



DIVIDER

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

PU-418-00-555

**BEK Communications Cooperative
Designated Eligible Carrier**

Application

Filed 10/25/2000

Closed 12/21/2000

00

Scott, Sandi L.

From: Bauske, Shelly A.
Sent: Monday, March 05, 2001 5:03 PM
To: Scott, Sandi L.
Subject: Money Received....

Case No. PU-418-00-555
Case No. PU-418-00-556
BEK Communications
\$544.67

Case No. PU-2445-00-624
New Access Communication
\$43.65

Case No. PU-2423-00-565
SRT Communications
\$62.21

Case No. PU-2425-00-582
Polar Telecommunications
\$45.87

Case No. PU-2426-00-583
Polar Communications
\$45.87

21 **PU-418-00-555**

Pages: 0

\$544.67 received

by BEK Communications Cooperative

03/06/2001

CC: Comm Legal PUD (3)

APPROVED

DATE: 2-21-01
KMF

MOTION

February 21, 2001

BEK Communications Cooperative
Designated Eligible Carrier
Application

Case No. PU-418-00-555

BEK Communications Cooperative
Local Exchange
Public Convenience & Necessity

Case No. PU-418-00-556

I move the Commission bill BEK Communications Cooperative for costs incurred to date in Case No. PU-418-00-555, BEK Communications Cooperative, Designated Eligible Carrier, Application and Case No. PU-418-00-556, BEK Communications Cooperative, Local Exchange, Public Convenience & Necessity.

20

PU-418-00-555

Pages: 3

Utility Valuation Motion/Letter/Billing
Statement
by Public Service Commission

02/21/2001

CC: Comm Legal PUD (3)



Public Service Commission
State of North Dakota

COMMISSIONERS

Bruce Hagen
President
Susan E. Wefald
Leo M. Reinbold

February 21, 2001

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

Executive Secretary
Jon H. Mielke

Michael Bosh
Pringle & Herigstad
PO Box 1000
Minot ND 58702-1000

RE: Case No. PU-418-00-555
BEK Communications Cooperative
Designated Eligible Carrier
Application

Case No. PU-418-00-556
BEK Communications Cooperative
Local Exchange
Public Convenience & Necessity

Enclosed is a copy of the statement approved at the February 21, 2001 Public Service Commission meeting for the expenses incurred to date in Case Nos. PU-418-00-555 and PU-418-00-556.

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: Jerome Tishmack
BEK Communications Cooperative
PO Box 230
Steele ND 58482-0230

Billing Statement

February 21, 2001

BEK Communications Cooperative
Designated Eligible Carrier
Application

Case No. PU-418-00-555

BEK Communications Cooperative
Local Exchange
Public Convenience & Necessity

Case No. PU-418-00-556

Expenses Incurred to Date:

Advertising Costs	\$544.67
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Amount Due:

BEK Communications Cooperative	\$544.67
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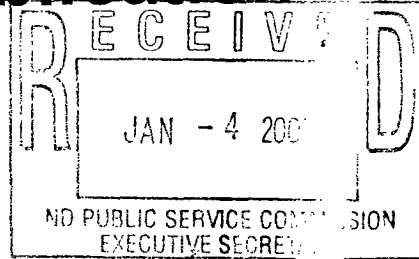
Send Payment To:

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

Federal Tax ID 45-0309764

Affidavit of Publication

State of North Dakota)
County of Burleigh)



Laurie Thiel

, being duly sworn, state as follows:

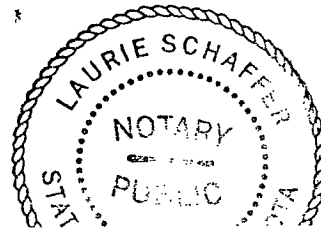
1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:
BEIC Communications, 1 time(s)
as required by law or ordinance.
3. All of the 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 14th day of December A.D. 2000

Laurie Schaffer

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



19

PU-418-00-555

Pages: 11

Affidavit of Publication

by North Dakota Advertising Service, Inc.

01/04/2001

CC: Comm Legal PUD (3)

21

PU-418-00-556

Pages: 11

Affidavit of Publication

by North Dakota Advertising Service, Inc.

01/04/2001

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

12 September 2000

Executive Secretary
Jon H. Mielke

Jerry Renner
P.O. Box 229
Steele, ND 58482

PU-418-00555
PU-418-00556

Re: BEK Communications Cooperative

Dear Mr. Renner:

Thank you for your letter of 6 September 2000 regarding the requirements for obtaining a certificate of public convenience and necessity and for designation as an eligible carrier.

The Public Service Commission does not have a specific form or requirements for an application for a certificate of public convenience and necessity or for an application for designation as an eligible carrier. Generally, an application for a certificate must address the statutory issues identified in N.C.C.C. chapter 49-03.1 and, under our procedural rules (N.D. Admin. Code article 69-02), it must be verified and include appropriate financial information. An application for designation as an eligible carrier must address the federal requirements for designation.

We currently have proposed some rule changes to eliminate the verification requirement and revise the financial filings, as well as to identify the criteria for eligible carrier designation. However, these rules have not yet been promulgated so the changes will not apply to an application made before they are promulgated and effective.

I have enclosed for your review a copy of an application for a certificate, and designation as an eligible carrier. I have chosen as an example one from a previous cooperative/subsidiary merger. However, as you well know, the "merger" issue is no longer relevant, only the PCN and Eligible Carrier issues. Please call if you have questions or need additional information.

