

# **DIVIDER**

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

**PU-2304-00-269**

**Citizens Telecommunications Company of Minnesota,  
Designated Eligible Carrier**

**Application**

**00**

**Filed 6/2/2000**

**Closed 3/29/2001**

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application

Case No. PU-2304-00-269

**AFFIDAVIT OF SERVICE BY CERTIFIED 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 **29th day of March, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Order**

The envelope was addressed as follows:

Charles A Hoffman  
Maslon Edelman Borman & Brand  
3300 Norwest Ctr 90 S 7<sup>th</sup> St  
Minneapolis MN 55402-4140  
**Cert. No. 7000 0520 0022 8654 0742**

**Sharon Helbling** further deposes and says that on the **29th day of March, 2001**, 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.

Aloa Stevens  
Citizens Communications  
4 Triad Ctr Ste 200  
Salt Lake City UT 84180

Lance Tade  
Citizens Communications  
4 Triad Ctr Ste 200  
Salt Lake City UT 84180

Craig A Marks  
Citizens Utilities Company  
4 Triad Ctr Ste 200  
Salt Lake City UT 84180

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

Subscribed and sworn to before me  
this **29th day of March, 2001**.

SEAL

*Sharon Helling*

*Sandra L Scott*

Notary Public

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

**APPROVED**

**MOTION**

DATE: 3-28-01  
KMF

**March 28, 2000**

**Citizens Telecommunications Company  
of Minnesota  
Designated Eligible Carrier  
Application**

**Case No. PU-2304-00-269**

I move the Commission adopt the Order designating Citizens  
Telecommunications Company of Minnesota as an eligible carrier in Case No. PU-  
2304-00-269.

Sdh

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

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application**

**Case No. PU-2304-00-269**

**ORDER**

**March 28, 2001**

**Preliminary Statement**

On June 2, 2000, Citizens Telecommunications Company of Minnesota, Inc. (CTCMN) filed an application for a certificate of public convenience and necessity to provide facilities-based local exchange telecommunications services as well as facilities-based intraLATA toll service for North Dakota customers served out of the Oslo exchange in Minnesota. CTCMN is purchasing the Oslo exchange from GTE Service Corporation. On February 7, 2001, the Commission granted those certificates.

CTCMN also requests designation as an Eligible Telecommunications Carrier (ETC) for this area.

On June 20, 2000, the Commission issued a Notice of Opportunity for Hearing, which provided until July 24<sup>th</sup> for receiving comments or hearing requests. No comments or requests for hearing were received. The notice identified the following issues to be considered:

1. Qualification under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.
2. Designated ETC universal service support area.

On August 15, 2000, CTCMN filed an affidavit of Scott Bohler, Manager of State Government Affairs in the State of Minnesota. In the affidavit Scott Bohler sets forth facts establishing that CTCMN meets the requirements to be designated as an ETC for the service area.

To be designated as an eligible telecommunications carrier, a carrier must: (1) offer the services that are supported by federal universal service support mechanisms, and offer the services designated by the FCC for such federal support mechanisms for schools, libraries, and health care providers; and (2) advertise the availability of such services and the charges therefore using media of general distribution.

CTCMN states that it will fully comply with each of the requirements and responsibilities associated with the ETC designation. CTCMN, either using its own facilities or a combination of its own facilities and resale of another carrier's services, will offer the services that are supported by federal universal service support mechanisms under Subpart B of Part 54 and Section 254(c) of the Telecommunications Act of 1996. In addition, CTCMN will advertise the availability of such services and the charges therefore using media of general distribution. Because CTCMN has purchased the holdings of GTE Service Corporation, the Oslo exchange area will remain part of the study area that was established under GTE Service Corporation's ownership.

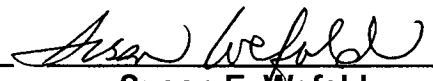
On March 6, 2001, CTCMN filed a copy of the document self-certifying that it is operating as a rural telephone company as defined under Section 3 of the Telecommunications Act of 1996. Therefore, the area to be designated as eligible to receive federal universal service support is the federal cost study area of CTCMN.

### Order

Citizens Telecommunications Company of Minnesota, Inc. is designated as an eligible telecommunications carrier for the purpose of receiving federal universal service support for the North Dakota customers served from the Oslo, Minnesota exchange conditioned upon the filing of price schedules for its universal service offering.

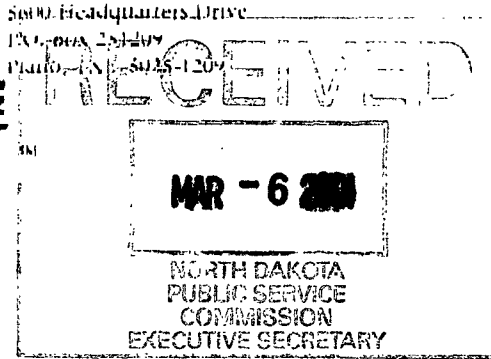
### PUBLIC SERVICE COMMISSION

  
Anthony T. Clark  
Commissioner

  
Susan E. Wefald  
President

  
Leo M. Reinbold  
Commissioner

**CITIZENS**  
communications



PU-2304-00-269

February 26, 2001

Ms. Sheryl Todd  
Universal Service Branch  
Accounting and Audits Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Self-Certification of Citizens Telecommunications Company  
Of Minnesota as a Rural Telephone Company

Dear Ms. Todd:

By this letter, Citizens Telecommunications Company of Minnesota ("CTC-MN") notifies the Commission of its status as a Rural Telephone Company pursuant to Section 3(37)(D) of the Communications Act as amended (the "Act"), 47 U.S.C. §153(37)(D). As shown below, CTC-MN meets the Act Section 3(37)(D) rural telephone company definitional criteria in that it "has less than 15% of its access lines in communities of more than 50,000 on the date of enactment of the Telecommunications Act of 1996."

CTC-MN commenced operations on September 1, 2000 upon consummation of an acquisition of access lines in Minnesota and Iowa from former GTE entities. Pursuant to the study area waiver granted by the FCC, CTC-MN has two study areas, CTC of Minnesota - Lakes, and CTC of Minnesota - South.

The first stage of CTC-MN's research into qualification under the Act Section 3(37)(D) rural telephone company definitional criteria was to determine if it served any communities of 50,000 or more by consulting the most recent Census Bureau Gazetteer. That document may be found on the Internet at <http://ftp.gov> and allows for look up of every "place" in the United States, as the concept of a "place" is defined in the Census Bureau's definitions. See [http://ftp.census.gov/geo/www/geo\\_defn.html](http://ftp.census.gov/geo/www/geo_defn.html). In Census Bureau parlance, a "place" is a census designated place ("CDP"), consolidated city, or an incorporated city, each of which, whether incorporated or not, has an identifiable name and concentration of population. Logically and by FCC decision, Census Bureau-defined "places" are "communities" under Act Section 3(37)(D). See *Federal-State Joint Board on Universal Service*, Tenth Report and Order, 14 FCC Red 20156, 20350 (1999). There is no "place" or "community" of 50,000 or more served by CTC-MN.

