

# DIVIDER

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

**PU-2494-01-98**

Contact Communications

Local Exchange

Public Convenience & Nece

Filed 3/1/2001

Closed 5/24/2001

01

## DESCRIPTION

**Scott, Sandi L.**

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**From:** Bauske, Shelly A.  
**Sent:** Monday, June 04, 2001 11:54 AM  
**To:** Geiger, Gloria A.; Scott, Sandi L.  
**Subject:** Money Received.....

Case No. PU-2456-00-637  
USA Digital  
\$48.44 .

Case No. PU-2494-01-98  
Contact Communications  
\$256.93

Case No. PU-2392-00-457  
Telergy Network Services  
\$148.88

**14**    **PU-2456-00-637**                      Pages: 0  
\$48.44 received  
by USA Digital, Inc./Qwest Corporation  
06/04/2001                      CC: Comm Legal Ilona Jerry .

**41**    **PU-2494-01-98**                      Pages: 0  
\$256.93 received  
by Contact Communications  
06/04/2001                      CC: Comm Legal Ilona Jerry .

**14**    **PU-2392-00-457**                      Pages: 0  
\$148.88 received  
by Telergy Network Services, Inc.  
06/04/2001                      CC: Comm Legal PUD (3)

**APPROVED**

DATE: 5-23-01  
KMF

MOTION

May 23, 2001

Contact Communications  
Local Exchange  
Public Convenience & Necessity

Case No. PU-2494-01-98

I move the Commission bill Contact Communications for costs incurred to date in Case No. PU-2494-01-98, Contact Communications, Local Exchange, Public Convenience & Necessity.



# 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

May 23, 2001

Alexander K Davison  
Patton & Davison  
1920 Thomas Ave Ste 600  
Cheyenne WY 82003-0945

RE: Case No. PU-2494-01-98  
Contact Communications  
Local Exchange  
Public Convenience & Necessity

Enclosed is a copy of the statement approved at the May 23, 2001 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2494-01-98.

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  
Admin Staff Officer  
701-328-2401

Enc.

c: Steven Mossbrook  
Contact Communications  
937 W Main  
Riverton WY 82501

# Billing Statement

May 23, 2001

Contact Communications  
Local Exchange  
Public Convenience & Necessity

Case No. PU-2494-01-98

## Expenses Incurred to Date:

Advertising Costs	\$256.93
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## Amount Due:

Contact Communications	\$256.93
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## 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**



# 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

May 24, 2001

Alexander K Davison  
Patton & Patton  
1920 Thomas Ave Ste 600  
Cheyenne WY 82003-0945

Dear Mr. Davison:

On May 23, 2001, the Commission issued Certificate of Certificate of Public Convenience and Necessity Nos. 4688 through 4713 to Contact Communications to provide local exchange telecommunications services in all exchanges presently served by Qwest Corporation in North Dakota, Case No. PU-2494-01-98. The original certificates are enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Helbling".

Sharon Helbling  
Public Utilities Division

sdh

Enclosure

39 PU-2494-01-98

Pages: 1

Letter re approval  
by Public Service Commission

05/24/2001

CC: Comm Legal Illona Jerry.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Contact Communications  
Local Exchange  
Public Convenience and Necessity

Case No. PU-2494-01-98

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **24th day of May, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order

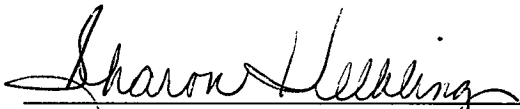

The envelopes were addressed as follows:

Alexander K Davison  
Patton & Davison  
1920 Thomas Ave Ste 600  
Cheyenne WY 82003-0945  
Cert. No. 7000 0520 0022 8655 4480

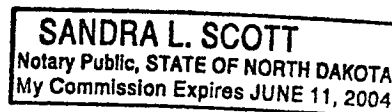
Steven Mossbrook  
Contact Communications  
937 West Main  
Riverton WY 82501  
Cert. No. 7000 0520 0022 8655 4497

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

Subscribed and sworn to before me  
this **24th day of May, 2001**.

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

SEAL



**APPROVED**

DATE: 5-23-01  
KMF

**MOTION**

**May 23, 2001**

**Contact Communications  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-2494-01-98**

I move the Commission adopt the Order and issue Certificates of Public Convenience and Necessity to Contact Communications to provide facilities-based competitive local exchange telecommunications service at all locations in North Dakota currently served by Qwest Corporation, Case No. PU-2494-01-98.

JRL/sdh

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

**Contact Communications**  
**Local Exchange**  
**Public Convenience and Necessity**

**Case No. PU-2494-01-98**

**ORDER**

**May 23, 2001**

On March 1, 2001, Contact Communications, Inc. (Contact) of Riverton, Wyoming filed an application for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunications services at all locations in North Dakota currently served by Qwest Corporation.

On March 14, 2001, the Commission issued a Notice of Opportunity for Hearing, which provided until April 17, 2001 for receiving comments or hearing requests. No requests for hearing were received. The Notice indicated the following issues to be considered in this matter:

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

On April 3, 2001, the Public Service Commission's Director of Accounting filed a memorandum indicating that Contact has the financial ability to provide telecommunications service.


Contact is a Wyoming Corporation with headquarters in Cheyenne, Wyoming. Contact has already been certified to operate as a competitive local exchange carrier in six states and has not been denied a certificate in any state. Biographical information indicates that Contact's management and key personnel have extensive telecommunications operational experience and technical expertise. Contact is presently serving approximately 2500 access lines in 14 Wyoming cities. The Commission finds Contact is fit, able, and has the technical, financial and managerial ability to provide service.

