 140  
Ft Lauderdale FL 33309

HJN Telecom Inc  
3235 Satellite Blvd Bldg 400 Ste 300  
Duluth GA 30096

Innovative Telecom Corp  
1740 Massachusetts Ave  
Boxborough MA 01719-2209

Nanette Edwards  
ITC DELTACOM INC  
4092 Memorial Pkwy SW  
Huntsville AL 35802-1382

Larry Barr  
IXC/SSC-Regulatory Affairs  
1122 S Capital of TX Hwy  
Austin TX 78746-6426

LCI International Telecom Corp  
4650 Lakehurst Ct  
Dublin OH 43017

LDM Systems Inc  
430 Park Ave 5th Fl  
New York NY 10022

Level 3 Communications LLC  
3555 Farnam St  
Omaha NE 68131

Jan Lowe  
Long Dist Consolidated Billing Co  
145 S Livernois Rd #199  
Rochester MI 48307-1837

Randy Valoue  
Long Distance International Inc  
4150 SW 28th Way  
Ft Lauderdale FL 33312

Marilyn Foss  
MCI WorldCom Inc  
707 17th St Ste 3600  
Denver CO 80202

MCImetro Access Transmission Services  
1801 Pennsylvania Ave NW  
Washington DC 20006

McLeodUSA  
P O Box 3177  
Cedar Rapids IA 52406-3177

Carolyn Fodor  
MIDCOM Communications Inc  
26913 Northwestern Hwy #165  
Southfield MI 48034

Midcontinent Communications  
410 South Phillips Ave  
Sioux Falls SD 57104

Mid-Rivers Telephone Coop Inc  
P O Box 280  
Circle MT 59215

Gordon Wilhelmi  
Midstate Communications Inc  
PO Box 400  
Stanley ND 58784-0400

Mark Wilhelmi  
Midstate Telephone Co  
PO Box 400  
Stanley ND 58784-0400

Minnesota Independent Equal Access  
Corp  
10300 6th Avenue N  
Plymouth MN 55441

Mike Strand  
MITS  
PO Box 5237  
Helena MT 59604-5237

MVX Communications LLC  
100 Rowland Way Ste 145  
Novato CA 94945

Dave Crothers  
NDATC  
Box 1144  
Mandan ND 58554-1144

Richard Thronson  
Nemont Telephone Cooperative Inc  
Scobey MT 59263

Sharon Meinhart  
NetLogix Telecom Inc  
501 Bath St  
Santa Barbara CA 93101

Nextel West Corp  
2001 Edmund Halley Dr  
Reston VA 20191-3436

Holly Sasscer  
Operator Communications Inc  
3530 Forest Ln Ste 200  
Dallas TX 75234-7910

Pamcomm  
P O Box 5200  
Sioux Falls SD 57117-5200

David Bryson  
Phoenix Network Inc  
555 17th St  
Denver CO 80202

Jan Seby  
Pringle and Herigstad P C  
PO Box 1000  
Minot ND 58702-1000

Heather Troxell  
Qwest Communications Corporation  
4250 Fairfax Dr  
Arlington VA 22203

RCN Long Distance Company  
105 Carnegie Ctr  
Princeton NJ 08540

Skyland Technologies Inc  
P O Box 5237  
Helena MT 59604-5237

Andrew Jones  
Sprint  
8140 Ward Pkwy Flr 5E  
Kansas City MO 64114

Net-tel Corporation  
1023 31st St NW  
Washington DC 20007

Dave Dircks  
North Dakota Telephone Company  
PO Box 180  
Devils Lake ND 58301-0180

Patrick Delaney  
Overlook Communications International  
3125 North Meadow Pkwy #S110  
Roswell GA 30076

Bryan Engle  
Parcel Consultants Inc  
150 Commerce Rd  
Cedar Grove NJ 07009

Primus Telecommunications Inc  
1700 Old Meadow Rd 3rd Fl  
McLean VA 22102

Quintelco Inc  
1 Blue Hill Plaza  
Pearl River NY 10965

Dean Polkow  
RCC Network Inc  
PO Box 2000  
Alexandria MN 56308-2000

Gene Sloan  
Reservation Telephone Cooperative  
Parshall ND 58770

Lisa Dabkowski  
SNET America Inc  
6 Devine St 1st Fl  
North Haven CT 06743

Randy Burckhard  
SRT Communications Inc  
P O Box 789  
Minot ND 58702-0789

Harris Saele  
T P C Inc  
PO Box 180  
Devils Lake ND 58301-0180

Regulatory Analyst  
Technologies Management Inc  
PO Drawer 200  
Winter Park FL 32790-0200