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Pages: 4

Fax/Notification as a Rural Telephone  
Company  
by Citizens Telecommunications Company of Minnesota

03/06/2001

CC: Comm Legal PUD (3)

Attachment 1 hereto, entitled "2000 Access Line Density," lists all CTC-MN exchange areas in the first column and, in the second column, lists the number of access lines in each such exchange as of the date that CTC-MN commenced operations. The third column, entitled "1990 Population," lists the official Census Bureau 1990 population of all incorporated places in each exchange area.<sup>1</sup> There were no CDP's in those exchange areas as of 1990.<sup>2</sup> As shown, no community in the CTC-MN service territory comes close to having a population of 50,000 or more. The final column of Attachment 1 indicates whether an exchange area is located in a county with a population of 50,000 or more.

Serving no communities of 50,000 or more, CTC-MN does not need to do the second part of the Act Section 3(37)(D) analysis - determining whether less than 15% of its access lines are in communities of 50,000 or more. Indeed, CTC-MN does not have 15% of its total access lines in any community it serves.<sup>3</sup>

To further demonstrate its status as a Rural Telephone Company under Act Section 3(37)(D), CTC-MN took a different analytical approach than that just described. First, the last column of Attachment 1 showed that, in most instances, communities that CTC-MN serves are not even in counties having a population of 50,000. Accordingly, even if such counties could be considered "communities," which they most assuredly cannot be, then it follows that the Act Section 3(37)(D) criteria are met as to those counties. Second, as to those counties of 50,000 or more in which CTC-MN has exchanges, Attachment 2 demonstrates that the total number of CTC-MN access lines in each of those counties does not equal 15% of CTC-MN's total access lines. Thus, even if the seven counties with populations over 50,000 in which CTC-MN has exchanges were, erroneously, to be considered as "communities," then CTC-MN would still qualify under the Act Section 3(37)(D) criteria because it has less than 15% of its access lines in each of those counties.

For the foregoing reasons, CTC-MN is entitled to classification as a Rural Telephone Company under Act Section 3(37)(D) in the Study Area of CTC of Minnesota - Lakes and CTC of Minnesota - South.

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<sup>1</sup> The 1990 census is the most recent official census proximate to enactment of the Telecommunications Act of 1996.

<sup>2</sup> CTC-MN did not list in Attachment 1 in the 1990 populations of "minor civil divisions" in the CTC-MN exchanges areas. CTC-MN submits that MCDs are not "places" or "communities" under applicable Census Bureau definitions. Even if MCDs could be classified as "communities", no MCD served by CTC-MN has a population approaching a population of 50,000. See <http://www.census.gov/population/metro-city/estimates/mddch/MCDCHGMN.txt>.

<sup>3</sup> 15% of CTC-MN's total access lines, as shown on Attachment 1, is 18,804 access lines.

I, F. Wayne Lafferty, Vice President of Citizens Telecommunications Company of Minnesota, certify that the foregoing representations are known to me to be true and correct as of the date of this filing.

Yours very truly,



F. Wayne Lafferty

Citizens Communications

# Citizens Communications

4 Triad Center, Suite 200  
Salt Lake City, UT 84180  
Phone: (801) 924-6360  
Fax: (801) 924-6363

## Fax Cover Sheet

To: Patrick Fahn Fax Number: 701/328-2410

---

From: Lance Tada Date: 3/6

---

Re: MN Rural Self Cart. Pages: 4

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CC:

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- Urgent       For Review       Please Comment       Please Reply       Please Recycle
- 

Message:

I found it.

**IMPORTANT/CONFIDENTIAL:** This message is intended for the use of the individual or entity to which it is addressed. This message contains information from Citizens Telecommunications Company which may be privileged, confidential and exempt from disclosure under applicable law. Such information may include proprietary data which is exchanged in the normal course of business between companies, affiliates, legal counsel and regulatory bodies.

If the reader of this message is not the intended recipient, or the employee, or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at the telephone number set forth above. We will be happy to arrange for the return of this message to us via the United States Postal Services at no cost to you.

**Scott, Sandi L.**

---

**From:** Bauske, Shelly A.  
**Sent:** Thursday, February 08, 2001 11:56 AM  
**To:** Geiger, Gloria A.; Scott, Sandi L.  
**Subject:** Money Received.....

Case No. PU-2304-00-269  
Case No. PU-2304-00-270  
Citizens Communications  
\$335.26

**MASLON  
EDELMAN  
BORMAN  
& BRAND**

Limited  
Liability Partnership

MARVIN BORMAN  
NEIL I. SELL  
WILLIAM E. MULLIN  
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JOSEPH ALEXANDER  
GARY J. HAUGEN  
THOMAS H. BORMAN  
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DAVID F. HERR  
R. LAWRENCE PURDY  
JAMES D. O'CONNOR  
RICHARD G. WILSON  
HOWARD B. TARKOW  
WILLIAM M. MOWER, P.A.  
LARRY A. KOCH, P.A.  
VIRGINIA A. BELL  
JUSTIN H. PERL  
COOPER S. ASHLEY  
SALLY STOLEN GROSSMAN  
MARTIN R. ROSENBAUM  
TERRI KRIVOSHA  
MARY R. VASALY  
JOHN W. PROVO  
EDWIN CHANIN  
CLARK T. WHITMORE  
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JONATHAN S. PARRITZ  
KIRK O. KOLBO  
BRIAN J. KLEIN  
JAMES F. KILLIAN  
JAMES F. HANNEMAN  
SHERYL G. MORRISON  
DOUGLAS T. HOLOD  
ANDREW N. JACOBSON  
CYNTHIA F. GILBERTSON  
PENNY R. HEABERLIN  
MICHAEL C. MCCARTHY  
PHILIP J. TILTON  
R. CHRISTOPHER SUR  
SHAWN R. MCINTEE  
MARGARET C. HOBDAV  
HOWARD A. ROSTON  
MARGARET M. KILLIAN  
MARGARET D. LUPKES  
MELISSA M. WELDON  
LAURA E. WALVOORD  
CHRISTOPHER J. MELSHA  
ALAN M. GILBERT  
KAI H. RICHTER  
LISA C. NETZER  
SCOTT L. GOODROAD

OF COUNSEL  
MARTIN G. WEINSTEIN  
MICHAEL L. SNOW  
ROYCE N. SANNER  
SUSAN J. LINK

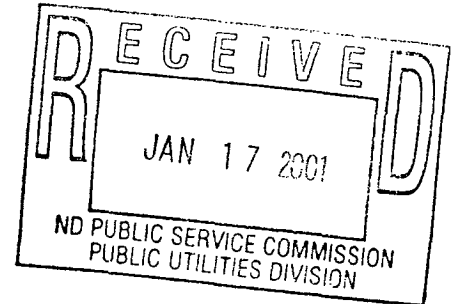
RETIRED  
CHARLES QUAINANCE, JR.  
ROBERT A. ENGELKE

SAMUEL H. MASLON  
1901-1988  
HYMAN EDELMAN  
1905-1993  
RUSSELL F. LEDERMAN  
1960-1999

3300 WELLS FARGO CENTER  
90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MINNESOTA 55402-4140  
(612) 672-8200  
FAX (612) 672-8397  
www.maslon.com

Writer's Direct Dial  
672-8342

January 15, 2001



Patrick Fahn  
**NORTH DAKOTA PUBLIC  
SERVICE COMMISSION**  
State Capitol Building, 12<sup>th</sup> Floor  
Bismark, ND 58505

Re: **PU-2304-00-270**

Dear Pat:

I am following up on our telephone conversation of last week. I have forwarded to Mr. Mielke a copy of the FCC's Memorandum Opinion and Order granting the study area waiver relating to the ETC status of Citizens of North Dakota. A copy of that letter is being sent to you. With regards to the study area for Citizens Telecommunications of Minnesota, no application for a study area waiver was required. Citizens purchased the entirety of GTE's properties in the State of Minnesota and, as a result, there was no change in study area and no waiver was required. Hopefully this will clear up this matter and will permit the Commission to grant ETC status to Citizens Telecommunications of Minnesota, Inc.

