

# **DIVIDER**

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

**PU-2057-01-40**

**McLeod USA Telecommunications Services Inc./Qwest  
Interconnection Agreement Amendment**

**Application**

**01**

**Filed 1/25/2001**

**Closed 3/29/2001**

**Scott, Sandi L.**

---

**From:** Bauske, Shelly A.  
**Sent:** Thursday, May 31, 2001 10:18 AM  
**To:** Geiger, Gloria A.; Scott, Sandi L.  
**Subject:** Money Received.....

Case No. PU-2057-01-40  
McLeodUSA  
\$58.04

Case No. PU-314-97-193  
McLeodUSA  
\$240.46

13

**PU-2057-01-40**

Pages: 0

\$58.04 received

by McLeod USA Telecommunications Services Inc./Q

05/31/2001

CC: Comm Legal Ilona Jerry .

**Scott, Sandi L.**

---

**From:** Bauske, Shelly A.  
**Sent:** Wednesday, April 25, 2001 1:35 PM  
**To:** Scott, Sandi L.  
**Subject:** FW: Money Received from Qwest.....

-----Original Message-----

**From:** Bauske, Shelly A.  
**Sent:** Tuesday, April 24, 2001 3:09 PM  
**To:** Geiger, Gloria A.  
**Subject:** FW: Money Received from Qwest.....

-----Original Message-----

**From:** Bauske, Shelly A.  
**Sent:** Tuesday, April 24, 2001 1:28 PM  
**To:** Geiger, Gloria A.  
**Subject:** Money Received from Qwest.....

Case No. PU-2405-01-39  
Qwest  
\$58.04

Case No. PU-2057-01-40  
Qwest  
\$58.04

Case No. PU-2482-01-47  
Qwest  
\$58.04

Case No. PU-2038-01-52  
Qwest  
\$58.03

Case No. PU-2463-01-53  
Qwest  
\$58.03

**Total Amount of Check: \$290.18**

12 PU-2057-01-40

Pages: 1

\$58.04 received

by Qwest Corporation

04/25/2001

CC: Comm Legal Ilona Jerry .

**APPROVED**

DATE: 4-11-01  
KMF

MOTION

April 11, 2001

McLeodUSA Telecommunications  
Services, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2057-01-40

I move the Commission bill McLeodUSA and Qwest Corporation for costs incurred to date in Case No. PU-2057-01-40, McLeodUSA Telecommunications Services, Inc./Qwest Corporation, Interconnection Agreement Amendment, Application.

11 **PU-2057-01-40**

Pages: 3

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

04/11/2001

CC: Comm Legal Ilona Jerry



# Public Service Commission

State of North Dakota

## COMMISSIONERS

Susan E. Wefald, President  
Leo M. Reinbold  
Anthony T. Clark

Executive Secretary  
Jon H. Mielke

600 E Boulevard Ave. Dept. 408  
Bismarck, North Dakota 58505-0480  
web: [www.psc.state.nd.us](http://www.psc.state.nd.us)  
e-mail: [sab@oracle.psc.state.nd.us](mailto:sab@oracle.psc.state.nd.us)  
TDD 800-366-6888  
Fax 701-328-2410  
Phone 701-328-2400

April 11, 2001

Lauraine Harding  
McLeodUSA  
Box 3177  
Cedar Rapids IA 52406-3177

Dan Kuntz  
PO Box 1695  
Bismarck ND 58502-1695

RE: Case No. PU-2057-01-40  
McLeodUSA Telecommunications Services, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Enclosed is a copy of the statement approved at the April 11, 2001 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2057-01-40.

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,

A handwritten signature in cursive script that reads "Gloria Geiger".

Gloria Geiger  
Administrative Assistant  
701-328-2401

Enc.

c: Scott Macintosh  
Qwest Corporation  
PO Box 5508  
Bismarck ND 58502-5508

Director - Interconnection Compliance  
Qwest Corporation  
1801 California St Rm 2410  
Denver CO 80202

# Billing Statement

April 11, 2001

McLeodUSA Telecommunications  
Services, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2057-01-40

## Expenses Incurred to Date:

Advertising Costs	\$116.08
-------------------	----------

## Amount Due:

McLeodUSA	\$58.04
Qwest Corporation	\$58.04

## Send Payment and a Copy of this Statement To:

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

Federal Tax ID 45-0309764

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

McLeodUSA Telecommunications Services, Inc./Qwest  
Corporation  
Interconnection Agreement Amendments  
Application

Case No. PU-2057-01-40

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL AND ORDINARY MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **29th day of March, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order

The envelopes were addressed as follows:

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695

Lauraine Harding  
McLeodUSA  
6400 C St SW  
Cedar Rapids IA 52406-3177

Cert. No. 7000 0520 0022 8654 2067

Cert. No. 7000 0520 0022 8654 2081

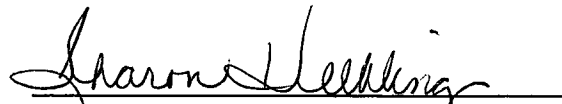

Sharon Helbling further deposes and says that on the **29th day of March, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Scott Macintosh  
Qwest Corporation  
P O Box 5508  
Bismarck ND 58502-5508

Dir-Interconnection Compliance  
Qwest Corporation  
1801 California St Rm 2410  
Denver CO 80202

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**.