Jack Medaris  
Telco Partners Inc  
484 Norristown Rd Ste 123  
Blue Bell PA 19422

Tele-Tech Inc  
2900 W 11th St  
Sioux Falls SD 57104-3660

Thomas K Crowe  
Thomas K Crowe Pres  
Law Offices of Thomas K Crowe PC  
2300 M St NW Ste 800  
Washington DC 20037  
Kenneth Carlson  
Turtle Mountain Communications  
PO Box 729  
Langdon ND 58249-0729

Tim Kunkelman  
U S WEST Communications Inc  
1801 California St Rm 4630  
Denver CO 80202

Sam Billingsley  
United States Advanced Network Inc  
3000 Northwoods Pkwy Ste 140  
Norcross GA 30071

Dennis Houston  
Universal Network Services of ND  
1572 North Batavia St Ste 1A  
Orange CA 92867

USBG Inc  
5601 W 120th St  
Alsip IL 60658

Target Telecom Inc  
1515 S Federal Hwy Ste 400  
Boca Raton FL 33432-7451

Thomas Cirrito  
Telco Communications  
1100 Wilson Blvd Ste 1425  
Arlington VA 22209-2297

Al Bosch  
Tele-Beep Company  
PO Box 7072  
Bismarck ND 58502-7072

Liz Petroni  
Teltrust Comm Services Inc  
6322 S 3000 East  
Salt Lake City UT 84121

T-Netix Inc  
67 Inverness Drive E  
Englewood CO 80112

Judy Pepler  
U S WEST Communications Inc  
PO Box 5508  
Bismarck ND 58502-5508

Dick Boyer  
U S West Interprise America Inc  
1999 Bdwy Rm 700  
Denver CO 80202

Kenneth Carlson  
United Telephone Mut Aid Corp  
Langdon ND 58249

Telecomm Dept  
University of North Dakota  
Box 8193  
Grand Forks ND 58202-7141

Thomas Bandenburg  
USN Communications Long Dist Inc  
10 S Riverside Plaza Ste 401  
Chicago IL 60606

Val-Ed Joint Venture LLP  
150 2nd St SW  
Perham MN 56573

Robert Barfield  
West River Communications Inc  
PO Box 467  
Hazen ND 58545-0467

Robert Barfield  
West River Telecomm Coop  
PO Box 467  
Hazen ND 58545-0467

Randy Houc  
Venture Communications Inc  
PO Box 157  
Highmore SD 57345-0157

Doris Cooper  
West River Long Distance Co  
PO Box 467  
Hazen ND 58545-0467

Z-Tel Communications Inc  
601 S Harbour Island Blvd Ste 220  
Tampa FL 33602-5925

**Helbling, Sharon D.**

---

**From:** Helbling, Sharon D.  
**Sent:** Thursday, March 16, 2000 3:10 PM  
**To:** 'ndna'  
**Subject:** Attached Notices

**Please have the attached Notices published as legal publications in the next issue of the ten North Dakota daily newspapers. In addition to publishing it, would you also run it as a news item only article.**

**Please send the bill to the Public Service Commission along with a tear sheet for billing purposes.**

**If you have any questions, please call me at 328-4076.**

**Thank you.**

**Sharon Helbling**

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**MOTION**

**March 15, 2000**

**North Dakota Network Co./SRT Communications,  
Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2239-00-77**

**CommNet Cellular, Inc./SRT Communications,  
Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2240-00-78**

**Pathnet, Inc./U S WEST Communications, Inc.  
Amended Interconnection Agreement  
Application**

**Case No. PU-2207-00-85**

**Essential.com/U S WEST Communications, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2248-00-105**

I move the Commission issue a Notice of Opportunity to File Written Comments in the above Interconnection Agreement Applications, Case Nos. PU-2239-00-77, PU-2240-00-78, PU-2207-00-85, and PU-2248-00-105.

JRL/sdh

000085-2.doc

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**North Dakota Network Co./SRT Communications,  
Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2239-00-77**

**CommNet Cellular, Inc./SRT Communications,  
Inc.  
Interconnection Agreement  
Application**

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**Pathnet, Inc./U S WEST Communications, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2207-00-85**

**Essential.com/U S WEST Communications, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2248-00-105**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**

**March 15, 2000**

On February 23, 2000, in Case No. PU-2239-00-77, SRT communications, Inc. (SRT) filed an application for approval of a Wireless Interconnection Agreement negotiated with North Dakota Network company dba SRT Wireless.