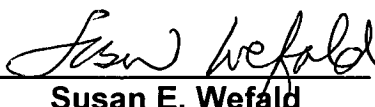
Contact intends to provide advanced services with focus on Tier 4 and below markets with populations between 3,000 and 50,000 people. Such services include Internet call diversion, DSL and IP based voice. The Commission finds Contact's proposed service adequate.

**Order**

The Commission Orders the application of Contact Communications, Inc. for certificates of public convenience and necessity to provide facilities-based competitive local exchange services at all locations in North Dakota currently served by Qwest Corporation is GRANTED.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Anthony T. Clark**  
Commissioner

  
\_\_\_\_\_  
**Susan E. Wefald**  
President

  
\_\_\_\_\_  
**Leo M. Reinbold**  
Commissioner

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4688


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Belfield, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4689

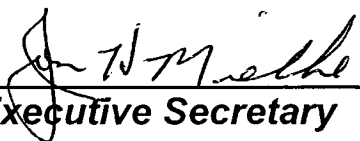
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Bismarck, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
Executive Secretary

  
Commissioner

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4690

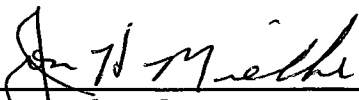
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Casselton, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4691

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Dickinson, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4692

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Emerado, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4693


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Fargo, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4694


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Gardner, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4695

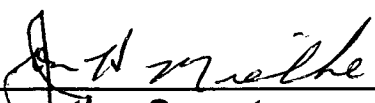
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Grafton, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4696

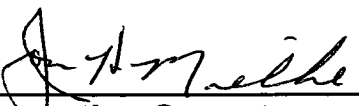
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Grand Forks, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4697

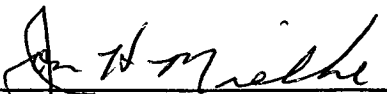
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Hatton, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4698

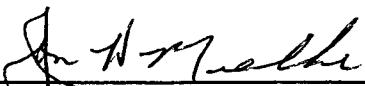
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Hillsboro, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4699

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Jamestown, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4700

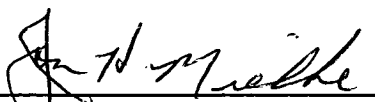
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Kindred, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4701

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Larimore, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4702

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Leonard, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4703

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Mandan, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4704


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Manvel, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4705

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Mayville, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4706

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Minto, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4707

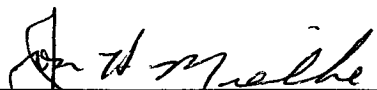
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Northwood, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4708


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Reynolds, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4709

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Thompson, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
Executive Secretary

  
Commissioner

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4710


*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Valley City, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4711

*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the Wahpeton, North Dakota local exchange area.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4712

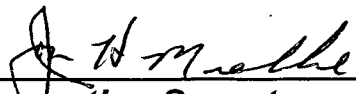
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the suburban territory near Fairview, Montana, part of the Fairview local exchange area, but located in North Dakota and served from the Fairview, Montana local central office.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

# STATE OF NORTH DAKOTA

## Certificate of Public Convenience and Necessity

### Certificate Number 4713

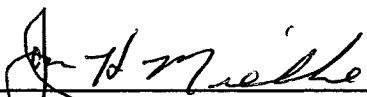
*This is to certify that public convenience and necessity require, and permission is granted for Contact Communications, a telecommunications public utility, to provide local exchange telecommunications services inside the rural territory near Sidney, Montana, part of the Sidney local exchange area, but located in North Dakota and served from the Sidney, Montana local central office.*

*This certificate is issued in Case No. PU-2494-01-98 and is conditioned upon Contact Communications securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, May 23, 2001.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
Executive Secretary

  
Commissioner

**INFORMAL AGENDA**

**May 9, 2001**

PU-2494-01-98

Contact Communications, Inc.  
Local Exchange  
Public Convenience and Necessity

*May 17 1:00 pm*

*PU-314-97-193*

# Affidavit of Publication

State of North Dakota )  
  )  
County of Burleigh     )

APR 26 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:  
Contact Comm. , 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

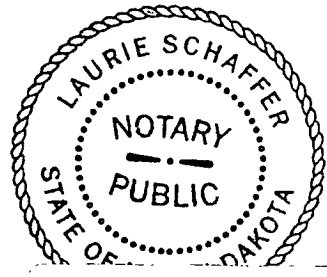
Subscribed and sworn to before me this 9th day of April A.D. 2001.

Laurie Schaffer

```

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

```



Notice Of Opportunity For Hearing  
March 14, 2001  
Case No. PU-2494-01-98

Bismarck	3-21
Devils Lake	3-21
Dickinson	3-21
Fargo	3-26
Grand Forks	3-21
Jamestown	3-21
Minot	3-21
Valley City	3-21
Walpeton	3-21
Williston	3-21

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Contact Communications  
Local Exchange  
Public Convenience and Necessity

Case No. PU-2494-01-98

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **3rd day of April, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelope with first class postage, fully prepaid, securely sealed and each containing a photocopy of:

**Staff Memo on Financial Ability**

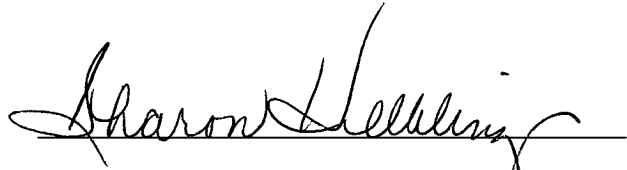
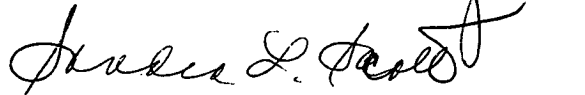
The envelopes were addressed as follows:

Alexander K Davison  
Patton & Davison  
1920 Thomas Ave Ste 600  
Cheyenne WY 82003-0945

Steven Mossbrook  
Contact Communications  
937 West Main  
Riverton WY 82501

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

Subscribed and sworn to before me  
this **3rd day of April, 2001**.