Notary Public

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

SEAL

10 PU-2057-01-40

Pages: 1

Affidavit of Service by Mail

by Public Service Commission

03/29/2001

CC: Comm Legal Ilona Jerry

**APPROVED**

**MOTION**

DATE: 3-28-01  
KMF

**March 28, 2001**

**McLeodUSA Telecommunications Services,  
Inc./Qwest Corporation  
Interconnection Agreement Amendments  
Application**

**Case No. PU-2057-01-40**

I move the Commission adopt the Order Approving Interconnection Agreement Amendment in the application for approval of a sixth amendment negotiated to the interconnection agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc., Case No. PU-2057-01-40.

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**McLeodUSA Telecommunications Services,  
Inc./Qwest Corporation  
Interconnection Agreement Amendments  
Application**

**Case No. PU-2057-01-40**

**ORDER APPROVING INTERCONNECTION AGREEMENT AMENDMENT**

**March 28, 2001**

On January 25, 2001, Qwest Corporation Communications, Inc. filed an application for approval of a sixth amendment negotiated to its interconnection agreement with McLeodUSA Telecommunications Services, Inc. of Cedar Rapids, Iowa. This amendment sets forth rates, terms and conditions for unbundled xDSL-I loops.

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

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

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253. Section 252(e)(4) requires that the Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

On February 7, 2001, the Commission issued a Notice of Opportunity to File Written Comments which provided that the Commission would receive written comments on the agreement until March 15, 2001. No comments have been received.

The Commission has reviewed the amended agreement and finds that it does not discriminate against a telecommunications carrier that was not a party to the agreement. The Commission further finds that implementation of the agreement is not inconsistent with the public interest, convenience and necessity.


## Order

The Commission orders:

1. The interconnection agreement sixth amendment negotiated between Qwest Corporation and McLeodUSA Telecommunications Services, Inc., filed with the Commission on January 25, 2001, is APPROVED.
2. The Commission retains continuing jurisdiction over the agreement at all times.
3. Notice of any changes to the agreement must be filed promptly with the Commission.
4. The agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

### PUBLIC SERVICE COMMISSION

  
Anthony T. Clark  
Commissioner

  
Susan E. Wefald  
President

  
Leo M. Reinbold  
Commissioner

# Affidavit of Publication

State of North Dakota )  
County of Burleigh )

MAR - 8 2001

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:  
@ Link Networks, 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 2<sup>nd</sup> day of March A.D. 2001.

Laurie Schaffer

7 **PU-2405-01-39** Pages: 11

Affidavit of Publication

7 **PU-2057-01-40** Pages: 11

Affidavit of Publication

6 **PU-2482-01-47** Pages: 11

Affidavit of Publication

by North Dakota Advertising Service, Inc.

03/08/2001

CC: Comm Legal Ilona Jerry .

6 **PU-2483-01-48** Pages: 11

Affidavit of Publication

6 **PU-2484-01-49** Pages: 11

Affidavit of Publication

6 **PU-2038-01-52** Pages: 11

Affidavit of Publication

by North Dakota Advertising Service, Inc.

6 **PU-2463-01-53** Pages: 11

Affidavit of Publication

by North Dakota Advertising Service, Inc.

03/08/2001

CC: Comm Legal Ilona Jerry .

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

**@link Networks, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application** Case No. PU-2405-01-39

**McLeodUSA Telecommunications Services,  
Inc./Qwest Corporation  
Interconnection Agreement Amendments  
Application** Case No. PU-2057-01-40

**Preferred Carrier Services, Inc./Qwest Corporation  
Interconnection Agreement  
Application** Case No. PU-2482-01-47

**Citizens Telecommunications Company of North  
Dakota/Midcontinent Communications  
Interconnection Agreement  
Application** Case No. PU-2483-01-48

**Citizens Telecommunications Company of North  
Dakota/Comm South Companies, Inc.  
Interconnection Agreement  
Application** Case No. PU-2483-01-49

**IdeaOne Telecom Group, LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** Case No. PU-2038-01-52

**Integra Telecom of North Dakota, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** Case No PU-2463-01-53

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

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **8th day of February, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **nine**

envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

### **Notice of Opportunity to File Written Comments**

The envelopes were addressed as follows:

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695

**Cert. No. 7000 0520 0022 8654 0360**

Jennifer Aviles  
@link Networks Inc  
2220 Campbell Creek Blvd Ste 110  
Richardson TX 75082  
**Cert. No. 7000 0520 0022 8654 0384**