Thank you very much for your consideration of this matter. As always, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Charles A. Hoffman

CAH:sel:121550  
enclosure

cc Lance Tade

12 **PU-2304-00-269**

Pages: 1

Letter re FCC's Memo Opinion & Order  
by Citizens Telecommunications Company of Minneso  
01/17/2001 CC: Comm Legal PUD (3)

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Pages: 1

Letter re FCC's Memo Opinion & Order  
by Citizens Telecommunications Company of Minneso  
01/17/2001 CC: Comm Legal PUD (3)

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BORMAN  
& BRAND**

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HYMAN EDELMAN  
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RUSSELL F. LEDERMAN  
1960-1999

Patrick Fahn  
**NORTH DAKOTA PUBLIC  
SERVICE COMMISSION**  
State Capitol Building, 12<sup>th</sup> Floor  
Bismark, ND 58505

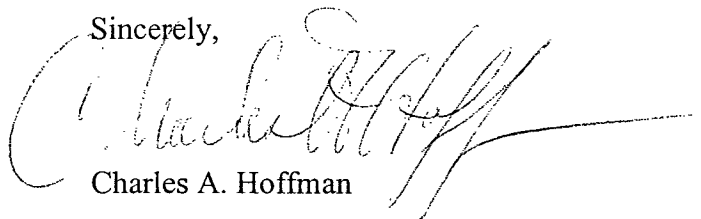
Re: *In the Matter of the Applications of Citizens Telecommunications  
Company of Minnesota, Inc.*  
Case Nos.: *PU-2304-00-269*  
*PU-2304-00-270*

Dear Mr. Fahn:

Sometime ago we discussed the information which you required in order to set the above two matters on for final approval by the North Dakota Commission. Specifically, you asked for the FCC study area number for the Citizens' territory in Minnesota which will provide service to the North Dakota exchange in question. We have now received that number. It is: 367123.

I hope that this information will be sufficient to finalize this matter. If there is other information you need or if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

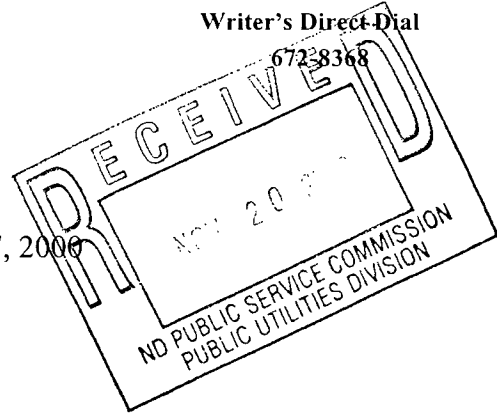


Charles A. Hoffman

CAH:sel:112708

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90 SOUTH SEVENTH STREET  
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(612) 672-8200  
FAX (612) 672-8397  
www.maslon.com

Writer's Direct-Dial



November 17, 2000

11 **PU-2304-00-269**

Pages: 1

Letter re FCC study area number

by Citizens Telecommunications Company of Minneso

11/20/2000

CC: Comm Legal PUD (3)

13 **PU-2304-00-270**

Pages: 1

Letter re FCC study area number

by Citizens Telecommunications Company of Minneso

11/20/2000

CC: Comm Legal PUD (3)

MOTION

December 29, 2000

APPROVED:  
DATE: 12-29-00  
KME

Citizens Telecommunications Company  
of Minnesota, Inc.  
Designated Eligible Carrier  
Application

Case No. PU-2304-00-269

Citizens Telecommunications Company  
of Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity

Case No. PU-2304-00-270

I move the Commission bill Citizens Telecommunications Company of Minnesota, Inc. for costs incurred to date in Case No. PU-2304-00-269, Citizens Telecommunications Company of Minnesota, Inc., Designated Eligible Carrier, Application and Case No. PU-2304-00-270, Citizens Telecommunications Company of Minnesota, Inc., Local Exchange/IntraLATA Toll, Public Convenience & Necessity.



**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

December 29, 2000

Executive Secretary  
Jon H. Mielke

Charles A Hoffman  
Maslon Edelman Borman & Brand  
3300 Norwest Center  
90 S 7th St  
Minneapolis MN 55402-4140

RE: Case No. PU-2304-00-269  
Citizens Telecommunications Company of Minnesota, Inc.  
Designated Eligible Carrier  
Application

Case No. PU-2304-00-270  
Citizens Telecommunications Company of Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity

Enclosed is a copy of the statement approved at the December 29, 2000  
Public Service Commission meeting for the expenses incurred to date in Case  
Nos. PU-2304-00-269 and PU-2304-00-270.

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.

c: Aloa Stevens  
Citizens Communications  
5600 Headquarters Dr  
Plano TX 75024

Lance Tade  
Citizens Communications  
9672 South  
700 E Ste 101  
Sandy UT 84070-3555

Craig A Marks  
Citizens Utilities Company  
2901 N Central Ave Ste 1660  
Phoenix AZ 85012

# Billing Statement

December 29, 2000

Citizens Telecommunications Company  
of Minnesota, Inc.  
Designated Eligible Carrier  
Application

Case No. PU-2304-00-269

Citizens Telecommunications Company  
of Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity

Case No. PU-2304-00-270

## Expenses Incurred to Date:

Advertising Costs \$335.26

## Amount Due:

Citizens Telecommunications Company  
of Minnesota, Inc. \$335.26

## Send Payment To:

Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480

**Federal Tax ID 45-0309764**

## INFORMAL AGENDA

August 16, 2000

PU-2031-00-253	Bear Paw Energy, LLC Transfer Cert. Nos. 53, 63, Permit Nos. 60, 73 Application
PU-2304-00-269	Citizens Telecommunications Company of Minnesota, Inc. Designated Eligible Carrier Application
PU-2304-00-270	Citizens Telecommunications Company of Minnesota, Inc. Local Exchange/IntraLATA Toll Public Convenience and Necessity

### **10 PU-2031-00-253**

Pages: 1

Informal Hearing held

by Public Service Commission

08/16/2000

CC: Comm Legal PUD (3)

### **9 PU-2304-00-269**

Pages: 1

Informal Hearing held

by Public Service Commission

08/16/2000

CC: Comm Legal PUD (3)

### **9 PU-2304-00-270**

Pages: 1

Informal Hearing held

by Public Service Commission

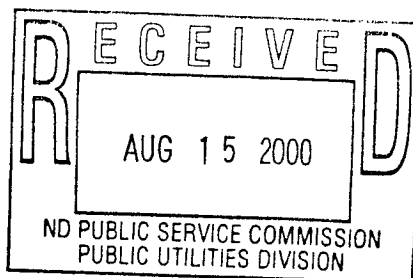
08/16/2000

CC: Comm Legal PUD (3)

**BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

In the Matter of the Application of )  
 )  
CITIZENS TELECOMMUNICATIONS )  
COMPANY OF MINNESOTA )  
 )  
For Designation as an Eligible Local )  
Exchange Provider in North Dakota )  
Telecommunications Carrier (ETC) )

Case No. PU-2304-00-269



**AFFIDAVIT OF SCOTT BOHLER**

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF HENNEPIN )

SCOTT BOHLER, being duly sworn, deposes and says:

1. I am employed by Citizens Communications Company ("Citizens"). Citizens is the parent corporation of Citizens Telecommunications of Minnesota, Inc. ("Citizens Minnesota"). My title is Manager, State Government Affairs and my address is 2378 Wilshire Boulevard, Mound, Minnesota 55364.