Best regards,

Illona A. Jeffcoat-Sacco
Director, Public Utilities Division

18 PU-418-00-555

Pages: 1

Response to Jerry Renner re
requirements
by Public Service Commission

09/12/2000

CC: Comm Legal PUD (3)

20 PU-418-00-556

Pages: 1

Response to Jerry Renner re
requirements
by Public Service Commission

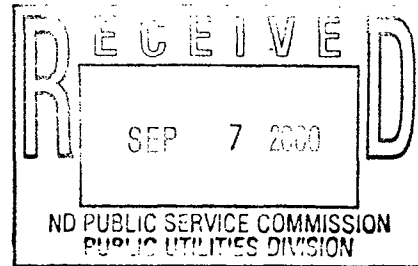
09/12/2000

CC: Comm Legal PUD (3)

JERRY L. RENNER
Attorney - L.P.A.
BOX 229
STEELE, NORTH DAKOTA 58482

(701) 475-2310

September 6, 2000



Illona Jeffcoat - Sacco
Attorney at Law
North Dakota Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, North Dakota 58505

re: BEK Communications Cooperative

Would you please notify me of the requirements BEK Communications Cooperative needs to meet in order to obtain Eligible Carrier Designation and a Certificate of Public Convenience and Necessity for the acquisition of its subsidiary, BEK Communications I Inc.

I am enclosing copies of my letter dated August 8, 2000 and William Binek's letter of reply dated August 11, 2000. I will look forward to hearing from you.

Sincerely,

Jerry Renner
Attorney

JR:pb

Encl.

17 **PU-418-00-555**

Pages: 1

Request for requirements for eligible
carrier & PC&N
by Jerry Renner, Attorney

09/07/2000

CC: Comm Legal PUD (3)

19 **PU-418-00-556**

Pages: 1

Request for requirements for eligible
carrier & PC&N
by Jerry Renner, Attorney

09/07/2000

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

Executive Secretary
Jon H. Mielke

August 11, 2000

Jerry L. Renner
Attorney at Law
Box 299
Steele, ND 58482

Re: BEK Communications Cooperative

Dear Mr. Renner:

I am writing in response to your request for information concerning the Cooperative's plan to purchase the assets of BEK Inc. and BEK Communications I Inc.

The Cooperative does not need PSC approval for the acquisition. However, the Cooperative will need to obtain Certificates of Public Convenience and Necessity from the PSC under Chapter 49-03.1 of the North Dakota Century Code to provide service in the exchanges involved in the transaction.

PSC approval is required to obtain the Eligible Carrier Designation. An application will need to be filed with the Commission.

I suggest that you discuss the specific requirements of the application and hearing processes for both the Eligible Carrier Designation and Certificate of Public Convenience and Necessity with the Public Utilities Division. The Director is Illona Jeffcoat-Sacco, and her phone number is 701-328-2407. If Illona is unavailable, I suggest that you talk to Patrick Fahn at 701-328-4077 or Jerry Lein at 701-328-1035.

Sincerely,

William W. Binek
Chief Counsel

16 PU-418-00-555

Pages: 1

Response to Jerry Renner
by Public Service Commission
08/11/2000

CC: Comm Legal PUD (3)

18 PU-418-00-556

Pages: 1

Response to Jerry Renner
by Public Service Commission
08/11/2000

CC: Comm Legal PUD (3)

JERRY L. RENNER
Attorney - L.P.A.
BOX 229
STEELE, NORTH DAKOTA 58482

(701) 475-2310

August 8, 2000

North Dakota Public Service Commission
600 East Boulevard Avenue
Dept. 408
Bismarck, North Dakota 58505

Re: BEK Communications Cooperative

I am the attorney for the above named Cooperative. In 1995, the Cooperative purchased six telephone exchanges from U.S. West. Those six exchanges were Linton, Napoleon, Steele, Lehr, Wishek and Zeeland. Those six exchanges currently operate under the name of BEK Communications I Inc. The customers of these exchanges are currently **not** cooperative members.

BEK Communications I Inc. is a regular, for profit corporation which is owned by a holding company called BEK Inc. BEK Inc. is a regular for profit corporation which in turn is owned by BEK Communications Cooperative.

Effective January 1, 2001, the Cooperative plans to purchase the assets of both BEK Inc. and BEK Communications I Inc. All the assets would then be owned by the Cooperative and all customers would then become Cooperative members. The transaction will be handled as a purchase (acquisition) **and not** as a merger or consolidation.

The Cooperative members at their annual meeting held on June 8, 2000, approved changes in the Cooperative Articles of Incorporation and Bylaws. These changes would create a new voting district for the new Cooperative members effective January 1, 2001. Three new additional directors would then be elected to represent this new Cooperative voting district.

The purpose of this letter is to seek a determination as to what your agency requires in order for the Cooperative to complete this transaction. Specifically, would you please notify me as to your requirements on the following items:

1. Is PSC approval of the acquisition required? If so, what type of proceeding is necessary?

15 **PU-418-00-555**

Pages: 2

Letter re purchase of six telephone exchanges
by Jerry Renner, Attorney

08/08/2000

CC: Comm Legal PUD (3)

17 **PU-418-00-556**

Pages: 2

Letter re purchase of six telephone exchanges
by Jerry Renner, Attorney

08/08/2000

CC: Comm Legal PUD (3)

North Dakota Public Service Commission

Page Two

August 8, 2000

2. Is PSC approval required to transfer the Certificate of Public Convenience and Necessity from BEK Communications I Inc. to BEK Communications Cooperative? If so, what type of proceeding is necessary?
3. Is PSC approval required for Transfer of Eligible Carrier Designation? If so, what type of proceeding is necessary?
4. What other requirements must be met in order for the Cooperative to complete this transaction?