Lance A Tade  
Citizens Communications  
9672 South 700 East Ste 101  
Sandy UT 84070-3555  
**Cert. No. 7000 0520 0022 8654 0438**

Alex Valencia  
Preferred Carrier Services Inc  
14681 Midway Rd Ste 105  
Addiston TX 75001  
**Cert. No. 7000 0520 0022 8654 0452**

Doug Sattler  
IdeaOne Telecom Group LLC  
3239 39<sup>th</sup> St SW  
Fargo ND 58104  
**Cert. No. 7000 0520 0022 8654 0476**

John Munn  
Qwest Corporation  
1801 California St Rm 5100  
Denver CO 80202  
**Cert. No. 7000 0520 0022 8654 0377**

Lauraine Harding  
McLeodUSA  
6400 C St SW  
Cedar Rapids IA 52406-3177  
**Cert. No. 7000 0520 0022 8654 0414**

Roy Harsila  
Comm South Companies Inc  
2909 N Buckner Blvd Ste 800  
Dallas TX 76228  
**Cert. No. 7000 0520 0022 8654 0469**

Deborah Harwood  
Integra Telecom of North Dakota Inc  
19545 NW Von Neumann Dr Ste 200  
Beaverton OR 97006  
**Cert. No. 7000 0520 0022 8654 0445**

**Sharon Helbling** further deposes and says that on the **8th day of February, 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.

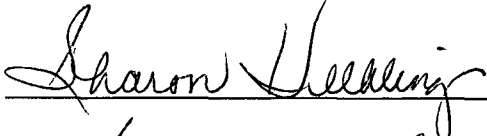
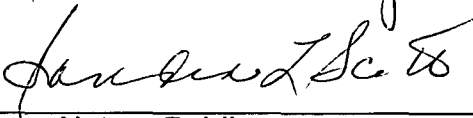
Scott Macintosh  
Qwest Corporation  
P O Box 5508  
Bismarck ND 58502-5508

Dir-Interconnection Compliance  
Qwest Corporation  
1801 California St Rm 2410  
Denver CO 80202

Wallace R Goulet  
Gunhus Grinnell Klinger Swenson Guy Ltd  
500 2<sup>nd</sup> Ave N Ste 514  
Fargo ND 58102

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

Subscribed and sworn to before me  
this **8th day of February, 2001.**

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

SEAL



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

**@link Networks, Inc./Qwest Corporation** Case No. PU-2405-01-39  
**Interconnection Agreement Amendments**  
**Application**

**McLeodUSA Telecommunications Services,** Case No. PU-2057-01-40  
**Inc./Qwest Corporation**  
**Interconnection Agreement Amendments**  
**Application**

**Preferred Carrier Services, Inc./Qwest Corporation** Case No. PU-2482-01-47  
**Interconnection Agreement**  
**Application**

**Citizens Telecommunications Company of North** Case No. PU-2483-01-48  
**Dakota/Midcontinent Communications**  
**Interconnection Agreement**  
**Application**

**Citizens Telecommunications Company of North** Case No. PU-2483-01-49  
**Dakota/Comm South Companies, Inc.**  
**Interconnection Agreement**  
**Application**

**IdeaOne Telecom Group, LLC/Qwest Corporation** Case No. PU-2038-01-52  
**Interconnection Agreement Amendment**  
**Application**

**Integra Telecom of North Dakota, Inc./Qwest** Case No PU-2463-01-53  
**Corporation**  
**Interconnection Agreement Amendment**  
**Application**

**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 **8th day of February, 2001**, she deposited in the United States Mail, Bismarck, North Dakota,

envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

**Notice of Opportunity to File Written Comments**

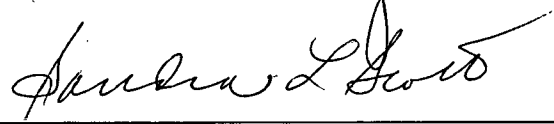
The envelopes were addressed as follows:

**See Attached List**

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

Subscribed and sworn to before me  
this 8th day of February, 2001.

  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public

SEAL

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

**PU-2057-01-40**

Copies To:

State Library (8 copies)

Historical Society

Associated Press

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Ruth Holder

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Pringle and Herigstad P C  
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Pamela Harrington  
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Ardon Doran  
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Abercrombie ND 58001-0136

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Parshall ND 58770

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Marcia Burckhard  
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Parshall ND 58770

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Souris River Tele Coop  
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State Tax Department  
State Capitol  
Bismarck ND 58505

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Darrell Henderson  
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Caroline Larson  
Telegroup Inc  
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bgreene@magicnet.net  
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Mick Grosz  
West River Telecomm Coop  
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Z-Tel Communications Inc  
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Tampa FL 33602-5925

**Helbling, Sharon D.**

**From:** Helbling, Sharon D.

**Sent:** Thursday, February 08, 2001 8:05 AM

**To:** ndna (E-mail)

**Subject:** Notice of Opportunity for Hearing & Notice of Opportunity to File Written Comments

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

**Please send the bill to the Public Service Commission, along with a tear sheet, for billing purposes. If you have any questions, please call me at 328-4076.**

**Thank you.**

**Sharon Helbling  
Public Utilities Division**



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**PU-2057-01-40**

Pages: 1

Notice e-mailed to NDNA requesting  
publication  
by Public Service Commission

02/08/2001

CC: Comm Legal Ilona Jerry .