Also on February 23, 2000, in Case No. PU-2240-00-78, SRT filed an application for approval of a Wireless Interconnection Agreement negotiated with CommNet Cellular, Inc.

These agreements includes terms, conditions, and prices for wireless network interconnection and exchange of local traffic.

On March 1, 2000, in Case No. PU-2207-00-85, U S WEST Communications, Inc. (U S WEST) filed an application for approval of negotiated amendments to its interconnection agreement with Pathnet, Inc. to incorporate language that was inadvertently omitted from the original agreement approved by the Commission in Case No. PU-2207-99-650.

On March 9, 2000, in Case No. PU-2248-00-105, U S WEST filed an application for approval of a resale agreement negotiated with Essential.com. This agreement sets

forth the terms, conditions and prices under which U S WEST agrees to provide services for resale.

These agreements were filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under section 252(e)(2)(A), the Commission may only reject an agreement (or portion thereof) adopted by negotiation if it finds that:

1. the agreement (or portion thereof) discriminates against a telecommunications carrier that was not a party to the agreement;
2. the implementation of the agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity.

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253.

Section 252(e)(4) requires that the Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

**The Commission will receive written comments on these Interconnection Agreements until April 17, 2000.**

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Jon Mielke, Executive Secretary, at least 24 hours prior.

**PUBLIC SERVICE COMMISSION**

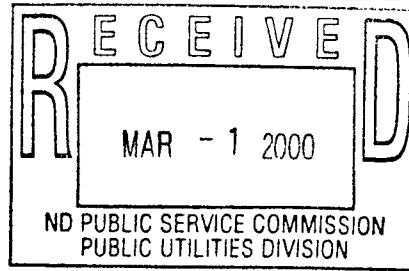
		
<hr/>	<hr/>	<hr/>
Susan E. Wefald Commissioner	Bruce Hagen President	Leo M. Reinbold Commissioner

U S WEST, Inc.  
7800 E. Orchard Road, Suite 250  
Englewood, Colorado 80111  
(303) 793-6605-Phone  
(303) 793-6633-Fax  
kxmacne@uswest.com

Kristine B. Macneal  
Contract Administrator

Contract Development  
and Services

Law Department



February 29, 2000

Via Overnight Delivery

Mr. Jon H. Mielke, Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**Re: Filing of First Amendment to the Wireline Agreement between U S WEST  
Communications, Inc. and Pathnet, Inc.**

Dear Mr. Mielke:

Enclosed for filing is an original and seven (7) copies of the First Amendment to the Interconnection Agreement (the "Amendment") between Pathnet, Inc. ("Pathnet") and U S WEST Communications, Inc. ("U S WEST"). This Amendment was reached through voluntary negotiation between U S WEST and Pathnet. Pursuant to the terms of the Agreement, the parties are requesting the Commission expedite its review and approval.

This Amendment supplements the original interconnection agreement between Pathnet, Inc. and U S WEST which was approved by the Commission on January 26, 2000, in Case No. PU-2207-99-650. This Amendment incorporates language that was inadvertently omitted from the Agreement.

Also enclosed is an extra copy of this letter. Please date stamp the extra copy and return it to me in the enclosed self-addressed stamped envelope. Please send any and all correspondence regarding this matter to the undersigned. Thank you for your cooperation and assistance in this matter.

Yours truly,

Enclosures

cc: Service List



2 PU-2207-00-85  
03/01/2000  
Pathnet, Inc. / U S WEST Communications  
Cover letter re application

Pages: 2

CC: Comm Legal PUD (3)

Pathnet, Inc.  
Michael Lubin  
General Counsel  
1015 31st Street NW, Suite 500  
Washington, DC 20007

Pathnet, Inc.  
J. Alfred Baird  
Vice President  
Access Policy and Planning  
1015 31st Street NW, Suite 500  
Washington, DC 20007

U S WEST, Inc. Law Department  
Counsel, Interconnection  
1801 California Street, 51st Floor  
Denver, Colorado 80202

Scott A. Macintosh  
Manager - Public Policy  
U S WEST Communications, Inc.  
220 N 5 Street  
Bismarck, ND 58506

**Amendment No. 1  
to the  
Interconnection Agreement  
between  
U S WEST Communications, Inc.  
and  
Pathnet, Inc.  
for  
North Dakota**

This is Amendment No. 1 ("Amendment") to the Interconnection Agreement between Pathnet, Inc. ("Pathnet"), a Delaware corporation, and U S WEST Communications, Inc. ("USW"), a Colorado corporation.