Please contact me if further information is needed.

Sincerely,

Jerry Renner
Attorney

JR:cr

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications I, Inc.
Transfer of PC&N Certificates
Application**

Case No. PU-418-00-556

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

Order

The envelope was addressed as follows:

Michael Bosh
Pringle & Herigstad
P O Box 1000
Minot ND 58702-1000
Cert. No. 7000 0520 0022 8653 3003

Sharon Helbling further deposes and says that on the **21st day of December, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Jerome Tishmack
BEK Communications Cooperative
P O Box 230
Steele ND 58482-0230

14 **PU-418-00-555**

Pages: 3

Affidavit of Service by Certified and
Ordinary Mail
by Public Service Commission

12/21/2000

CC: Comm Legal PUD (3)

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

Sharon Hedding

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

Charlene A Magstadt
Notary Public

SEAL

CHARLENE A. MAGSTADT
Notary Public, State of NORTH DAKOTA
My Commission Expires Jan. 7, 2004

PU-418-00-555

Copies To:

State Library (8 copies)

Historical Society

Associated Press

APPROVED:
DATE: 12-20-00
KMF

MOTION

December 20, 2000

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications Cooperative
Local Exchange
Public Convenience and Necessity**

Case No. PU-418-00-556

I move the Commission adopt the Order approving BEK Communications Cooperative's applications for Designated Eligible Carrier status, Case No. PU-418-00-555, and Certificates of Public Convenience and Necessity to serve the Lehr, Linton, Napoleon, Steele, Wishek, and Zeeland exchange areas in North Dakota, Case No. PU-418-00-556.

JRL/sdh

000555-51.doc

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications Cooperative
Local Exchange
Public Convenience & Necessity**

Case No. PU-418-00-556

ORDER

December 20, 2000

On October 25, 2000, in Case No. PU-418-00-556, BEK Communications Cooperative (BEK) filed an application for a certificate of public convenience and necessity to provide local exchange telecommunications services in the Lehr, Linton, Napoleon, Steele, Wishek and Zeeland exchange areas in North Dakota. BEK also requested, Case No. PU-418-00-555, that its Designated Eligible Carrier status for receiving federal universal service funding be expanded to include these exchanges.

On November 8, 2000, the Commission issued a Notice of Opportunity for Hearing, which provided until December 5th for receiving comments or hearing requests. No comments or requests for hearing were received. The notice identified the following issues to be considered in Case No. PU-418-00-556:

1. Fitness and ability of the transferee to provide service.
2. Adequacy of the proposed service.
3. The technical, financial and managerial ability of the transferee to provide service.

The issues to be considered in Case No. PU-418-00-555 are:

4. Should the Commission establish universal service support areas different from the applicant's current service area or cost study area?
5. Does the applicant offer the services that are supported by federal universal service support mechanisms in each of its universal service support areas in a manner adequate to meet the requirements of the FCC order?

6. Does the applicant advertise the availability of services supported by federal universal support mechanisms in each of its universal service support areas consistent with the FCC and state commission requirements for such advertising?
7. Does the applicant's Lifeline and Link Up offerings in each of its universal service support areas meet the requirements established by the FCC and the proposed North Dakota Lifeline Plan and Link Up Plan?
8. Do exceptional circumstances exist with respect to a universal service support area for which the Commission should grant additional time to make or complete any necessary network upgrades?
9. Are there any other issues that should be addressed regarding this request for designation as an eligible carrier?

BEK intends to purchase all the assets of its subsidiary, BEK Communications I, Inc. (BCI) and start providing telecommunications services in the above BCI exchanges on January 1, 2001. All subscribers in these exchanges will become cooperative members of BEK. BEK's management and technical personnel are the same as those of BCI.

On December 4, 2000, the Public Service Commission's Director of Accounting filed a memorandum indicating that the reorganization will not adversely affect the financial ability of BEK to provide telecommunications service.

The Commission finds BEK is fit, able, and has the technical, financial and managerial ability to provide service.

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.

For telecommunications customers, the services supported by Universal service support mechanisms include voice grade access to the public switched network, local usage, dual tone multi-frequency signaling 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, toll limitation for qualifying low-income consumers. The Commission finds that BEK will continue to offer these services in the exchanges acquired from BCI and will continue to advertise the availability of such services and the charges therefore using media of general distribution.

For schools and libraries, the services supported by universal service support mechanisms include all telecommunications services, internal connections including installation and maintenance, basic conduit access to the Internet including information services that consist of the transmission of information as a common carrier, the transmission of information as part of a gateway to an information service when that transmission does not involve the generation or alteration of the content of information, and electronic mail services. For health care providers, the services supported by universal service support mechanisms include any telecommunications service of a bandwidth up to and including 1.544 Mbps. The Commission finds that BEK will continue to offer these services to schools, libraries and health care providers in the exchanges acquired from BCI.

The Commission finds that BEK's Lifeline and Link Up offerings will continue to meet the requirements established by the FCC and the North Dakota Lifeline Plan and Link Up Plan in the exchanges acquired from BCI.

The Commission finds that BEK's proposed service is adequate and meets the federal requirements for designating BEK as an Eligible Telecommunications Carrier in the exchanges acquired from BCI.