**APPROVED**

**MOTION**

DATE: 2-7-01  
KME

February 7, 2001

**@link Networks, Inc./Qwest Corporation  
Interconnection Agreement Amendments  
Application**

**Case No. PU-2405-01-39**

**McLeodUSA Telecommunications Services, Inc./Qwest  
Corporation  
Interconnection Agreement Amendments  
Application**

**Case No. PU-2057-01-40**

**Preferred Carrier Services, Inc./Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2482-01-47**

**Citizens Telecommunications Company of North  
Dakota/Midcontinent Communications  
Interconnection Agreement  
Application**

**Case No. PU-2483-01-48**

**Citizens Telecommunications Company of North  
Dakota/Comm South Companies, Inc.  
Interconnection Agreement  
Application**

**Case No. PU-2483-01-49**

**IdeaOne Telecom Group, LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2038-01-52**

**Integra Telecom of North Dakota, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No PU-2463-01-53**

I move the Commission issue a Notice of Opportunity to File Written Comments in the applications for approval of interconnection agreement amendments and interconnection agreements in the above captioned cases.

JRL/sdh

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**PU-2057-01-40**

Pages: 1

Motion

by Public Service Commission

02/07/2001

CC: Comm Legal Illona Jerry

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**@link Networks, Inc./Qwest Corporation  
Interconnection Agreement Amendments  
Application** **Case No. PU-2405-01-39**

**McLeodUSA Telecommunications Services,  
Inc./Qwest Corporation  
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Application** **Case No. PU-2057-01-40**

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Interconnection Agreement Amendment  
Application** **Case No. PU-2038-01-52**

**Integra Telecom of North Dakota, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No PU-2463-01-53**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**

**February 7, 2001**

On January 24, 2001, in Case No. PU-2405-01-39, Qwest Corporation (Qwest) filed an application for approval of the first, second and third amendments negotiated to its interconnection agreement with @link Networks, Inc. of Richardson, Texas. These amendments set forth rates, terms and conditions for unbundled dedicated interoffice transport and line sharing as well as deaveraged rates for unbundled two-wire loops.

On January 25, 2001, in Case No. PU-2057-01-40, Qwest filed an application for approval of a sixth amendment negotiated to its interconnection agreement with

**3** **PU-2057-01-40** Pages: 3

Notice of Opportunity to File Written  
Comments  
by Public Service Commission

02/07/2001

CC: Comm Legal Ilona Jerry

McLeodUSA Telecommunications Services, Inc. of Cedar Rapids, Iowa. This amendment sets forth rates, terms and conditions for unbundled xDSL-I loops.

On January 31, 2001, in Case No. PU-2482-01-47, Qwest filed an application for approval of a service resale agreement negotiated with Preferred Carrier Services, Inc. of Addison, Texas. This agreement sets forth rates, terms and conditions under which Qwest agrees to provide services for resale.

On January 31, 2001, in Case No. PU-2483-01-48, Citizens Telecommunications Company of North Dakota (Citizens) filed an application for approval of an interconnection agreement negotiated with Midcontinent Communications of Sioux Falls, South Dakota. This agreement sets forth terms and conditions under which Citizens will assume the obligations of a previously approved agreement between Qwest and Midcontinent Communications.

Also on January 31, 2001, in Case No. PU-2484-01-49, Citizens filed an application for approval of a service resale agreement negotiated with Comm South Companies, Inc. of Dallas, Texas. This agreement sets forth rates, terms and conditions under which Citizens agrees to provide services for resale.

On February 1, 2001, in Case No. PU-2038-01-52, Quest filed an application for approval of a second amendment negotiated to its interconnection agreement with IdeaOne Telecom Group LLC of Kindred, ND. This amendment sets forth rates, terms and conditions for CLEC to CLEC cross connects and sub-loop unbundling.

Also on February 1, 2001, in Case No. PU-2463-01-53, Qwest filed an application for approval of a first amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. This amendment sets forth rates, terms and conditions for unbundled network elements combinations, customized routing and shared interoffice transport.