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

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

SEAL



Public Service Commission  
State of North Dakota

COMMISSIONERS

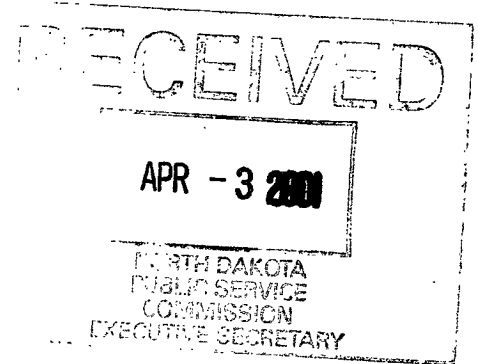
Susan E. Wefald, President  
Leo M. Reinbold  
Anthony T. Clark

Executive Secretary  
Jon H. Mielke

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

# Memorandum

**To:** Jon Mielke  
**From:** Mike Diller *Mike Diller*  
**Date:** April 3, 2001  
**Re:** **Contact Communications, Inc.**  
**Local Exchange PC&N Application**  
**Case No. PU-2494-01-98**



The following is written to provide the commission with a very limited review of this case regarding the applicant's financial ability to serve. Based on its application, Contact Communications has sufficient equity to provide service in North Dakota.

The Telecommunications Act of 1996 established a national policy to create a competitive environment for telephone service. The applicant is one of many companies responding to the act.

With regard to financial ability, staff sees no reason to deny this application.

In accordance with the commission's wishes, staff will serve this document on the applicant.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Contact Communications  
Local Exchange  
Public Convenience and Necessity

Case No. PU-2494-01-98

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **15th day of March, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity for Hearing

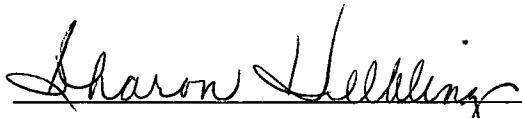
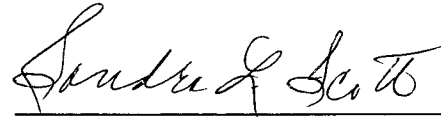
The envelopes were addressed as follows:

Alexander K Davison  
Patton & Davison  
1920 Thomas Ave Ste 600  
Cheyenne WY 82003-0945  
Cert. No. 7000 0520 0022 8654 0834

Steven Mossbrook  
Contact Communications  
937 West Main  
Riverton WY 82501  
Cert. No. 7000 0520 0022 8654 1787

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

Subscribed and sworn to before me  
this **15th day of March, 2001**.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
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

Contact Communications  
Local Exchange  
Public Convenience and Necessity

Case No. PU-2494-01-98

**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 **15th day of March, 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:

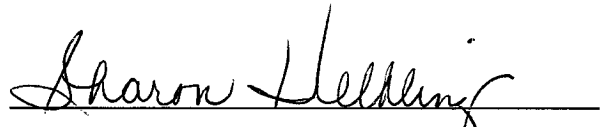
**Notice of Opportunity for Hearing**

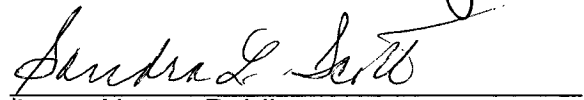
The envelopes were addressed as follows:

**See Attached List**

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

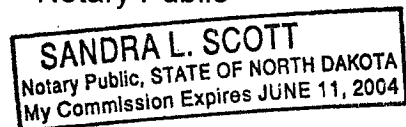
Subscribed and sworn to before me  
this **15th day of March, 2001**.

  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public

SEAL



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Barb Berkenpas

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Lise Strom

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Steele ND 58482-0230

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Jerome Tishmack  
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PO Box 230  
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Glenn Richards  
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Paul Ihland  
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Wolverton MN 56594

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3630 Phillips Pkwy  
St Louis Park MN 55426

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Farmington Hills MI 48334

Arch Paging  
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Eden Prairie MN 55344

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

Jennifer Whitley  
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Long Beach CA 90806

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Robert Fallan  
Coast International  
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Lenexa KS 66215-5210

Molli Harper  
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Mark Waind  
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Leeann Brunnette  
AT&T  
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Dorothy Jones  
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John Session  
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Vienna VA 22182

Choctaw Communications Inc  
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Dallas TX 75235

Comcast Telecommunications  
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Philadelphia PA 19102

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

D D D Calling Inc  
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Houston TX 77056

Robert Hill  
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PO Box 299  
Carrington ND 58421-0299

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

DSLnet Communications LLC  
545 Long Wharf Dr  
New Haven CT 06511

Easton Telecom Services Inc  
3046 Brecksville Rd #A  
Richfield OH 44286-9399

Excel Communications Inc  
8750 N Central Expswy Ste 2000  
Dallas TX 75231

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Fleischman & Walsh  
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Washington DC 20036

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

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

Lucille Nilson  
Griggs County Telephone Company  
Cooperstown ND 58425

Group Long Distance Inc  
400 E Atlantic Blvd  
Pampano Beach FL 33060-6200

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

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

Lance Sentman  
International Telcom Ltd  
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Seattle WA 98119

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Long Dist Consolidated Billing Co  
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Marilyn F  
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Denver CO 80202

MCImetro Access Transmission Services  
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Denver CO 80202

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Midcontinent Communications  
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Sioux Falls SD 57104

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

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

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Corp  
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Plymouth MN 55441

Mike Strand  
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PO Box 5237  
Helena MT 59604-5237

MVX Communications LLC  
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Novato CA 94945