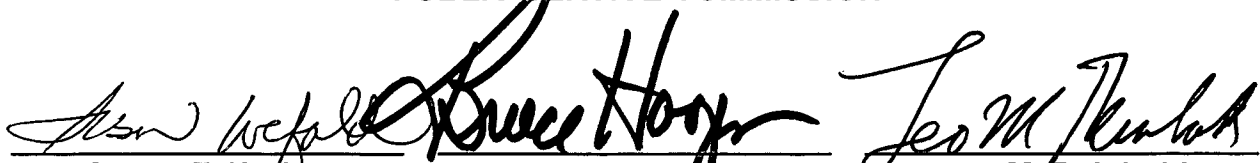
Order

The Commission Orders:

1. The application of BEK Communications Cooperative for certificates of public convenience and necessity to provide local exchange telecommunications services in the Lehr, Linton, Napoleon, Steele, Wishek and Zeeland exchange areas in North Dakota is approved, effective with the date that the transactions are complete. Certificates of public convenience and necessity will be issued upon notification by the applicants that the transactions are complete.

2. BEK's application to expand its Designated Eligible Carrier status is granted and BEK is designated as an Eligible Telecommunications Carrier for the purposes of receiving federal universal service support in the Lehr, Linton, Napoleon, Steele, Wishek and Zeeland exchange areas in North Dakota.

PUBLIC SERVICE COMMISSION



Susan E. Wefald Bruce Hagen Leo M. Reinbold
Commissioner President Commissioner

INFORMAL AGENDA

December 6, 2000

- PU-2410-00-527 360networks (USA) inc.
Interexchange
Public Convenience and Necessity
- PU-2410-00-534 360networks (USA) inc.
Local Exchange
Public Convenience and Necessity
- PU-2417-00-548 James Valley Cooperative Telephone Company
Local Exchange
Public Convenience and Necessity
- PU-418-00-555 BEK Communications Cooperative
Designated Eligible Carrier
Application
- PU-418-00-556 BEK Communications Cooperative
Local Exchange
Public Convenience and Necessity
- PU-401-00-593 Otter Tail Power Company
WAPA Bill Crediting Program
Tariff
- PU-2453-00-632 Park Avenue Apartments
Master Meter Waiver
Approval

With drawn

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>8 PU-2410-00-527 Pages: 1</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal Ilona Jerry .</p> | <p>11 PU-418-00-555 Pages: 0</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal PUD (3)</p> |
| <p>10 PU-2410-00-534 Pages: 0</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal Ilona Jerry .</p> | <p>13 PU-418-00-556 Pages: 0</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal PUD (3)</p> |
| <p>13 PU-2417-00-548 Pages: 0</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal PUD (3)</p> | <p>4 PU-401-00-593 Pages: 0</p> <p>Informal Hearing held
by Public Service Commission
12/06/2000 CC: Comm Legal PUD (3)</p> |



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

August 11, 2000

Jerry L. Renner
Attorney at Law
Box 299
Steele, ND 58482

Re: BEK Communications Cooperative

Dear Mr. Renner:

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The Cooperative does not need PSC approval for the acquisition. However, the Cooperative will need to obtain Certificates of Public Convenience and Necessity from the PSC under Chapter 49-03.1 of the North Dakota Century Code to provide service in the exchanges involved in the transaction.

PSC approval is required to obtain the Eligible Carrier Designation. An application will need to be filed with the Commission.

I suggest that you discuss the specific requirements of the application and hearing processes for both the Eligible Carrier Designation and Certificate of Public Convenience and Necessity with the Public Utilities Division. The Director is Illona Jeffcoat-Sacco, and her phone number is 701-328-2407. If Illona is unavailable, I suggest that you talk to Patrick Fahn at 701-328-4077 or Jerry Lein at 701-328-1035.

Sincerely,

William W. Binek
Chief Counsel

10 PU-418-00-555

Pages: 1

Response to request for info concerning
acquisitions
by BEK Communications Cooperative by Bill Binek, Ch
08/11/2000 CC: Comm Legal PUD (3)

10 PU-418-00-556

Pages: 1

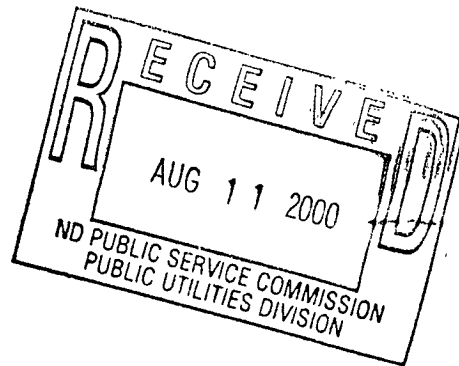
Response to request for info concerning
acquisitions
by BEK Communications Cooperative by Bill Binek, Ch
08/11/2000 CC: Comm Legal PUD (3)

JERRY L. RENNER
Attorney - E.P.A.
BOX 229
STEELE, NORTH DAKOTA 58482

(701) 475-2310

August 8, 2000

North Dakota Public Service Commission
600 East Boulevard Avenue
Dept. 408
Bismarck, North Dakota 58505



Re: BEK Communications Cooperative

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The Cooperative members at their annual meeting held on June 8, 2000, approved changes in the Cooperative Articles of Incorporation and Bylaws. These changes would create a new voting district for the new Cooperative members effective January 1, 2001. Three new additional directors would then be elected to represent this new Cooperative voting district.