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

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

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253. Section 252(e)(4) requires that the Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

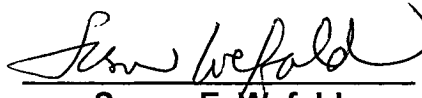
**The Commission will receive written comments on these agreements until March 15, 2001.**

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**



**Anthony T. Clark**  
Commissioner



**Susan E. Wefald**  
President



**Leo M. Reinbold**  
Commissioner

ZUGER KIRMIS & SMITH

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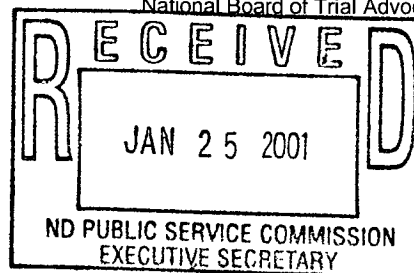
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<sup>^</sup>Certified Civil Trial Specialist  
National Board of Trial Advocacy

January 24, 2001



Mr. Jon Mielke  
Executive Secretary  
ND Public Service Commission  
State Capitol -- 12<sup>th</sup> Floor  
Bismarck, ND 58505-0480

**Re: Sixth Amendment to Interconnection Agreement Between Qwest Corporation and McLeod USA Telecommunications Services, Inc.**

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of Amendment No. 6 to the Interconnection Agreement between McLeod USA Telecommunications Services, Inc. and Qwest Corporation f/k/a U S WEST Communications, Inc. The Interconnection Agreement was approved by the Commission on May 26, 1999 in Docket No. PU-2057-99-109. The contact person for McLeod is Ms. Lauraine Harding, Senior Manager – Interconnection, McLeodUSA Telecommunications Services, Inc., 6400 C Street SW, Box 3177, Cedar Rapids, IA 52406-3177.

Also enclosed is an extra copy of this letter, please date stamp the extra copy and return it to me in the enclosed postage-paid envelope.

Please contact me if you have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel S. Kuntz".

Daniel S. Kuntz

Enclosures

c: Scott Macintosh w/enc.  
Debra Hartl wo/enc.  
Lauraine Harding wo/enc.

2

PU-2057-01-40

Pages: 1

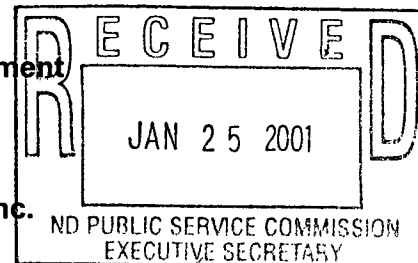
Cover letter re application

by McLeod USA Telecommunications Services Inc./Q

01/25/2000

CC: Comm Legal Illona Jerry .

**Amendment No. 6 to the Interconnection Agreement  
between  
U S WEST Communications, Inc.  
and  
McLeodUSA Telecommunications Services, Inc.  
for the State of North Dakota**



This Amendment No. 6 ("Amendment") is made and entered into by and between McLeodUSA Telecommunications Services, Inc. ("CLEC"), a Delaware corporation, and U S WEST Communications, Inc., ("USWC") a Colorado corporation. CLEC and USWC shall be known jointly as the "Parties".

**RECITALS**

CLEC and USWC entered into that certain Interconnection Agreement for service in the state of North Dakota which was approved by the North Dakota Public Service Commission on May 26, 1999 (the "Agreement"); and

CLEC and USWC wish to amend the Agreement under the terms, conditions, and rates contained herein.

NOW THEREFORE, the Parties agree to the following:

**1. DESCRIPTION OF AMENDMENT AND MODIFICATIONS:**

Attachment 3 of the Agreement, Section 2, Unbundled Network Elements is hereby amended to add the terms, conditions and rates for xDSL-I Loop ("IDSL"). A new section 2.11 is added as follows (Rates follow as Exhibit A):

**2.11 xDSL-I Loop (IDSL")**

**2.11.1 Description**

2.11.1.1 The xDSL-I ("IDSL") transports bi-directional, two-wire, Digital Subscriber Line signals with a nominal transmission rate of 160 kbit/s and will meet the performance requirements specified in U S WEST's Technical Publication 77384. It shall permit access from 128 kbit/s to 144 kbit/s, unchannelized payload bandwidth for transport of IDSL Services.

**2.11.2 Terms and Conditions**

2.11.2.1 USWC shall provide to CLEC, on a non-discriminatory basis, Unbundled IDSL Loops of substantially the same quality as the Loop that USWC uses to provide service to its own end-users within a reasonable timeframe and with a minimum of service disruption.

2.11.2.2 IDSL Digital Capable or Qualified Loops – IDSL. Unbundled digital loops are transmission paths capable of carrying specifically formatted and line coded digital signals. Unbundled IDSL

loops may be provided using a variety of transmission technologies including but not limited to metallic wire, metallic wire based digital loop carrier and fiber optic fed digital carrier systems. USWC will determine the specific transmission technology by which the IDSL Loop will be provided. Such technologies are used singularly or in tandem in providing service. DC continuity is not inherent in this service. Charges shall apply if conditioning of the IDSL capable loops is determined to be necessary and is requested by CLEC.