Dave Crothers  
NDATC  
Box 1144  
Mandan ND 58554-1144

Richard Thronson  
Nemont Telephone Cooperative Inc  
Scobey MT 59263

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

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

Sandra Adams  
NewPath Holdings Inc  
4364 114th St  
Des Moines IA 50322

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

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

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

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

Quintelco Inc  
1 Blue Hill Plaza  
Pearl River NY 10965

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

Gene Sloan  
Reservation Telephone Cooperative  
Parshall ND 58770

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

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

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

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

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

Liz Petroni  
Teltrust Comm Services Inc  
401 N 5600 W  
Salt Lake City UT 84116-3753

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

Heather Troxell  
Qwest Communications Corporation  
4250 Fairfax Dr  
Arlington VA 22203

RCN Long Distance Company  
105 Carnegie Ctr  
Princeton NJ 08540

Sandra Adams  
NewPath Holdings Inc  
4364 114th St  
Des Moines IA 50322  
Lisa Dabkowski  
SNET America Inc  
6 Devine St 1st Fl  
North Haven CT 06743

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

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

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

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

T-Netix Inc  
67 Inverness Drive E  
Englewood CO 80112

Kenneth Carlson  
Turtle Mountain Communications  
PO Box 729  
Langdon ND 58249-0729

Richard Alyanak  
U S WEST Communications Inc  
1801 California St Rm 4700  
Denver CO 80202

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

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

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

Mick Grosz  
West River Communications Inc  
PO Box 467  
Hazen ND 58545-0467

Mick Grosz  
West River Telecomm Coop  
PO Box 467  
Hazen ND 58545-0467

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

Charles S esse  
U S WEST  
1801 California St Ste 5100  
Denver CO 80202

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

Kenneth Carlson  
United Telephone Mut Aid Corp  
Langdon ND 58249

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

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

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

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

**Helbling, Sharon D.**  
**From:** Helbling, Sharon D.  
**Sent:** Thursday, March 15, 2001 10:11 AM  
**To:** ndna (E-mail)  
**Subject:** Notice of Opportunity for Hearing and Notice of Opportunity to File Written Comments

Colleen,

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.

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

If you have any questions, give me a call at 328-4076.

Thanks.

Sharon Helbling  
Public Utilities Division



1.doc



1.doc

**APPROVED**

**MOTION**

DATE: 3-14-01  
KMF

**March 14, 2001**

**Contact Communications, Inc.  
Local Exchange  
Public Convenience & Necessity**

**Case No. PU-2494-01-98**

I move the Commission issue a Notice of Opportunity for Hearing in the application of Contact Communications, Inc. for a Certificate of Public Convenience and Necessity to provide facilities-based competitive local exchange telecommunications service at all locations in North Dakota currently served by Qwest Corporation, Case No. PU-2494-01-98.

JRL/sdh

001098-2.doc

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

Contact Communications, Inc.  
Local Exchange  
Public Convenience & Necessity

Case No. PU-2494-01-98

**NOTICE OF OPPORTUNITY FOR HEARING**

**March 14, 2001**

On March 1, 2001, Connect Communications, Inc. of Riverton, Wyoming filed an application for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunications services at all locations in North Dakota currently served by Qwest Corporation Communications, Inc.

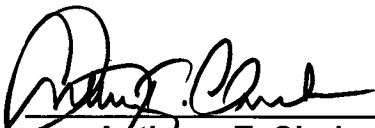
The issues to be considered in this matter are:

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

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **April 17, 2001**. If deemed appropriate, the Commission can determine these matters without hearings.

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

**PUBLIC SERVICE COMMISSION**



Anthony T. Clark  
Commissioner



Susan E. Wejald  
President



Leo M. Reinbold  
Commissioner

**Patton & Davison**

ATTORNEYS AT LAW

P.O. Box 945

Cheyenne, Wyoming 82003-0945

**John C. Patton**  
admitted WY, CO

**Alexander K. Davison**  
admitted WY, CO, NE

**Terry W. Connolly**  
admitted WY

**Wendy J. Curtis**  
admitted WY, CO

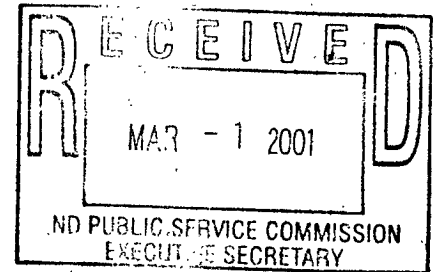
Telephone (307) 635-4111

Fax (307) 635-6904

E-Mail: PandDAttys@aol.com

Monday, February 26, 2001

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



RE: CLEC Application of Contact Communications, Inc.

Dear Mr. Mielke:

Enclosed please find an original and six copies of the Application of Contact Communications, Inc. for a Certificate of Public Convenience and Necessity, and Application for Certificate of Registration for filing. I have also enclosed an original and seven copies of the initial tariff of Contact Communications, Inc.


I have enclosed an additional copy of each document to be file stamped and returned to our office in the enclosed stamped envelope.

If I can be of further assistance, please advise.

Respectfully Submitted,

PATTON & DAVISON

By:

  
Wendy J. Curtis

WJC:  
Enclosure

\\P\_DISYS\HDRVIE>Contact Communications\North Dakota\ND102 ltr to commission.doc

OFFICE  
CITY CENTER BUILDING  
1920 THOMES AVENUE, SUITE 600  
CHEYENNE, WYOMING 82001

\\P\_DISYS\HDRVIE>Contact Communications\North Dakota\ND102 ltr to commission.doc

1 PU-2494-01-98 Pages: 54

Local Exchange PC&N filing

by Contact Communications

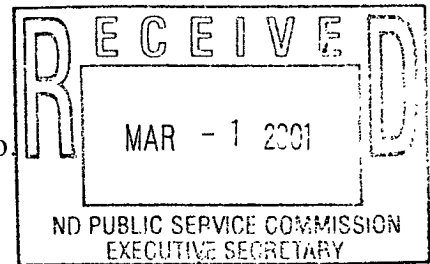
03/01/2001

CC: Comm Legal Ilona Jerry

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

IN THE MATTER OF THE APPLICATION )  
OF CONTACT COMMUNICATIONS, INC. )  
FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO )  
PROVIDE TELECOMMUNICATIONS IN )  
NORTH DAKOTA )  
)

Docket No.