The purpose of this letter is to seek a determination as to what your agency requires in order for the Cooperative to complete this transaction. Specifically, would you please notify me as to your requirements on the following items:

1. Is PSC approval of the acquisition required? If so, what type of proceeding is necessary?

9

PU-418-00-555

Pages: 2

Letter re purchase of 6 US WEST
telephone exchanges
by BEK Communications Cooperative by Jerry L Renn
08/11/2000 CC: Comm Legal PUD (3)

9

PU-418-00-556

Pages: 2

Letter re purchase of 6 US WEST
telephone exchanges
by BEK Communications Cooperative by Letter re purc
08/11/2000 CC: Comm Legal PUD (3)

North Dakota Public Service Commission

Page Two

August 8, 2000

2. Is PSC approval required to transfer the Certificate of Public Convenience and Necessity from BEK Communications I Inc. to BEK Communications Cooperative? If so, what type of proceeding is necessary?
3. Is PSC approval required for Transfer of Eligible Carrier Designation? If so, what type of proceeding is necessary?
4. What other requirements must be met in order for the Cooperative to complete this transaction?

Please contact me if further information is needed.

Sincerely,

A handwritten signature in black ink that reads "Jerry Renner". The signature is written in a cursive, flowing style.

Jerry Renner
Attorney

JR:cr

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications I, Inc.
Transfer of PC&N Certificates
Application**

Case No. PU-1680-00-556

AFFIDAVIT OF SERVICE BY CERTIFIED 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 **9th day of November, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Notice of Opportunity for Hearing

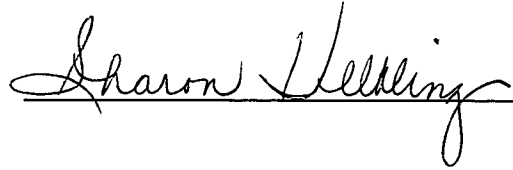
The envelope was addressed as follows:

Michael Bosh
Pringle & Herigstad
P O Box 1000
Minot ND 58702-1000
Cert. No. 7099 3400 0014 4513 7474

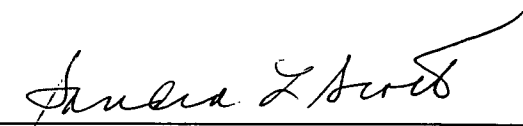
Sharon Helbling further deposes and says that on the **9th day of November, 2000**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Jerome Tishmack
BEK Communications Cooperative
P O Box 230
Steele ND 58482-0230

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



Subscribed and sworn to before me
this **9th day of November, 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

BEK Communications Cooperative
Designated Eligible Carrier
Application

Case No. PU-418-00-555

BEK Communications I, Inc.
Transfer of PC&N Certificates
Application

Case No. PU-1680-00-556

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 **9th day of November, 2000**, she sent by E-Mail or deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

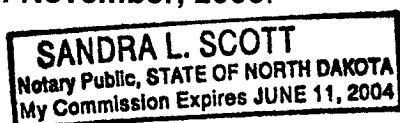
Notice of Opportunity for Hearing

The envelopes were addressed as follows:

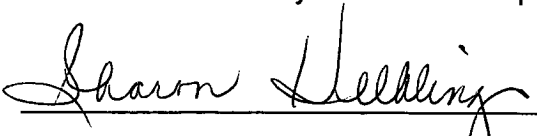
See Attached List


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

Subscribed and sworn to before me
this **9th day of November, 2000**.



SEAL





Notary Public

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PU-418-00-555

Copies To:

State Library (8 copies)

Historical Society

Associated Press

Helbling, Sharon D.

From: Helbling, Sharon D.
Sent: Wednesday, November 08, 2000 2:46 PM
To: ndna (E-mail)
Subject: Attached 2 Notice of Opportunity for Hearing and 1 Notice of Opportunity to File Written Comments

Please have the attached Notices published as legal publications in the next issue of the ten North Dakota Daily newspapers, and run them as "News Item Only" articles as well.

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 Helblin



1.doc



1.doc



1.doc

APPROVED:
DATE: 11-8-00
KMF

MOTION

November 8, 2000

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications Cooperative
Local Exchange
Public Convenience and Necessity**

Case No. PU-418-00-556

I move the Commission issue a Notice of Opportunity for Hearing in BEK Communications Cooperative's application for Designated Eligible Carrier status, Case No. PU-418-00-555, and for Certificates of Public Convenience and Necessity to serve the Lehr, Linton, Napoleon, Steele, Wishek and Zeeland exchange areas in North Dakota, Case No. PU-418-00-556.

JRL/sdh

000555-2.doc

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative
Designated Eligible Carrier
Application**

Case No. PU-418-00-555

**BEK Communications Cooperative
Local Exchange
Public Convenience & Necessity**

Case No. PU-418-00-556

NOTICE OF OPPORTUNITY FOR HEARING

November 8, 2000

On October 25, 2000, in Case No. PU-418-00-556, BEK Communications Cooperative (BEK) filed an application for a certificate of public convenience and necessity to provide local exchange telecommunications services in the Lehr, Linton, Napoleon, Steele, Wishek and Zeeland exchange areas in North Dakota. BEK also requested, Case No. PU-418-00-555, that its Designated Eligible Carrier status for receiving federal universal service funding be expanded to include these exchanges.