2.11.2.3 When CLEC requests an IDSL Loop, USWC will dispatch a technician to provide Extension Technology (as defined in the Interconnect and Resale Resource Guide), that may include the placement of repeaters, in either the Central Office or in the field, or BRITE cards in both the Central Office Terminal ("COT") and Remote Terminal ("RT") in order to make the Loop IDSL capable. The IDSL Loop may also require conditioning (e.g., removal of loads or bridged tap). CLEC will be charged an Extension Technology recurring charge in addition to the Unbundled Loop recurring charge as specified in Exhibit A of this Amendment. If USWC uses Integrated Digital Loop Carrier (IDLC) systems to provide the Unbundled Loop, to the extent possible, USWC will make alternate arrangements, which could include Line and Station Transfers (LST), to permit CLEC to order a contiguous Unbundled Loop.

2.11.2.4 USWC is not obligated to provision IDSL in areas served by Loop facilities and/or transmission equipment that is not compatible with the requested service. To avoid spectrum conflict within USWC facilities, USWC may control the use of certain cables for spectrum management considerations.

2.11.2.5 CLEC has four installation options available when ordering an IDSL Unbundled Loop. Depending on the type of Loop ordered, the rates for the installation options will vary. Rates are contained in Exhibit A of this Amendment.

2.11.2.5.1 Basic Installation Option for Existing Service. The Basic Installation option may be ordered for existing (reuse) service only. For an existing USWC or other CLEC end user changing to CLEC, the Basic Installation option has no associated circuit testing. USWC disconnects the Loop from its current termination and delivers it via the ITP to the point of demarcation. USWC will notify CLEC when the work activity is complete. Basic Installation Rates apply for this option and are contained in Exhibit A of this Amendment.

2.11.2.5.2 Basic Installation with Performance Testing Option for New Service. The Basic Installation with Performance Testing option is the minimum level of installation required for new service. For new service that has not previously existed, USWC will complete the circuit wiring per the WORD document and/or the service order. USWC will perform the required

performance tests to ensure the new circuit meets basic required parameter limits. The test results are recorded as benchmarks for future testing purposes. The test results are forwarded to CLEC by USWC. Basic Installation with Performance Testing rates apply for this option and are contained in Exhibit A of this Amendment.

2.11.2.5.3 Coordinated Installation with Cooperative Testing Option. The Coordinated Installation with Cooperative Testing option may be ordered for new or existing service. For an existing USWC or other CLEC end user changing to CLEC, the Coordinated Installation option includes cooperative testing. CLEC has the option of designating a specific appointment time when the order is placed. If no appointment time is specified when the order is initiated, CLEC will provide such information to USWC at least 48 hours prior to the desired appointment time. At the appointment time, USWC will disconnect the Loop from its current termination and deliver it to the point of demarcation in coordination with CLEC. USWC will complete the required performance tests and perform other testing as requested by CLEC. Testing requested by CLEC that exceeds testing requirements contained in U S WEST's Technical Publication 77384 will be billed to CLEC. Test results will be recorded as benchmarks for future testing and will be forwarded to CLEC. Coordinated Installation with Cooperative Testing rates apply for this option and are contained in Exhibit A of this Amendment.

▪ **IDSL Loops**

**No Load Coils, Opens, Grounds, Shorts or Foreign Volts**

Insertion Loss = < 42 dB at 40 kHz

Errored Second and Severely Errored Second Testing per Technical Publication 77384, where test capability exists

2.11.2.6 Unbundled IDSL Loops are provided in accordance with the specifications, interfaces and parameters described in U S WEST's Technical Publication 77384. USWC's sole obligation is to provide and maintain IDSL Unbundled Loops in accordance with such specifications, interfaces and parameters. USWC does not warrant that IDSL Unbundled Loops are compatible with any specific facilities or equipment or can be used for any particular purpose or service. Transmission characteristics may vary depending on the distance between CLEC's end user and USWC's end office and may vary due to characteristics inherent in the physical network. USWC, in order to properly maintain and modernize the network, may make necessary modifications and changes to the IDSL Unbundled Loops, ancillary and finished services in its network on an as needed basis. Such changes may result in minor changes to transmission parameters. Changes that affect network interoperability require advance notice pursuant to the Notices Section of the Agreement.

### **2.11.3 Rate Elements**

The following rate elements are contained in Exhibit A of this Amendment.

2.11.3.1 IDSL Digital Capable Loops – IDSL capable Loops should be requested when the 2/4 wire non-loaded Loop is either not available or the non-loaded Loop does not meet the technical parameters of CLEC's service(s). IDSL Unbundled digital Loops are transmission paths capable of carrying specifically formatted and line coded digital signals from the NI on an end user's premises to a USWC CO-NI. IDSL capable unbundled digital Loops may be provided using a variety of transmission technologies including but not limited to metallic wire, metallic wire based digital loop carrier and fiber optic fed digital carrier systems. USWC will determine the specific transmission technology by which the Loop will be provided. Such technologies are used singularly or in tandem in providing service. DC continuity is not inherent in this service. Charges shall apply for conditioning of the digital capable Loops, as requested by CLEC, if necessary.