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**APPLICATION OF CONTACT COMMUNICATIONS, INC.**

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The Applicant, CONTACT COMMUNICATIONS, INC., by its undersigned counsel, a corporation organized and existing under the laws of the State of Wyoming with its principal place of business of 937 West Main, Riverton, Wyoming 82501 does hereby file for a certificate of public convenience and necessity to provide basic local exchange service throughout the State of North Dakota. Applicant respectfully requests that the Commission grant it a certificate to provide the local exchange telecommunications services described herein. In support thereof, Applicant provides the following information:

1. On October 31, 2000, the North Dakota Secretary of State issued to Contact Communications, Inc. a Certificate of Authority under the provisions of North Dakota law governing foreign corporations, giving it authority to do business in the State of North Dakota, and a copy of such certificate is submitted with the application
2. Contact Communications was organized as a Wyoming Corporation to engage in the business of offering telecommunications services and intends to offer these services in several states. By this application, Contact Communications, doing business in this state as Contact Communications, Inc., requests a Certificate of Public Convenience

and Necessity to provide local exchange along with other telecommunications services at all locations throughout the State of North Dakota that are currently served by Qwest Communications and to provide interexchange services statewide.

3. Contact Communications, Inc. has applied for a Certificate of Registration to resell local and long distance service in North Dakota.
4. The following exhibits are attached to this application and incorporated herein by this reference:
  - A: A copy of the Certificate of Authority issued by the State of North Dakota.
  - B: A Certificate of Good Standing from the State of North Dakota:
  - C: A recent balance sheet and income statement of Contact Communications, Inc.
  - D. Affidavit of Steve Mossbrook.
  - E. Affidavit of Frostie Sprout.
  - F. Biographical Information.
5. All correspondence and notice regarding this application should be directed to: Alexander K. Davison, Patton & Davison Attorneys, 1920 Thomes Ave, Suite 600, P.O. Box 945, Cheyenne, Wyoming, 82003-0945. Telephone number: 307-635-4111. Fax number: 307-635-6904.
6. The rate structure for providing local exchange and toll service is intended to be competitive with the rates charges by the incumbent providers. Rates for wholesale service will be established by contract on an individual case basis. The specific rates charged by Contact Communications have yet to be determined pending the negotiation of an interconnection agreement with Qwest. Upon completion of the interconnection agreement, the service rates will be updated.

7. Contact Communications, Inc. is fit and has the experience and ability to provide the local exchange and toll service for which authority is sought herein. Contact Communications, Inc. intends to provide all forms of intrastate service. Initially, the company will provide:

A: Digital subscriber line, ISDN, frame-relay and other high capacity line services.

B: Internet Call Diversion.

Initially, Contact Communications, Inc. will not have a direct relationship with retail customers. However, in the future, Contact Communications, Inc., intends to expand to offer a full range of telecommunications services.

8. Contact Communications, Inc. has the technical, financial, and managerial ability to provide the indicated services. Further detail on the ability of Contact Communications, Inc. is provided in the affidavits of Steven Mossbrook and Frostie Sprout which are attached hereto.

9. By enacting the Telecommunications Act of 1996, Congress has established a national public policy of opening the local exchange to competition and increasing the level of competition in all other areas of telecommunications services. Congress perceived a need for such competition, and Contact Communications, Inc. hopes to meet this need to the ultimate benefit of North Dakota customers.

10. Since Contact Communications, Inc. intends to provide local exchange telecommunications services in those geographic areas in North Dakota currently served by Qwest as illustrated in the exchange area maps, as currently, or as modified in the future, Applicant hereby requests a waiver of the requirement that it file a map of the area to be served.

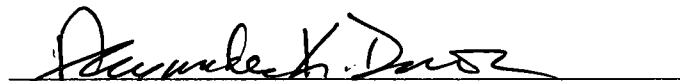
11. The Public Service Commission for the State of North Dakota has authority to grant this application under the provision of Chapter 49-03.1 of the North Dakota Century Code and the Rules of Practice and Procedure of the Commission.

WHEREFORE, Contact Communications, Inc. respectfully requests that a Certificate of Public Convenience and Necessity be issued for the services sought herein following appropriate notice. Further, Contact Communications, Inc. respectfully requests that the Certificate of Public Convenience and Necessity be issued without a hearing, if appropriate, according to the applicable statute and the rules and regulations of the Commission.

Dated this 26<sup>th</sup> day of February, 2001.

CONTACT COMMUNICATIONS, INC.,

By:



Alexander K. Davison  
Patton & Davison  
1920 Thomas Avenue, Suite 600  
P. O. Box 945  
Cheyenne, Wyoming 82003-0945  
307-635-4111  
Attorney for CONTACT COMMUNICATIONS,  
INC.

# State of North Dakota

## SECRETARY OF STATE



### CERTIFICATE OF AUTHORITY

OF

### CONTACT COMMUNICATIONS

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that an application of

CONTACT COMMUNICATIONS  
for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the North Dakota Century Code, have been received in this office and are found to conform to law.

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

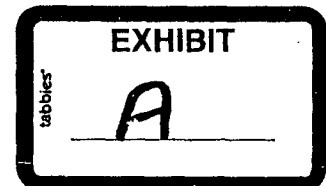
CONTACT COMMUNICATIONS  
to transact business in this State under the name of

CONTACT COMMUNICATIONS, INC.