Effective immediately after the close of business on December 31, 2000 BEK intends to purchase all the assets of its subsidiary, BEK Communications I, Inc. (BCI). Beginning on January 1, 2001, BEK intends to assume providing telecommunications services in the above exchanges presently served by BCI and all subscribers in these exchanges will become cooperative members of BEK.

The issues to be considered in Case No. PU-1680-00-556 are:

1. Fitness and ability of the transferee to provide service.
2. Adequacy of the proposed service.
3. The technical, financial and managerial ability of the transferee to provide service.

The issues to be considered in Case No. PU-418-00-555 are:

4. Should the Commission establish universal service support areas different from the applicant's current service area or cost study area?
5. Does the applicant offer the services that are supported by federal universal service support mechanisms in each of its

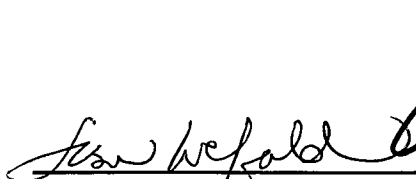


universal service support areas in a manner adequate to meet the requirements of the FCC order?

6. Does the applicant advertise the availability of services supported by federal universal support mechanisms in each of its universal service support areas consistent with the FCC and state commission requirements for such advertising?
7. Does the applicant's Lifeline and Link Up offerings in each of its universal service support areas meet the requirements established by the FCC and the proposed North Dakota Lifeline Plan and Link Up Plan?
8. Do exceptional circumstances exist with respect to a universal service support area for which the Commission should grant additional time to make or complete any necessary network upgrades?
9. Are there any other issues that should be addressed regarding this request for designation as an eligible carrier?

Those interested are invited to comment on these applications in writing. Anyone desiring a hearing must file a written request identifying their interest in the proceedings and the reasons for requesting a hearing. Comments and requests for hearing must be received by **December 5, 2000**. If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-224-2400, 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

		
Susan E. Wefald Commissioner	Bruce Hagen President	Leo M. Reinbold Commissioner



LAW OFFICES OF

PRINGLE & HERIGSTAD, P.C.

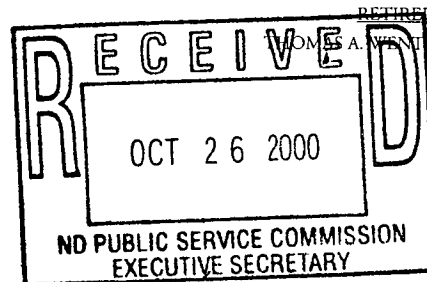
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MICHAEL A. BOSH
BRENT M. OLSON
DENISE C. HAYS
DEBRA L. HOFFARTH

OF COUNSEL
HERBERT L. MESCHKE

October 25, 2000



Jon Mielke, Executive Secretary
ND Public Service Commission
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Bismarck, ND 58505-0480

**BEK COMMUNICATIONS COOPERATIVE AND BEK COMMUNICATIONS I INC.
APPLICATION FOR APPROVAL OF TRANSFER OF PC&N CERTIFICATES AND
EXPANSION OF ETC DESIGNATED GEOGRAPHICAL SERVICE AREA**

Please find enclosed for filing in the above-named matter an original and seven copies of the Affidavit of Jerome Tishmack, General Manager of BEK Communications Cooperative and BEK Communications I Inc.

Sincerely,

Michael A. Bosh
Pringle & Herigstad, P.C.

jb

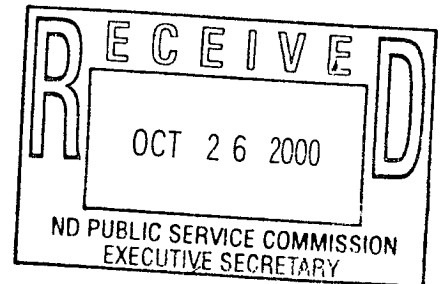
encs.

cc/enc: Jerome Tishmack

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative and
BEK Communications I Inc.
Application for Approval of Transfer of
Certificates of Public Convenience and Necessity
and Expansion of BEK Communications Cooperative's
Eligible Telecommunications Carrier Designated
Geographical Service Area**

Case No. PU-_____



AFFIDAVIT

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF KIDDER)

Jerome Tishmack, the General Manager of BEK Communications Cooperative and BEK Communications I Inc., being first duly sworn, affirms the following statement of facts, in support of BEK Communications Cooperative's and BEK Communications I Inc.'s application for approval of transfer of certificates of public convenience and necessity and expansion of BEK Communications Cooperative's eligible telecommunications carrier designated geographical service area.

I.

BEK Communications Cooperative (hereinafter, "BEK"), a North Dakota cooperative association, under Certificates of Public Convenience and Necessity issued by the North Dakota Public Service Commission (hereinafter, the "Commission"), is engaged in the business of providing local exchange telecommunications service, exchange access and other telecommunications activities in the following exchanges, which shall hereinafter be collectively referred to as the "BEK Service Area": Hazelton, Kintyre, McKenzie, Pettibone, Regan, Robinson, Sterling, Strasburg, Tappen, Tuttle, Wilton, and Wing.

II.

BEK Communications I Inc. (hereinafter, "BCI"), a North Dakota business corporation, under Certificates of Public Convenience and Necessity issued by the Commission in Case No. PU-314-94-688, is engaged in the business of providing local exchange telecommunications service, exchange access, and other telecommunications activities in the following exchanges: Linton (PC&N No. 3478), Lehr (PC&N No. 3475),

Zeeland (PC&N No. 3519), Wishek (PC&N No. 3517), Steele (PC&N No. 3505), and Napoleon (PC&N No. 3489). BCI is a wholly-owned subsidiary of BEK.