2. In my role as Manager, State Government Affairs, I am responsible for management and implementation of regulatory and government affairs issues for Citizens local exchange telecommunications operations in the State of Minnesota. Among my responsibilities are implementation and oversight of regulatory policies and activities, including application for certificates of public convenience and necessity, interconnection agreements and state regulatory and legislative proceedings and relations.

3. I am making this Affidavit in support of Citizens Telecommunications of Minnesota, Inc. request to be designated as an Eligible Telecommunications Carrier in its service territory in North Dakota.

4. Citizens Minnesota will fully comply with each of the requirements and responsibilities associated with that designation, as stated in Part 54 of the Federal Communications Commission's rules.

5. Within its service territories in Minnesota, Citizens Minnesota, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier), will offer the services that are supported by federal universal service support mechanisms under Subpart B of Part 54 and Section 254(c) of the Act, which include:

- a. voice grade access to the public switched network.
- b. local usage.
- c. dual tone multi-frequency signaling or its functional equivalent.
- d. single-party service or its functional equivalent.
- e. access to emergency services.
- f. access to operator services.
- g. access to interexchange services.
- h. access to directory assistance.
- i. toll limitation for qualifying low-income consumers.

6. In addition, Citizens will advertise the availability of such services and the charges therefore using media of general distribution.

FURTHER AFFIANT SAYETH NOT.

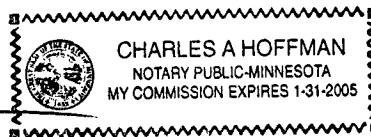
*Scott Bohler*

\_\_\_\_\_  
Scott Bohler

Subscribed and sworn to before me

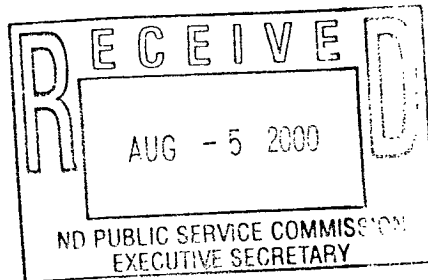
this 15<sup>th</sup> day of August, 2000.

*Charles A Hoffman*  
\_\_\_\_\_  
Notary Public



# Affidavit of Publication

State of North Dakota )  
County of Burleigh )



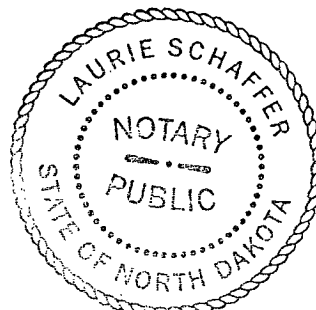
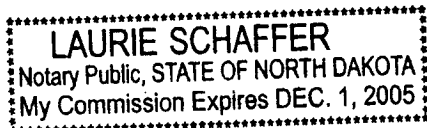
Laurie Thiel, being duly sworn, state as follows:

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:  
Citizens Telecomm., 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: [Signature]

Subscribed and sworn to before me this 18<sup>th</sup> day of July A.D. 2000

[Signature]



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application**

**Case No. PU-2304-00-269**

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity**

**Case No. PU-2304-00-270**

**AFFIDAVIT OF SERVICE BY CERTIFIED 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 **21st day of June, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Notice of Opportunity for Hearing**

The envelope was addressed as follows:

Charles A Hoffman  
Maslon Edelman Borman & Brand  
3300 Norwest Ctr 90 S 7<sup>th</sup> St  
Minneapolis MN 55402-4140  
**Cert. No. 7099 3220 0002 8476 7770**

**Sharon Helbling** further deposes and says that on the **21st day of June, 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.

Aloa Stevens  
Government Affairs-West  
Citizens Communications  
5600 Headquarters Dr  
Plano TX 75024

Lance Tade  
Citizens Communications  
9672 S 700 E Ste 101  
Sandy UT 84070-3555

Craig A Marks  
Citizens Utilities Company  
2901 N Central Ave Ste 1660  
Phoenix AZ 85012

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

Subscribed and sworn to before me  
this **21st day of June, 2000**.

*Sharon Welking*

*Sandra L Scott*

Notary Public

SEAL



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application

Case No. PU-2304-00-269

Citizens Telecommunications Company of  
Minnesota, Inc.  
Local Exchange  
Public Convenience & Necessity

Case No. PU-2304-00-270

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 **21st day of June, 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 for Hearing**

The envelopes were addressed as follows:

**See Attached List**

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

*Sharon Helbling*

Subscribed and sworn to before me  
this **21st day of June, 2000**

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

*Sandra L. Scott*

Notary Public

SEAL

5 **PU-2304-00-269**

Pages: 13

06/21/2000

Public Service Commission

Affidavit of Service by Ordinary Mail or E-Mail

CC: Comm Legal PUD (3)

**PU-2304-00-269**

Copies To:

State Library (8 copies)

Historical Society

Associated Press

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BEK Communications Cooperative  
PO Box 230  
Steele ND 58482-0230

ken@staff.ctctel.com  
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Consolidated Comm Networks Inc  
PO Box 1077  
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L Dan Wilhelmson  
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Lee's Summit MO 64081

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11437 Valley View Rd  
Eden Prairie MN 55344

Leeann Brunnette  
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Des Moines IA 50309

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Long Beach CA 90806

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Vienna VA 22182

Scott Geston  
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Choctaw Communications Inc  
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Lenexa KS 66215-5210

Comcast Telecommunications  
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Houston TX 77056

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Carrington ND 58421-0299

Dickey Rural Communications Inc  
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Duluth GA 30096

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DSLnet Communications LLC  
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Excel Communications Inc  
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Dallas TX 75265

Framco Inc  
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Craig Brewerton  
Geo Economics  
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Missoula MT 59806-4272

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Ft Lauderdale FL 33309

IdeaOne Telecom Group LLC  
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Fargo ND 58104

Sue Weiske  
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Law Offices of Thomas K Crowe PC  
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New York NY 10022

Level 3 Communications LLC  
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Omaha NE 68131

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Marilyn Foss  
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Denver CO 80202

MCImetro Access Transmission Services  
1801 Pennsylvania Ave NW  
Washington DC 20006

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

Gordon Wilhelmi  
Midstate Communications Inc  
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Stanley ND 58784-0400

Mark Wilhelmi  
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Minnesota Independent Equal Access  
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Dave Crothers  
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Scobey MT 59263

Sharon Meinhart  
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Net-tel Corporation  
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Washington DC 20007

Nextel West Corp  
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Reston VA 20191-3436

Holly Sasscer  
Operator Communications Inc  
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Dallas TX 75234-7910

Pamcomm  
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Sioux Falls SD 57117-5200

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McLean VA 22102

Quintelco Inc  
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Dean Polkow  
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Robert Barfield  
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Hazen ND 58545-0467

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Blue Bell PA 19422

Tele-Tech Inc  
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Sioux Falls SD 57104-3660

T-Netix Inc  
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Hazen ND 58545-0467

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

Western CLEC Corporation  
3650 131st Ave SE #400  
Bellevue WA 98006

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

**Helbling, Sharon D.**

---

**From:** Helbling, Sharon D.  
**Sent:** Wednesday, June 21, 2000 8:39 AM  
**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. Would you also run them as "News Item Only" articles.