Issued: October 31, 2000

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

Alvin A. Jaeger  
Secretary of State



# State of North Dakota

## SECRETARY OF STATE



### CERTIFICATE OF TRADE NAME REGISTRATION OF

CONTACT COMMUNICATIONS, INC.

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

Accordingly the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues the Certificate of Trade Name Registration of CONTACT COMMUNICATIONS, INC. which is owned by CONTACT COMMUNICATIONS with an address of 937 W MAIN ST , RIVERTON, WY 82501-3262.

The Trade Name Registration shall remain in force until October 31, 2005.

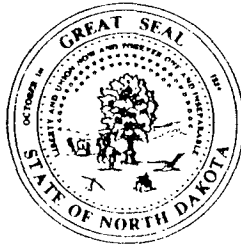
DATED: October 31, 2000

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

Alvin A. Jaeger  
Secretary of State

# State of North Dakota

## SECRETARY OF STATE



### CERTIFICATE OF GOOD STANDING

OF

CONTACT COMMUNICATIONS

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that CONTACT COMMUNICATIONS, a Wyoming corporation, authorized to transact business in the State of North Dakota on October 31, 2000, and according to the records of this office as of this date, has paid all fees due this office as required by North Dakota statutes governing foreign corporations.

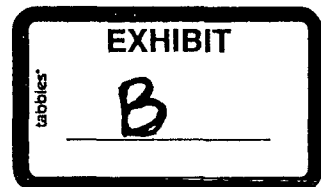
ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Good Standing to

CONTACT COMMUNICATIONS

Issued: February 21, 2001

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

Alvin A. Jaeger  
Secretary of State



Contact Communications  
Balance Sheet  
October 31, 2000



ASSETS

Current Assets		
First Interstate - Reg account	\$	1,548.21
Accounts Receivable		<u>631,083.83</u>
Total Current Assets		632,632.04
Property and Equipment		
Furniture and Fixtures		8,785.98
Equipment		1,126,564.23
Accum. Depreciation-Furniture		<516.25>
Accum. Depreciation-Equipment		<u>&lt;218,569.94&gt;</u>
Total Property and Equipment		916,264.02
Other Assets		
Deposits		300.00
Organization Costs		<u>1,187.50</u>
Total Other Assets		<u>1,487.50</u>
Total Assets	\$	<u><u>1,550,383.56</u></u>

LIABILITIES AND CAPITAL

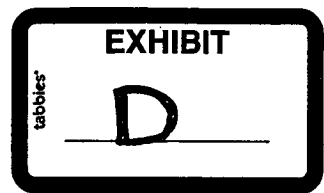
Current Liabilities		
Accounts Payable	\$	28,417.39
Mastercard Payable		212.59
Federal Withhold Taxes Payable		1,161.91
Fica & Med Taxes Payable		1,604.64
FUTA Tax Payable		60.40
SUTA Taxes Payable		202.41
Group Health Ins. Payable		<u>534.34</u>
Total Current Liabilities		32,193.68
Long-Term Liabilities		
N/P Steven A. Mossbrook		284,377.15
Acc. Interest Pay - Mossbrook		4,073.15
Contracts Payable - Livingston		880,892.55
N/P - Steven A. Mossbrook		40,000.00
Acc. Interest Pay - Mossbrook		<u>1,833.65</u>
Total Long-Term Liabilities		<u>1,211,676.50</u>
Total Liabilities		1,243,870.18
Capital		
Common Stock		10,000.00
Net Income		<u>296,513.38</u>
Total Capital		<u>306,513.38</u>
Total Liabilities & Capital	\$	<u><u>1,550,383.56</u></u>

Unaudited - For Management Purposes Only

Contact Communications  
Income Statement  
For the Ten Months Ending October 31, 2000

	Current Month		Year to Date	
<b>Revenues</b>				
Network Installation	\$ 300.00	0.17	\$ 4,100.00	0.47
Network Services	0.00	0.00	600.00	0.07
Managed Modem	41,715.00	23.85	248,680.80	28.27
Co-location Services	1,275.00	0.73	8,925.00	1.01
Reciprocal Compensation	121,842.32	69.65	607,524.27	69.07
Finance Charge Income	9,800.56	5.60	9,800.56	1.11
<b>Total Revenues</b>	<b>174,933.38</b>	<b>100.00</b>	<b>879,630.63</b>	<b>100.00</b>
<b>Cost of Sales</b>				
COG - SS7 Services	6,130.87	3.50	35,687.87	4.06
Local Interc. Services- USWest	9,086.45	5.19	38,486.05	10.06
COG - I FB'S	870.49	0.50	3,373.14	0.38
COG - Internet Backbone	350.00	0.49	5,950.00	0.68
Cost of Sales- Colocation	0.00	0.00	5,173.95	0.59
<b>Total Cost of Sales</b>	<b>16,937.81</b>	<b>9.68</b>	<b>138,671.01</b>	<b>15.76</b>
<b>Gross Profit</b>	<b>157,995.57</b>	<b>90.32</b>	<b>740,959.62</b>	<b>84.24</b>
<b>Expenses</b>				
Advertising Expense	1,000.00	0.57	1,420.45	0.16
Coding Fees	0.00	0.00	389.32	0.04
Dues and Subscriptions Exp	0.00	0.00	500.00	0.06
Education & Training	<4,029.00>	<2.30>	0.00	0.00
Employee Health Insurance	211.91	0.12	548.99	0.06
Fees	400.00	0.23	10,092.00	1.15
Interest - Livingston Capital	10,499.56	6.00	75,287.72	8.56
Interest expense	0.00	0.00	328.24	0.04
Interest Exp- L/T Mossbrook	2,083.87	1.19	9,401.10	1.07
Interest Expense - Mossbrook	345.73	0.20	1,833.65	0.21
Legal and Professional Expense	11,626.25	6.65	31,457.71	3.58
Licenses Expense	0.00	0.00	60.00	0.01
Lodging	0.00	0.00	1,504.06	0.17
Maintenance & Repair - Equip	0.00	0.00	2,578.67	0.29
Maintenance - Livingston Cap	1,705.00	0.97	6,236.00	0.71
Meals and Entertainment Exp	20.00	0.01	310.97	0.09
Office Expense	214.75	0.12	2,997.61	0.34
Payroll Tax Expense	1,291.94	0.74	5,798.20	0.66
Postage & Delivery Expense	0.00	0.00	95.02	0.01
Rent Expense	4,180.00	2.39	6,160.00	0.70
Repairs Expense	0.00	0.00	4,871.42	0.55
Shipping	115.00	0.07	252.93	0.03
Software	39.95	0.02	1,927.78	0.22
Supplies Expense	0.00	0.00	333.80	0.04
Telephone Expense	99.25	0.06	146.25	0.02
Travel Expense	42.94	0.02	1,589.51	0.18
Travel - Plane	0.00	0.00	4,168.83	0.47
Wages Expense	10,810.01	6.18	54,287.57	6.17
Other Expense	0.00	0.00	282.25	0.03
Depreciation	32,104.45	18.35	219,086.19	24.91
<b>Total Expenses</b>	<b>72,761.61</b>	<b>41.59</b>	<b>444,446.24</b>	<b>50.53</b>
<b>Net Income</b>	<b>\$ 85,233.96</b>	<b>48.72</b>	<b>\$ 296,513.38</b>	<b>33.71</b>