III.

Effective immediately after the close of business on December 31, 2000, BCI intends to sell, and BEK intends to purchase, all of BCI's current assets and facilities. Beginning on January 1, 2001, BCI intends to cease doing business as a provider of local exchange telecommunications service, exchange access, and other telecommunications activities in the exchanges of Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon. In addition, as of January 1, 2001, BEK intends to engage in the business of providing local exchange telecommunications service, exchange access, and other telecommunications activities in the exchanges of Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon. As of January 1, 2001, all of the subscribers in said exchanges will become cooperative members of BEK.

IV.

BCI wishes to transfer all of its Certificates of Public Convenience and Necessity to BEK, to help enable BEK to provide telecommunications service in the following exchanges beginning January 1, 2001: Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon.

V.

BEK has been designated by the Commission as an eligible telecommunications carrier to receive universal service support under §§ 214 and 254 of the federal Communications act of 1934, as amended by the federal Telecommunications Act of 1996 (hereinafter, the "1996 Act"). BEK's eligible telecommunications carrier designated geographical service area for the purpose of determining universal service obligations and support mechanisms under the 1996 Act is currently the BEK Service Area. Effective as of January 1, 2001, BCI will relinquish its designation as an eligible telecommunications carrier, and BEK will need to have its designated geographical service area for the purpose of determining universal service obligations and support mechanisms under the 1996 Act expanded to also include the following exchanges: Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon. All subscribers served by BCI prior to January 1, 2001 will be served by BEK beginning on January 1, 2001.

VI.

Based upon the current services being provided by BCI, there is a clear need for telecommunications services in the exchanges currently being served by BCI. The transfer of BCI's Certificates of Public Convenience and Necessity will have no effect on other public utilities providing similar services. BEK has the technical, financial, and managerial

fitness and ability to provide adequate essential and nonessential telecommunications services in the following exchanges: Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon.

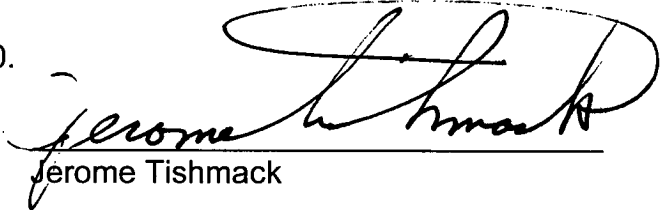
VII.

Beginning on January 1, 2001, BEK will offer all services that are supported by federal universal service support mechanisms under § 254(c) of the 1996 Act and 47 C.F.R. §§ 54.101 and 54.401, using a combination of its own facilities and resale of other carriers' services, and will advertise the availability of such services and the charges therefore using media of general distribution, throughout all of the following exchanges:

Hazelton, Kintyre, McKenzie, Pettibone, Regan, Robinson, Sterling, Strasburg, Tappen, Tuttle, Wilton, Wing, Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon.

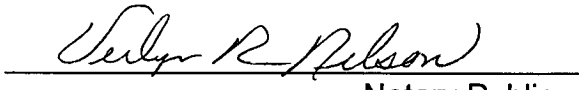
The affiant is the General Manager of the Applicants, BEK Communications Cooperative and BEK Communications I Inc., and affirms the truth of the foregoing statement of facts based on his first-hand knowledge.

Dated this 27th day of October, 2000.


Jerome Tishmack

SUBSCRIBED AND SWORN to before me this 27 day of October, 2000.

VERLYN R. NELSON
Notary Public, STATE OF NORTH DAKOTA
My Commission Expires NOV. 24, 2004


_____, Notary Public
For the State of North Dakota
My commission expires: November 24, 2004

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LAW OFFICES OF

PRINGLE & HERIGSTAD, P.C.

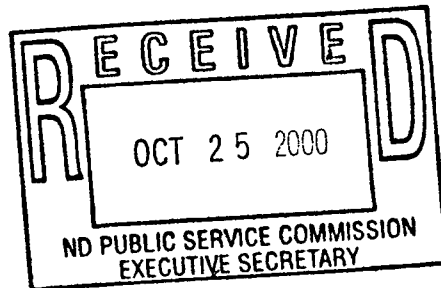
ROGER O. HERIGSTAD
MARK F. PURDY
JAN M. SEBBY
DONALD A. NEGAARD
JAMES E. NOSTDAHL
JOHN J. PETRIK
CAROL K. LARSON
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(701) 852-0381
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DONALD T. CAMPBELL
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DENISE C. HAYS
DEBRA L. HOFFARTH

OF COUNSEL
HERBERT L. MESCHKE

RETIRED
THOMAS A. WENTZ



October 24, 2000

Jon Mielke, Executive Secretary
ND Public Service Commission
600 E. Boulevard Ave.
Bismarck, ND 58505-0480

**BEK COMMUNICATIONS COOPERATIVE AND BEK COMMUNICATIONS I INC.
APPLICATION FOR APPROVAL OF TRANSFER OF PC&N CERTIFICATES AND
EXPANSION OF ETC DESIGNATED GEOGRAPHICAL SERVICE AREA**

Please find enclosed for filing an original and seven copies of the Application of BEK Communications Cooperative and BEK Communications I Inc. for approval of transfer of PC&N certificates and the expansion of BEK Communications Cooperative's ETC designated geographical service area.