2.11.3.2 Unbundled Loop recurring monthly rates for IDSL, which also includes Extension Technology recurring charges, are described in Exhibit A and includes the following:

- a) Installation charges;
- b) Conditioning charge.

2.11.3.3 Miscellaneous Charges may include Due Date Change Charges, Design Change Charges, Cancellation Charges, Additional Dispatch Charge, Expedite Order Charge, Additional Engineering, Installation Out of Hours, Maintenance of Service, Premises Work Charges, Additional Cooperative Testing, Non-Scheduled Testing, Automatic Scheduled Testing, Cooperative Scheduled Testing, Manual Testing, Manual Scheduled Testing. Rates are found in Exhibit A.

2.11.3.4 Out of Hours Coordinated Installations

2.11.3.4.1 For purposes of this Section, USWC's installation hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Out of hours installations are only 5:00 p.m. to 10:00 p.m., local time, Monday through Friday and 8:00 a.m. to 12:00 p.m., local time, Saturday.

2.11.3.4.2 Out of Hours installations permit CLEC to select a coordinated installation outside of USWC's installation hours. For planning purposes, CLEC shall provide USWC with a forecast of out of hours coordinated installations at least two weeks prior to CLEC placing an order in a particular state. Forecasts should include the anticipated coordinated installation appointment times and volumes to be installed out of hours.

2.11.3.4.3 CLEC shall request out of hours coordinated installations by submitting a Local Service Request (LSR) and designating the desired appointment time outside. In the Remarks section of the LSR, CLEC must specify an Out of Hours coordinated installation.

2.11.3.4.4 The date and time for out of hours coordinated installations may need to be negotiated between USWC and CLEC because of system downtime, switch upgrades, switch maintenance, and the possibility of other CLECs requesting the same appointment times in the same switch (switch contention).

2.11.3.4.5 CLEC will incur additional charges for out of hours coordinated installations. These charges will be the overtime rates. Refer to Exhibit A for these charges.

2.11.3.4.6 USWC will provide FOCs (Firm Order Commitments) to CLECs according to the PO-5 performance measure. For unbundled loops, the FOC is an acknowledgment that USWC has received the service request. The FOC does not indicate that USWC has compatible facilities to fulfill the service order by the requested due date. The FOC for orders requesting over 24 unbundled loops will be treated on an ICB basis.

2.11.3.5 CLEC is responsible for its own end user base and has responsibility for resolution of service problems. CLEC will perform trouble isolation on IDSL Unbundled Networks Elements prior to reporting trouble to USWC. USWC will work cooperatively with CLEC to resolve service problems. When the trouble is not in USWC's network, the trouble report will be referred back to CLEC and Defective Service Isolation Charges will apply.

#### **2.11.4 Ordering Process**

2.11.4.1 All IDSL Unbundled Loops are ordered via an LSR. Ordering processes are contained in the Agreement.

2.11.4.2 Prior to placing orders on behalf of the end user, CLEC shall be responsible for obtaining and have in its possession a Proof of Authorization as set forth in the Terms and Conditions Section of this Amendment.

2.11.4.3 Based on the pre-order loop make-up, CLEC can determine if the circuit can meet the technical parameters required by the IDSL service.

2.11.4.4 The installation intervals for the IDSL Capable Loops are defined in the Interconnect & Resale Resource Guide. The interval will start when USWC receives a complete and accurate Local Service Request (LSR). This date is considered the start of the service interval if

the order is received prior to 7:00 p.m. The service interval will begin on the next business day for service requests received after 7:00 p.m. This interval may be impacted by order volumes and load control considerations. If more than twenty-five orders are issued at the same address, the request will be handled on an individual case basis.

2.11.4.5 Installation intervals for IDSL Unbundled Loops apply when facilities and/or network capacity is in place. In addition, exceptions may occur in the event of central office conversions, system outages, severe weather conditions, and during emergency preparedness situations. Under these circumstances, service intervals will be quoted on an individual case basis (ICB).

2.11.4.6 The service intervals that have been established for IDSL are set forth in Exhibit B to this Amendment.

2.11.4.7 When ordering IDSL Unbundled Loops, CLEC is responsible for obtaining or providing facilities and equipment that are compatible with the service.

#### **2.11.5 Maintenance and Repair**

2.11.5.1 CLEC is responsible for its own end user base and will have the responsibility for resolution of any service trouble report(s) from its end users. CLEC will perform trouble isolation on the IDSL Unbundled Loop and any associated ancillary services prior to reporting trouble to USWC. USWC will work cooperatively with CLEC to resolve trouble reports when the trouble condition has been isolated and found to be within a portion of USWC's network. The Parties will cooperate in developing mutually acceptable test report standards. When the trouble is not in USWC's network, CLEC shall be assessed the applicable time and materials charges.