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 701-328-4076.

Thank you.

**Sharon Helbling**  
**Public Utilities Division**

1.doc

1.doc

**4** **PU-2304-00-269**

Pages: 1

06/21/2000

Public Service Commission

Notice E-Mailed to NDNA requesting

publication

CC: Comm Legal PUD (3)

**MOTION**

**June 20, 2000**

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application**

**Case No. PU-2304-00-269**

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity**

**Case No. PU-2304-00-270**

I move the Commission issue a Notice of Opportunity for Hearing in the applications of Citizens Telecommunications Company of Minnesota, Inc. for Designated Eligible Carrier status, Case No. PU-1204-00-269 and for Certificates of Public Convenience and Necessity to provide telecommunications services in North Dakota, Case No. PU-2304-00-270.

JRL/sdh

000269-2.doc

**APPROVED:**  
DATE: 6-20-00  
cm

**3 PU-2304-00-269**  
06/20/2000  
Public Service Commission  
Motion

Pages: 1

CC: Comm Legal PUD (3)

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

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Designated Eligible Carrier  
Application**

**Case No. PU-2304-00-269**

**Citizens Telecommunications Company of  
Minnesota, Inc.  
Local Exchange/IntraLATA Toll  
Public Convenience & Necessity**

**Case No. PU-2304-00-270**

**NOTICE OF OPPORTUNITY FOR HEARING**

**June 20, 2000**

On June 2, 2000, Citizens Telecommunications Company of Minnesota, Inc. (Citizens of MN) filed an application for a certificate of public convenience and necessity to provide facilities-based local exchange telecommunications services as well as facilities based intraLATA toll service for North Dakota customers served out of the Oslo exchange in Minnesota. Citizens of MN is purchasing the Oslo exchange from GTE Service Corporation. Citizens of MN also requests designation as an Eligible Telecommunications Carrier (ETC) for this area.

The issues to be considered in these matters are:

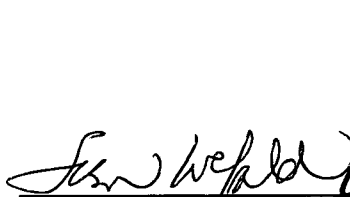
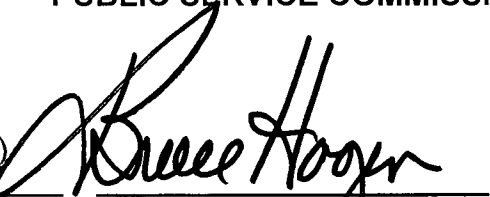

1. Fitness and ability of the applicant to provide service.
2. Adequacy of the proposed service.
3. The technical, financial and managerial ability of the applicant to provide service.
4. Qualification under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.
5. Designated ETC universal service support area.

Those interested are invited to comment on these applications in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for

hearings must be received by **July 24, 2000**. If deemed appropriate, the Commission can determine these matters without hearings.

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.

**PUBLIC SERVICE COMMISSION**

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

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1901-1988  
HYMAN EDELMAN  
1905-1993

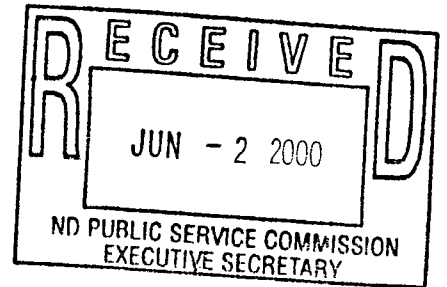
3300 NORWEST CENTER  
90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MINNESOTA 55402-4140  
(612) 672-8200  
FAX (612) 672-8397

Writer's Direct Dial  
672-8368

May 25, 2000

**BY FEDERAL EXPRESS**

John Mielke  
Secretary  
North Dakota Public Service Commission  
State Capitol Building, 12<sup>th</sup> Floor  
Bismark, ND 58505



Re: Citizens Telecommunications Company of Minnesota  
Revised Application for a Certificate of Public Convenience and  
Necessity to Provide Local Telecommunication Services

Dear Mr. Mielke:

Enclosed for filing on behalf of Citizens Telecommunications Company of Minnesota ("Citizens Minnesota") are an original and eight copies of its Revised Application for a Certificate of Public Convenience and Necessity to Provide Local Telecommunication Services in the state of North Dakota. As this is a revised Application, I would request that you substitute this document for the existing Application on file with your office. I have not provided additional copies of the Exhibits filed with the original Application. However, I am providing appropriate copies of the additional Exhibits which are filed with this document. Please date stamp one copy and return it to the undersigned in the enclosed envelope provided.

If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles A. Hoffman".

Charles A. Hoffman  
Counsel for Citizens Telecommunications  
Company of Minnesota

CAH/se:85228  
enclosures

1 **PU-2304-00-269** Pages: 20  
06/02/2000  
Citizens Telecommunications Company of Minn  
Designated Eligible Carrier application

CC: Comm Legal PUD (3)

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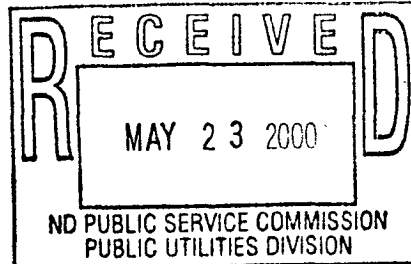
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3300 NORWEST CENTER  
90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MINNESOTA 55402-4140  
(612) 672-8200  
FAX (612) 672-8397

May 23, 2000



**Via Facsimile and U.S. Mail**  
Sharon Helbling  
Public Service Commission  
600 E. Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480

Dear Ms. Helbling:

I am writing in response to your letter dated May 9, 2000. Citizens Telecommunications Company of Minnesota does wish to proceed with its Application for Authority to provide local telecommunications services in North Dakota. However, Citizens Minnesota has determined that it does not need and will not seek authority to act as an interexchange reseller. Accordingly, I do not believe that it will be necessary to provide those forms.

I do not yet have the original Certificate of Good Standing and Application for Certificate of Authority, but will provide them to you at the earliest opportunity.

Thank you very much for your kind attention to this matter and my apologies for not responding more promptly to your letter dated February 14, 2000.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles A. Hoffman".