For Management Purposes Only



BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

IN THE MATTER OF THE APPLICATION )
OF CONTACT COMMUNICATIONS, INC. )
FOR A CERTIFICATE OF PUBLIC ) Docket No.
CONVENIENCE AND NECESSITY TO )
PROVIDE TELECOMMUNICATIONS IN )
NORTH DAKOTA )
)

AFFIDAVIT OF STEVEN MOSSBROOK

INTRODUCTION

My name is Steve Mossbrook. I am President and CEO of Contact Communications, Inc.. My business address is 937 West Main Street, Riverton, Wyoming, 82501. I have owned and operated seven companies in various fields, most recently in the Internet business. I am presently responsible for the executive leadership of Contact Communications, Inc., and Wyoming.com LLC, an Internet service provider. I hold an MBA in Finance from Georgia State University.

The purpose of my testimony is to describe how Contact Communications, Inc. has the managerial and financial wherewithal to safely deliver telecommunications services throughout the State of North Dakota and that granting a Certificate of Public Convenience and Necessity to Contact Communications, Inc. in North Dakota is in the public interest.

Contact Communications, Inc. is a Wyoming corporation with two stockholders, myself and my wife. It has issued and outstanding stock in the amount of 600,000 shares of which I own 540,000 shares. I am both President and CEO of Contact Communications, Inc. as well as Wyoming.com LLC. Contact Communications, Inc. has been certified by the Secretary of State to conduct business in the State of North Dakota.

SERVICE OFFERINGS

Contact Communications, Inc. has received certification to operate as a CLEC in Wyoming, Oregon, Montana, Colorado, Kansas and Wisconsin. Contact Communications, Inc. has not been denied a certificate in any state where it has tendered an application. Service has yet to be implemented in states other than Wyoming. In Wyoming, Contact Communications, Inc. has established itself as a common carrier in fourteen cities. In each city, it has established a point of presence and developed interconnection with Qwest using facilities ranging from DS1 to DS3. We are presently serving approximately 2500 lines in Wyoming.

In North Dakota, the intent is to provide wholesale services to Internet service providers. The services contemplated at present consist of Internet call diversion, DSL and IP based voice services. We intend to focus on Tier 4 and below markets. We have gained

considerable experience in serving the more rural customers in smaller communities and believe we are positioned to bring many advanced services to them if we receive reasonable cooperation from the incumbent telephone company. In the future Contact Communications, Inc. would like to expand to offer an extended range of telecommunications services.

### **FINANCIAL CAPABILITY**

Attached to the Application of Contact Communications, Inc. are exhibits which include the current Balance Sheet and Income Statement of Contact Communications, Inc. These exhibits show that the company has assets in the low seven digits with equity in the mid six digits. It further shows that the company is profitable with year to date profits in the mid six digits.

While it may be necessary in the current economic downturn to carefully control the speed of deployment, it should be possible for the company to expand as planned without excessive risk. Since we do not plan to build out massively in advance of the customer base we do not expect to face the risk elements which have plagued many of our competitors in the competitive access field. While we do contemplate the infusion of additional financial resources they are not required to pursue our plans. The real change offered by additional investment will be in the rate of deployment. Because of the lower risk associated with small markets, we plan to use Wyoming to test each service before providing it on a larger, regional scale. Once a technology is proven we will market it to service providers on a larger scale throughout additional states. In each case we expect to have customers for services before risking the investment required to deploy such services. In addition to our own financial resources we either have established or are in the process of establishing credit with the main providers of telecommunications equipment, Lucent, Nortel and Cisco. This credit is primarily in the form of ability to lease hardware over a period of years at favorable interest rates, allowing us to leverage our current resources to provide service in a significantly larger market area.