WHEREAS, Pathnet and USW entered into an Interconnection Agreement, for the state of North Dakota, that was executed by the Parties on November 29, 1999, and approved by the North Dakota Public Service Commission on January 26, 2000 (the "Agreement"); and

WHEREAS, the Parties wish to amend the Agreement to incorporate language that was inadvertently omitted from the Agreement.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

**Add the following paragraph as Section (A)1.8:**

- (A)1.8 This Agreement sets forth the terms, conditions and prices under which USW agrees to provide (a) services for resale and (b) certain UNEs, ancillary functions and additional features to Pathnet, all for the sole purpose of providing Telecommunications Services. The Agreement also sets forth the terms, conditions and prices under which the Parties agree to provide Interconnection and reciprocal compensation for the exchange of Exchange Service (EAS/Local) and Exchange Access traffic between USW and Pathnet, Jointly Provided Switch Access (InterLATA and IntraLATA presubscribed/dial around) traffic and Special Access between USW, Pathnet and Interexchange Carrier (IXC) for purposes of offering Telecommunications Services.

**The following Section is amended to add an additional last sentence at the end of Section (B)3.8. The new paragraph will now read:**

- (B)3.8 The wholesale discount rates in Part H established in the North Dakota Case No. PU-453-96-497, "In the Matter of AT&T Corporation and U S WEST Communications, Inc., for Arbitration of the Interconnection Rates, Terms and Pursuant to 47 U.S.C. Sec. 252(b) of the Telecommunications Act of 1996", (the "AT&T Arbitration") are interim rates and are pending the outcome of a final Commission decision in an interconnection cost docket. Such rates, as adopted in this Agreement,

will be subject to true-up from the date those rates became effective in this Agreement to the effective date of the final interconnection cost docket order. Notwithstanding this true-up obligation, the Parties agree that rates in this Agreement will remain in effect as described below until the exhaustion of all appeals of the final order in the interconnection cost docket. USW shall have a reasonable time to implement system or other changes necessary to bill the Commission ordered rates or charges.

Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

The Parties hereby execute and authorize this Amendment as of the latest signature date shown below:

**Pathnet, Inc.**

J. Alfred Baird  
Signature  
J. ALFRED BAIRD  
Name Printed/Typed  
Vice President Access Policy  
Title  
2/10/2000  
Date

**U S WEST Communications, Inc.**

Elizabeth J. Stamp  
Signature  
Elizabeth J. Stamp  
Name Printed/Typed  
Director- iNterconnect  
Title  
2/18/00  
Date

14-2207-00-85

MAY 10 1999

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Michael Rubin  
 Pathnet Inc  
~~4500 1st NW Ste 500~~  
~~Washington DC 20007~~

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *[Signature]* B. Date of Delivery *8-2*

C. Signature  
 *[Signature]*  Agent  
 Address

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

Return Receipt 102595-99-M-1789

14-2207-00-85

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 J. Alfred Baird  
 Pathnet Inc  
~~4500 1st NW Ste 500~~  
~~Washington DC 20007~~

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
 *[Signature]*  Agent  
 Address

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

PS 102595-99-M-1789

14-2207-00-85; 14-2248-00-105

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 John Munn  
 West Communications  
 1801 California St  
 Denver CO 80202

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *R. Hunt* B. Date of Delivery *5-15*

C. Signature  
 *[Signature]*  Agent  
 Address

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
 324 719 767

PU-2207-00-85

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Michael Rubin  
 Pathnet Inc  
 1015 31st St NW Ste 500  
 Washington DC 20007

4a. Article Number  
 P 443 354 767

4b. Service Type

Registered  Certified

Express Mail  Insured

Return Receipt for Merchandise  COD

7. Date of Delivery  
 3-21-00

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

PU-2207-00-85

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Alfred Baird VP  
 Pathnet Inc.  
 1015 31st St NW Ste 500  
 Washington DC 20007

4a. Article Number  
 P 443 354 768

4b. Service Type

Registered  Certified

Express Mail  Insured

Return Receipt for Merchandise  COD

7. Date of Delivery  
 3-21-00

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.