Charles A. Hoffman

CAH/sed  
CC: Pat Fahn

84587vi



**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

Executive Secretary  
Jon H. Mielke

May 9, 2000

Charles A Hoffman  
Maslon Edelman Borman & Brand  
3300 Norwest Ctr 90 S 7<sup>th</sup> ST  
Minneapolis MN 55402-4140

Dear Mr. Hoffman:

On February 14, 2000 we received an application for Citizens Telecommunications Company of Minnesota for authority to provide telecommunications services in North Dakota. On February 14<sup>th</sup> I wrote you a letter (copy attached), requesting more information before we could process the applications.

Since we have heard nothing from you since that time, I am writing to find out the status of your request. Does Citizens still want to pursue certification in North Dakota, or is it going to abandon the project?

We would appreciate a response from you as soon as possible.

Thank you.

Sincerely,

Sharon Helbling  
Public Utilities Division

Sdh

Enclosure



Public Service Commission  
State of North Dakota

COMMISSIONERS

Bruce Hagen  
President  
Susan E. Wefald  
Leo M. Reinbold

February 14, 2000

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

Executive Secretary  
Jon H. Mielke

Charles A Hoffman  
Maslon Edelman Borman & Brand  
3300 Norwest Ctr 90 S 7<sup>th</sup> St  
Minneapolis MN 55402-4140

Dear Mr. Hoffman:

We received your application for Citizens Telecommunications Company of Minnesota for authority to provide telecommunications services in North Dakota.

In your application you are seeking reseller authority as well. The Public Convenience and Necessity authority and reseller authority are two separate issues and they are handled separately. Therefore I am enclosing an Application for Certificate of Registration form which you need to complete for reseller authority. I have also enclosed the rules for resellers, a bond form, an example of an Escrow Agreement, and the policy on bonds for CLECs.

We also need an original Certificate of Good Standing, and copies of the Application for Certificate of Authority, and any other related corporate papers filed in North Dakota. You can obtain those documents from the North Dakota Secretary of State's office at 701-328-2900.

The above requirements must be met before we can process these applications. IF you have any questions, please call me at 701-328-4076. Thank you.

Sincerely,

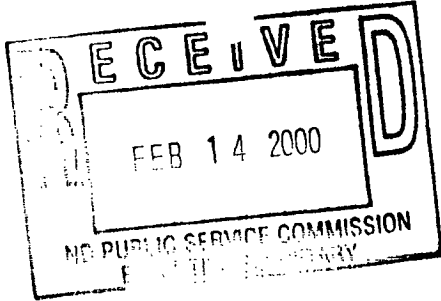
A handwritten signature in black ink that reads "Sharon Helbling".

Sharon Helbling  
Public Utilities Division

Sdh

Enclosures

**MASLON  
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& BRAND**



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CHARLES QUAINANCE, JR.  
ROBERT A. ENGELKE

SAMUEL H. MASLON  
1901-1988  
HYMAN EDELMAN  
1905-1993

February 11, 2000

99-1423

John Mielke  
Secretary  
North Dakota Public Service Commission  
State Capitol Building, 12<sup>th</sup> Floor  
Bismark, ND 58505

Re: Citizens Telecommunications Company of Minnesota  
Application for a Certificate of Public Convenience and  
Necessity to Provide Local Telecommunication Services

Dear Mr. Mielke:

Enclosed for filing on behalf of Citizens Telecommunications Company of Minnesota ("Citizens Minnesota") are an original and eight copies of its Application for a Certificate of Public Convenience and Necessity to Provide Local Telecommunication Services in the state of North Dakota. Please date stamp one copy and return it to the undersigned in the enclosed envelope provided.

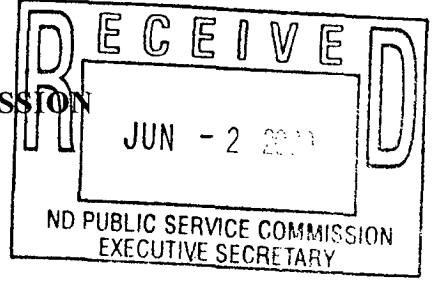
If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

Charles A. Hoffman  
Counsel for Citizens Telecommunications  
Company of North Dakota

CAH/sel  
Enclosures  
68063

**BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**



In the Matter of the Application of )  
)  
CITIZENS TELECOMMUNICATIONS )  
COMPANY OF MINNESOTA )  
)  
For Authority to Operate as an )  
Incumbent Local Exchange )  
Provider in North Dakota )

Case No. \_\_\_\_\_

**REVISED APPLICATION OF CITIZENS TELECOMMUNICATION COMPANY OF  
MINNESOTA**

Citizens Telecommunications Company of Minnesota ("Citizens Minnesota"), by its undersigned counsel, hereby requests, pursuant to N.D.C.C. Chapter 49-03.1, that the North Dakota Public Service Commission (the "Commission") grant it a Certificate of Public Convenience and Necessity. This request is a result of Citizens Utilities Company's recent agreement to purchase certain exchanges owned and operated by Contel of Minnesota, Inc. d/b/a GTE Minnesota ("GTE"). Some customers served by these exchanges reside in North Dakota.

**I. DISCUSSION**

On May 27, 1999, Citizens Utilities Company ("Citizens") and GTE entered into an agreement for the purchase and sale of telephone exchanges whereby Citizens agreed to purchase all of GTE's exchanges in the State of Minnesota (the "Agreement"). The entity providing service in Minnesota will be Citizens Minnesota. One of the GTE exchanges in Minnesota (Oslo) provides service to certain customers in North Dakota. Because Citizens Minnesota does not presently provide telephone service within the state of North Dakota, and consequently has not been granted a Certificate of Public Convenience and Necessity by this Commission, it is necessary for Citizens

Minnesota to obtain such a Certificate.<sup>1</sup> This Application presents the information the Commission requires to determine that Citizens Minnesota meets the statutory requirements of N.D.C.C. § 49-03.1-04.<sup>2</sup>

**A. DESCRIPTION OF APPLICANT.**

Citizens Minnesota is a wholly owned subsidiary of Citizens, a diversified public utility that, through its various operating divisions or subsidiaries, currently provides telecommunications, electric, gas, water and wastewater services to approximately 1.9 million customers in 22 states. A certified copy of Citizens' Certificate of Incorporation is attached as Exhibit 1. Citizens provides these services through divisions and subsidiaries divided into two business sectors: (1) the Public Services Sector, which includes electric, gas, water and wastewater services,<sup>3</sup> and (2) the Communications Sector, which provides both regulated and competitive communication services to residential, business, and wholesale customers. Through subsidiaries, Citizens currently operates as an incumbent local exchange carrier ("ILEC") in thirteen states and provides local, intra-Lata and long-distance services to approximately one million access lines.<sup>4</sup> Citizens also owns 83% of Electric Lightwave, Inc., a leading full-service, facilities-based, competitive local exchange carrier.

---

<sup>1</sup>Citizens Minnesota is uncertain whether GTE has a Certificate from North Dakota. If it does, Citizens Minnesota seeks a transfer of that Certificate. If it does not, Citizens Minnesota requests that a new Certificate be issued.

<sup>2</sup>N.D.C.C. § 49-03.1-04 requires the Commission to consider (1) the need for the service; (2) the fitness and ability of the applicant to provide service; (3) the effect on other public utilities providing similar service; (4) the adequacy of the proposed service; and (5) the technical, financial, and managerial ability of the applicant to provide service.