2.11.5.2 USWC will perform tests to isolate the service trouble. If no trouble is found, USWC will notify CLEC. If the trouble is isolated to the Central Office, or a USWC facility, USWC will repair, without charge, as long as the trouble is not attributed to CLEC's Collocation equipment, cabling, and/or cross connects. If the trouble is attributed to CLEC's Collocation equipment, cabling or cross connects, USWC will notify CLEC and charges will apply. If the trouble is on the end user's side of the NID, the trouble will be referred back to CLEC and charges will apply for trouble isolation.

2.11.5.3 When combining separately ordered elements or an element to collocated equipment, CLEC will have responsibility for testing its equipment, network facilities and the IDSL Unbundled Loop facility. If USWC performs tests of the IDSL Unbundled Loop facility at CLEC's request, and the fault is not in USWC's facilities, a trouble isolation charge/Defective Service Isolation charge shall apply.

**2. Effective Date.**

This Amendment shall be deemed effective upon approval by the appropriate state Commission; however, the Parties may agree to implement the provisions of this Amendment upon execution. To accommodate this need, CLEC must generate, if necessary, an updated Customer Questionnaire. In addition to the Questionnaire, all system updates will need to be completed by USWC. CLEC will be notified when all system changes have been made. Actual order processing may begin once these requirements have been met.

**3. Further Amendments.**

Except as modified herein, the provisions of the Agreement shall remain in full force and effect. Neither the Agreement nor this Amendment may be further amended or altered except by written instrument executed by an authorized representative of both parties.

The Parties intending to be legally bound have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

**McLeodUSA Telecommunications Services, Inc.**



Authorized Signature

David R. Conn

Name Typed or Printed

Vice President

Title

11/30/00

Date

**U S WEST Communications, Inc.**



Authorized Signature

Kresen Sasille

Name Typed or Printed

GM - EAST Wholesale

Title

12-8-00

Date

**Exhibit A  
NORTH DAKOTA RATES \***

	Recurring	Nonrecurring
Conditioning		\$538.16
Digital Capable Loops		
Basic Rate IDSL Capable Loop		
Zone 1	\$16.41 <sup>2</sup>	
Zone 2	\$27.66 <sup>2</sup>	
Zone 3	\$62.66 <sup>2</sup>	
Loop Installation Charges		
Basic Installation		
First Loop		\$105.79
Each Additional Loop		\$58.20
Basic Installation with Performance Testing		
First Loop		\$170.04
Each Additional Loop		\$86.24
Coordinated Installation with Cooperative Testing		
First Loop		\$217.05
Each Additional Analog Loop		\$133.23
Coordinated Installation without Cooperative Testing		
First Loop		\$94.31 <sup>1</sup>
Each Additional Loop		\$67.28 <sup>1</sup>
Network Interface Device (NID)		\$58.32

**NOTES:**

\* Unless otherwise indicated, all rates are pursuant to the U S WEST and AT&T Interconnection Agreement approved by the North Dakota Public Utilities Commission in Docket Number PU-453-96-497, effective June 23, 1997.

[1] Rates not addressed in AT&T Arbitration. (TELRIC based where required.)

[2] Deaveraged rates approved per Stipulated Agreement in Docket PU-314-97-12. Below is a breakdown of wire center per zone:

Zone 1- Fargo, Grand Forks, Bismarck, West Fargo, Jamestown, Williston, Wahpeton, Manden, Dickinson.

Zone 2- Valley City, Grafton, Mayville, Larimore, Lisbon, Casselton

Zone 3- Emerado, Pembina, Hatton, Belfield, Minto, Watford City, Hillsboro, Kindred, Thompson, Northwood, Gwinner, Reynolds, Gardner, Marvel, Fairmount, Wyndmere, Leonard, Alexander

**Exhibit B**

Established Service Intervals for IDSL:

		<b>High Density</b>	<b>Low Density</b>
a)	1-8 lines	5 business days	8 business days
b)	9-16 lines	6 business days	9 business days
c)	17-24 lines	7 business days	10 business days

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

1. Article Addressed to:  
 Kauraine Lording  
 McLeod USA  
 6400 C St SW  
 Cedar Rapids Ia 52406-3177

A. Received by (Please Print Clearly) *SCHWITZ* B. Date of Delivery *4-2-01*

C. Signature *Schwitz*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No  
*6400 C5+5W*

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
*7000 0520 0022 8654 2081*

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

*PU-2459-00-640*

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:  
 William Panchard  
 Continental FL Communications  
 702 W 1st St  
 Reming MN 88038

**COMPLETE THIS SECTION ON DELIVERY**

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

C. Signature *W Panchard*  Agent  Addressee

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

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
*7000 0520 0022 8654 0599*

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

*PU-2057-01-40*

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:  
 Kauraine Lording  
 McLeod USA  
 6400 C St NW  
 Cedar Rapids Ia 52406-3177

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *SCHWITZ* B. Date of Delivery *2-15-01*

C. Signature *Schwitz*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No  
*6400 C*

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
*7000 0520 0022 8654 0414*

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789