Sincerely,

Michael A. Bosh
Pringle & Herigstad, P.C.

jb
encs.
cc/enc: Jerome Tishmack

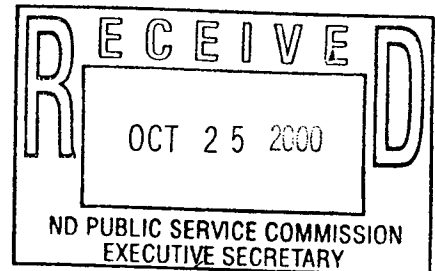
STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

**BEK Communications Cooperative and
BEK Communications I Inc.
Application for Approval of Transfer of
Certificates of Public Convenience and Necessity
and Expansion of BEK Communications Cooperative's
Eligible Telecommunications Carrier Designated
Geographical Service Area**

Case No. PU-_____

APPLICATION



I.

BEK Communications Cooperative (hereinafter, "BEK"), a North Dakota cooperative association, under Certificates of Public Convenience and Necessity issued by the North Dakota Public Service Commission (hereinafter, the "Commission"), is engaged in the business of providing local exchange telecommunications service, exchange access and other telecommunications activities in the following exchanges, which shall hereinafter be collectively referred to as the "BEK Service Area": Hazelton, Kintyre, McKenzie, Pettibone, Regan, Robinson, Sterling, Strasburg, Tappen, Tuttle, Wilton, and Wing.

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PU-418-00-555

Pages: 3

Application as Designated Eligible Carrier

by BEK Communications Cooperative by Michael A Bo
10/25/2000 CC: Comm Legal PUD (3)

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activities in the exchanges of Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon. As of January 1, 2001, all of the subscribers in said exchanges will become cooperative members of BEK.

IV.

BCI wishes to transfer all of its Certificates of Public Convenience and Necessity to BEK, to help enable BEK to provide telecommunications service in the following exchanges beginning January 1, 2001: Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon.

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BEK has been designated by the Commission as an eligible telecommunications carrier to receive universal service support under §§ 214 and 254 of the federal Communications act of 1934, as amended by the federal Telecommunications Act of 1996 (hereinafter, the "1996 Act"). BEK's eligible telecommunications carrier designated geographical service area for the purpose of determining universal service obligations and support mechanisms under the 1996 Act is currently the BEK Service Area. Effective as of January 1, 2001, BCI will relinquish its designation as an eligible telecommunications carrier, and BEK will need to have its designated geographical service area for the purpose of determining universal service obligations and support mechanisms under the 1996 Act expanded to also include the following exchanges: Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon. All subscribers served by BCI prior to January 1, 2001 will be served by BEK beginning on January 1, 2001.

VI.

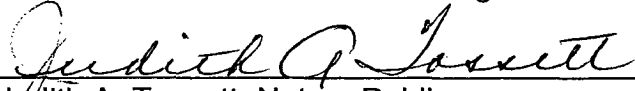
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Beginning on January 1, 2001, BEK will offer all services that are supported by federal universal service support mechanisms under § 254(c) of the 1996 Act and 47 C.F.R. §§ 54.101 and 54.401, using a combination of its own facilities and resale of other carriers' services, and will advertise the availability of such services and the charges therefore using media of general distribution, throughout all of the following exchanges: Hazelton, Kintyre, McKenzie, Pettibone, Regan, Robinson, Sterling, Strasburg, Tappen, Tuttle, Wilton, Wing, Linton, Lehr, Zeeland, Wishek, Steele, and Napoleon.

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF WARD)

On this 23rd day of October, 2000, before me, a Notary Public in and for said County and State, personally appeared MICHAEL A. BOSH, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.



Judith A. Tossett, Notary Public
For the State of North Dakota
My commission expires: 01-08-04

PU-418-00-555; PU-418-00-556

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY						
<ul style="list-style-type: none"> ■ 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. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">A. Received by (Please Print Clearly) JO THOMPSON</td> <td style="width: 50%;">B. Date of Delivery 12-22-00</td> </tr> <tr> <td colspan="2">C. Signature X <i>Jo Thompson</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</td> </tr> </table>	A. Received by (Please Print Clearly) JO THOMPSON	B. Date of Delivery 12-22-00	C. Signature X <i>Jo Thompson</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
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D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No							
1. Article Addressed to: <i>Michael Bosh Pringle & Striptad PO Box 1000 Detroit MI 58702-1000</i>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.						
2. Article Number (Copy from service label) <i>7000 0520 0022 8653 3003</i>							
PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789							

PU-418-00-555; PU-1080-00-556

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY						
<ul style="list-style-type: none"> ■ 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. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">A. Received by (Please Print Clearly) KAREN KLIMPEL</td> <td style="width: 50%;">B. Date of Delivery 10 NOV 2000</td> </tr> <tr> <td colspan="2">C. Signature X <i>Karen Klimpel</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</td> </tr> </table>	A. Received by (Please Print Clearly) KAREN KLIMPEL	B. Date of Delivery 10 NOV 2000	C. Signature X <i>Karen Klimpel</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
A. Received by (Please Print Clearly) KAREN KLIMPEL	B. Date of Delivery 10 NOV 2000						
C. Signature X <i>Karen Klimpel</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee							
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No							
1. Article Addressed to: <i>Michael Bosh Pringle & Striptad PO Box 1000 Detroit MI 58702-1000</i>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.						
2. Article Number (Copy from service label) <i>7099 3400 0014 4513 7474</i>							
PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789							