<sup>3</sup>As this Commission knows, Citizens has already agreed to sell its water utilities and is in the process of seeking buyers for its other non-communications properties.

<sup>4</sup> Citizens currently owns local exchange subsidiaries in Arizona, California, Idaho, Montana, Nevada, New Mexico, New York, Oregon, Pennsylvania, Tennessee, Utah, West Virginia and Wisconsin.

Citizens' business strategy is to focus on and expand the Communications Sector's operations. As part of that strategy, Citizens and GTE (or its affiliates) entered into a series of agreements on May 27, 1999, under which Citizens will purchase all of GTE's properties in Minnesota (approximately 117 exchanges, serving approximately 130,000 customers), and additional properties in Arizona and California. Exhibit 2 contains a certified copy of Citizens' Board of Directors' Resolutions approving the acquisitions from GTE. Citizens expects to temporarily fund these transactions with either cash and investment balances, or bank credit facilities. Permanent funding will come from the sale or other disposition of Citizens' gas, electric and water properties. Citizens does not presently expect any need to issue any long term securities as a result of these purchases.

In 1998, Citizens had annual operating revenues of \$1.542 billion. It has a strong income statement and balance sheet, with long-term debt rated A+ by Standard & Poor's Corporation and A2 by Moody's Investors Service. More detailed information about Citizens financial strength and stability may be found in the attached most recent Annual Report and SEC Forms 10K and 10Q (Exhibits 5 and 6).

**B. SERVICE ADDRESSES**

Notices and other pleadings in connection with this Application should be served on Citizens and its counsel as follows:

For Citizens Minnesota

Aloa Stevens  
Government Affairs-West  
Citizens Communications  
5600 Headquarters Drive  
Plano, Texas 75024

Lance Tade  
Citizens Communications  
9672 South  
700 East Suite 101  
Sandy, UT 84070-3555

Craig A. Marks  
Citizens Utilities Company  
2901 North Central Avenue, Suite 1660  
Phoenix, Arizona 85012

Charles A. Hoffman  
Maslon Edelman Borman & Brand LLP  
3300 Norwest Tower  
90 South Seventh Street  
Minneapolis, MN 55402

## **II. REASONS FOR THE TRANSACTION**

Citizens is engaging in this transaction because, over the long-term, it believes that the transaction will allow it to better achieve its goals in the increasingly competitive telecommunications environment. The changing nature of the telecommunications industry within the United States makes it desirable for Citizens to focus upon its area of greatest strength. Citizens has decided to focus primarily on its communications businesses. Citizens has determined that it must increase the size of its telecommunications operations to compete with alternate providers currently in and soon to enter the marketplace. Its ultimate goal is to grow its local exchange business to three million access lines over the next several years. Citizens has entered into transactions with GTE and U S WEST as part of its strategy to acquire and operate telecommunications businesses in small and medium-size cities and towns that are experiencing above-average economic and population growth. The properties Citizens will acquire from GTE complement many of Citizens' existing operations. As Citizens' CEO Leonard Tow has stated:

"Providing small and medium-size cities and towns in America with the most advanced technology, products and services is the key to superior growth in the telecommunications business for Citizens in the new millennium."

### **III. PUBLIC CONVENIENCE AND NECESSITY**

#### **A. QUALIFICATIONS OF APPLICANT.**

A necessary condition of Citizens Minnesota acquiring and operating the GTE property is this Commission's granting Citizens Minnesota a Certificate of Public Convenience and Necessity relative to those North Dakota customers served out of the Oslo, Minnesota exchange. Citizens respectfully requests the following actions by the Commission.

1. Granting Citizens Minnesota a Certificate of Convenience and Public Necessity to provide essential and non-essential local services as well as facilities based intraLATA toll service in North Dakota for the customers served out of the Oslo exchange in Minnesota.
2. Granting Citizens Minnesota Eligible Telecommunications Carrier ("ETC") status for this territory.
3. Indicating to the FCC the Commission's approval (or non-opposition) to a waiver/modification of the Part 36 study area for North Dakota to reflect this transaction.

Citizens and its subsidiary, Citizens Minnesota, clearly meet all technical, managerial, financial and legal qualifications required of applicants for a Certificate of Convenience and Necessity. Citizens Minnesota will draw heavily on the management resources of Citizens' Communications Sector for planning, marketing, network, service development, provisioning and delivery and legal/regulatory assistance. The above description of Citizens establishes that its subsidiaries have broad experience in providing local exchange telecommunications services across the United States. Furthermore,

Citizens' subsidiaries have received authority to provide local exchange services in 13 states, and have fully met the licensing requirements of each of those states.

Descriptions of the backgrounds of Citizens' management, which demonstrate the extensive telecommunications experience and expertise of Citizens Minnesota management team, are contained in Citizens' Annual Report and its annual report to the Securities and Exchange Commission on Form 10K for the year ending December 31, 1998. Copies of those documents are attached hereto as Exhibit 6. Also attached as Exhibit 7 is an organizational chart of Citizens and its various subsidiaries. Attached as Exhibits 8, 9 and 10 are, respectively, Citizens' Certificate of Authority, Certificate of Good Standing (original) and Certificate of Trade Name Registration.

**B. SERVICES TO BE PROVIDED AND THEIR ADEQUACY**

Citizens and GTE are working together to ensure that the transfer of assets from GTE to Citizens Minnesota will be seamless and transparent to all customers, including those in North Dakota. Citizens currently expects that the Citizens-GTE transaction will be approved by the Minnesota Commission in early July, 2000.<sup>2</sup> Citizens Minnesota believes that the services it proposes to provide in the acquired exchanges will not only provide adequate service to its consumers, but will in the long run provide advanced service as Citizens Minnesota implements its business plan. Among the benefits of the services Citizens Minnesota will provide are:

1. High Quality Services: Citizens Minnesota is committed to operating a high quality network for its customers. Citizens has a strong history of investing to meet the needs of its customers. Since 1993, Citizens has acquired more than 657,000 access lines from other local phone companies. Citizens' subsidiaries currently operate all-digital, local exchange properties in 13 states:

---

<sup>2</sup>A copy of the Minnesota Commission's Order approving the transaction will be provided when it becomes available.

Arizona, California, Idaho, Montana, Nevada, New Mexico, New York Oregon, Pennsylvania, Tennessee, Utah, West Virginia and Wisconsin. Citizens stands ready to invest capital in its rural and suburban properties to upgrade existing technology. While exact details are still being developed, Citizens Minnesota has informed the Minnesota Commission that it expects to invest in excess of \$24 million over the next three years in the acquired exchanges.

2. Long Distance and Other Services: Citizens intends to provide a full range of services to its North Dakota communications customers. Services will include local and long-distance offerings, and may expand to include other advanced services. Citizens Communications currently contracts with AT&T to provide the nationwide network for its long-distance products, which include fax/data communications, 800/888 service, international calling, calling cards and direct dial.

3. Competitive Rates as a Result of Cost Savings: Initially, Citizens Minnesota will adopt GTE's existing tariff rates.

4. Corporate Citizenship: Citizens provides benefits to its employees consistent with those provided by leading U.S. companies, and supports its local communities. Citizens has always strived to be a valued corporate citizen in the communities it serves and will continue that tradition.

5. Customer Relations: Citizens values its customers and is committed to providing top quality customer relations. Citizens Communications currently expects to expand its Johnstown, New York and Sherburne, New York call centers to handle new service and repair calls originating in the Minnesota exchange. This service change should be transparent to customers.

Citizens Minnesota will work with the Commission staff to develop a customer education outreach to ensure a smooth transition from GTE to Citizens Minnesota. This will include

newspaper advertising and bill inserts as appropriate. Through this outreach effort, customers will be informed of new service and repair numbers and other important information needed as a result of the transition.

6. No Material Impact on Employment: The transaction is not expected to have a material impact on employment levels in North Dakota.

7. Continued Regulatory Compliance: Citizens Minnesota will abide by all applicable statutes and rules of this Commission.

**C. NEED FOR THE SERVICE.**

As noted above, Citizens Minnesota intends to provide high quality services to the customers served out of the Oslo Minnesota exchange, and to ensure a seamless transition from GTE to Citizens Minnesota for these customers.

**D. EFFECT ON OTHER UTILITIES.**

Citizens Minnesota anticipates that there will be little, if any, impact on other utilities since it is purchasing existing exchanges. Citizens Minnesota expects to be an active participant in the newly competitive local exchange market.

**IV. DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIER**

Citizens has requested that this Commission certify it as an Eligible Telecommunications Carrier (ETC) for this territory. The basic requirement for eligibility as an ETC requires that Citizens (1) offer the services that are supported by federal universal service support mechanisms and offer the services designated by the FCC for such federal support mechanisms for schools,

libraries and health care providers; and (2) advertise the availability of such services and the charges therefore using media of general distribution.

In all states where Citizens currently operates as a local exchange carrier (LEC) and in the North Dakota/Minnesota exchange at issue in this Application, Citizens does (or will) offer the telecommunication services which are supported by federal universal service support mechanisms, including (but not limited to) voice grade access to the public switch network, local usage, dual tone multi-frequency signally or its functional equivalent, single party service or its functional equivalent, access to emergency services, access to operator services, access to interexchange service, access to directory assistance, and toll limitation for qualifying low income consumers. Each of these services will be offered in the affected exchange in a manner adequate to meet the requirements of all applicable FCC orders. In addition, for schools and libraries, and for health care providers, Citizens will provide the services supported by universal service support mechanisms. Citizens will advertise the availability of all universal services and the charges therefor using media of general distribution. Citizens will adhere to applicable FCC and state commission requirements for such advertising.

In sum, Citizens believes that it has in all states where it operates, and will in the affected exchange, meet all of the state and federal requirements for designation as an ETC provider.

## **EXHIBITS**

In further support of this application, the Applicant submits the following exhibits:

### **ACQUISITION & CORPORATE**

#### **Exhibit**

1. Articles/Certificate of Incorporation certified by Secretary of State of Delaware (Citizens Utilities Company).
2. Resolutions of Board of Directors of Citizens Utilities Company Approving Purchase of Assets certified by Corporate Secretary
3. Certificate of Incorporation (Citizens Telecommunications Company of Minnesota).
4. Application for Certificate of Authority to do Business.

### **FINANCIAL**

5. 1998 Annual Report and 10K
6. 1999 2Q 10Q

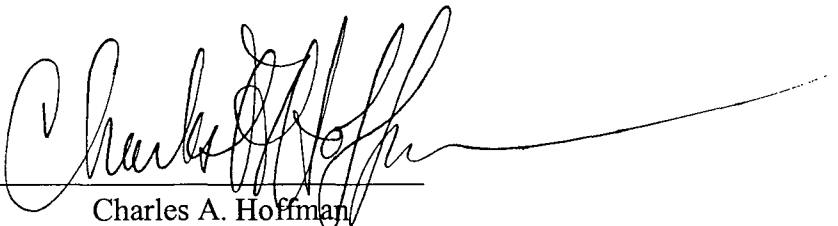
### **MISCELLANEOUS**

7. Citizens Utilities Company
8. Citizens' Certificate of Authority
9. Certificate of Good Standing (original)
10. Certificate of Trade Name Registration

WHEREFORE, Citizens Telecommunications Company of Minnesota respectfully request that the Commission grant it a Certificate of Public Convenience and Necessity as outlined herein, and allow such further relief as is necessary, including the granting of ETC status to Citizens Minnesota for the affected exchange and indicating in its Order that it does not object to the FCC's granting of study area waivers for the affected exchanges or to the reconfiguration of study area boundaries as a result of the transfer of these exchanges to Citizens.

Respectfully submitted,

Dated: May 25, 2000

By:   
Charles A. Hoffman

**MASLON EDELMAN BORMAN & BRAND  
LLP**

3300 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402-4140  
(612) 672-8368 - Telephone  
(612) 672-8397 - Facsimile

**ATTORNEYS FOR  
CITIZENS UTILITIES COMPANY**

VERIFICATION

I, Craig A. Marks, declare under penalty of perjury that I am Associate General Counsel of Citizens Utilities Company and its subsidiary Citizens Telecommunications Company of North Dakota, the applicant in this proceeding; that I have read the foregoing application and exhibits; and that the same are true and correct to the best of my knowledge, information, or belief.

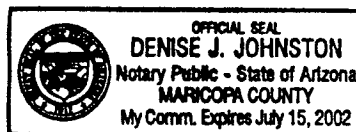
I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of ~~May~~<sup>June</sup>, 2000.

Craig A. Marks  
Craig A. Marks  
Associate General Counsel

Sworn and subscribed to before me  
this 1 day of ~~May~~<sup>June</sup>, 2000.

Denise J. Johnston  
Notary Public

My Commission Expires: \_\_\_\_\_



# State of North Dakota

## SECRETARY OF STATE



### CERTIFICATE OF AUTHORITY

OF

CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that an application of  
CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.  
for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the North Dakota Century Code, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Authority to  
CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.  
to transact business in this State under the name of  
CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.

Issued: May 12, 2000

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger  
Secretary of State

EXHIBIT 8

# *State of North Dakota*

## SECRETARY OF STATE



### CERTIFICATE OF GOOD STANDING

OF

CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA, INC. , a Delaware corporation, authorized to transact business in the State of North Dakota on May 12, 2000, and according to the records of this office as of this date, has paid all fees due this office as required by North Dakota statutes governing foreign corporations.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Good Standing to

CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA,  
INC.

Issued: May 24, 2000

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger  
Secretary of State

EXHIBIT 9

# State of North Dakota

## SECRETARY OF STATE



### CERTIFICATE OF TRADE NAME REGISTRATION OF

CITIZENS COMMUNICATIONS COMPANY OF MINNESOTA

The undersigned, as Secretary of State of North Dakota, hereby certifies that an Application for Registration of a Trade Name, duly signed pursuant to the provisions of the North Dakota Trade Names statutes, has been received in this office and is found to conform to law.

Accordingly the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues the Certificate of Trade Name Registration of CITIZENS COMMUNICATIONS COMPANY OF MINNESOTA which is owned by CITIZENS TELECOMMUNICATIONS COMPANY OF MINNESOTA, INC. with an address of THREE HIGH RIDGE PARK, STAMFORD, CT 06905-1328.

The Trade Name Registration shall remain in force until May 12, 2005.

DATED: May 12, 2000

Alvin A. Jaeger  
Secretary of State

EXHIBIT 10