### **MANAGERIAL QUALIFICATIONS**

Contact Communications, Inc. is fortunate to have a highly qualified executive core on which to develop the full operations staff. Attached to the Application of Contact Communications, Inc. are the resumes of key personnel. Briefly, these individuals are:

- ◆ Steve Mossbrook, President -- Steve is the founder and CEO of Contact. He provides the leadership and strategic vision of the venture and will focus on marketing and financial management.
- ◆ Arlen Taggart, Vice President -- Arlen has managed telephone company activities for 23 years, most recently with Sprint. He will handle the day-to-day activities, focusing on administration and Operational Support Services (OSS).
- ◆ Frostie Sprout, Vice President Technology -- Frostie leads our team in decisions regarding the deployment of technology based services. He concentrates on hardware and software evaluation, testing and prototype deployment.

- ◆ John Ganley, NOC Director – John leads our team of highly skilled engineers and programmers. He has managed and directed Information Systems/Technologies groups for over 15 years in both the private sector and Fortune 500 companies. His management background is combined with extensive hands-on technical abilities.

In addition to the executive management team described above we share some of the best talent from within Wyoming.com, especially in the areas of network operations, accounting and marketing. We utilize an arrangement that allows us to rent the talents of certain individuals who have time available to work in both operations. This enables us to leverage the abilities of many talented people. At last count there were 41 people employed in the combined companies Contact Communications, Inc. and Wyoming.com. There are ten people on the Contact payroll.

Additionally, we have been using consultants for several years to expand our areas of expertise, and have established relationships with several contractors to perform tasks which we are not presently equipped to handle internally. We do not plan to employ large numbers of inside or outside plant engineers to deal with our use of the networks owned by the incumbent carriers. As a part of our agreement with each ILEC we seek to establish a basis on which each party has the responsibility to maintain its own facilities. Since our use of the ILEC's facilities is almost exclusively on a wholesale purchase of services or network elements it is not necessary for us to employ individuals who are capable of maintaining such facilities. This will remain the responsibility of the facility owners, the ILEC's.

#### **PUBLIC INTEREST**

Although Contact will be in competition with the LECs our deployment will not harm the operations of the incumbent LEC. It is obvious that we will be dependent on the incumbents in many important ways for facilities and services. We will be an additional revenue source for incumbents. In addition, we will provide a menu for the customer which is both state of the art, and diverse. As rural customers begin utilizing our services benefits will accrue to the incumbent providers.

#### **CONCLUSION**

The Application of Contact Communications, Inc. and my affidavit in support thereof, and the affidavit of Frostie Sprout in support thereof, demonstrate that Contact Communications, Inc. possesses all the requisite qualifications to be a competitive local exchange service provider in North Dakota, and that the grant of this request is in the public interest.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Contact Communications, Inc.

BY: 

Steven Mossbrook





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

IN THE MATTER OF THE APPLICATION )  
OF CONTACT COMMUNICATIONS FOR A )  
CERTIFICATE OF PUBLIC ) Docket No.  
CONVENIENCE AND NECESSITY TO )  
PROVDE TELECOMMUNICATIONS IN )  
NORTH DAKOTA )  
)

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**AFFIDAVIT OF FROSTIE SPROUT**

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**INTRODUCTION**

My name is Frostie Sprout. I am Vice President of Contact Communications. My business address is 937 West Main Street, Riverton, Wyoming, 82501. I initially learned computer technology and telecommunications in the Air Force. In 1994, I was hired as the original technology designer for Wyoming.com, and have served as its head of technology since that time. I have directed all of the technical issues for Contact Communications. I attended the Massachusetts Institute of Technology.

The purpose of my testimony is to describe how Contact Communications has the technical ability to safely deliver telecommunications services throughout the State of North Dakota

**CURRENT TECHNICAL OPERATIONS**

Currently, Contact Communications has operations in fourteen cities in Wyoming consisting of Lucent Technologies and Cisco Systems hardware. The network operations facility is located in Riverton, Wyoming, with a data network that connects to each of the other cities utilizing the Qwest frame relay network. The network is managed on a 24x7 basis with a team of three primary and four secondary engineers.

Long-term statistics concerning call volume, call event records, network utilization, and network errors are stored in SQL databases and graphical form.

We presently serve 14 Qwest cities in Wyoming with 56K Internet call diversion service. Our connections to Qwest consist of Local Interconnection Service trunks riding on T-1's over DS-1 and DS-3 circuits between Contact and Qwest. Call setup is handled by a Lucent Signaling Gateway residing in Riverton which is connected to the Illuminet SS7 network to provide out of band call control. This same switch controls Lucent TNT's in each city which receive the trunks and terminate the calls on modems.

We then provide RADIUS user identification to a proxy server that identifies the appropriate ISP customer via DNIS and transfers the identification and password to the ISP for authentication. Upon a satisfactory response the call continues and a data

connection riding Cisco Systems hardware is established to the ISP customer.

Three cities on this network will soon receive DSL equipment for provisioning of unbundled network elements and line sharing. Integration of this DSL technology will allow Contact to provide Voice over IP services to its DSL customers.

#### **TECHNICAL SERVICE**

The network is monitored on 24x7 basis with a mixture of industry standard network management packages and custom modifications with at least one network engineer on call at all times. In the event of a failure, the management system can use a mixture of audible alerts, email, instant messaging and automatic paging to notify network engineering personnel. Notifications along with other network statistics are stored for long-term trend analysis.

In the event of trouble with our connection to the Illuminet SS7 network, alarms are generated at both the Illuminet and Contact management systems along with the carriers transporting the A-links on a 24x7 basis.

All equipment of the Contact network is monitored on a 24x7 basis.

Repair is managed by an internal ticketing system that allows both reactive and proactive tickets to be tracked.

Should a customer call with a question, we have customer service representatives available on duty until 10 PM daily. After hours support is available via paging instructions provided to the customer. Service effecting outages are handled on a 24x7 basis with a separate phone number that, if not answered, uses intelligent network technology to reach the on-call engineer. A series of escalation procedures are used to handle simple calls through advanced engineering support to make sure the call is answered completely.

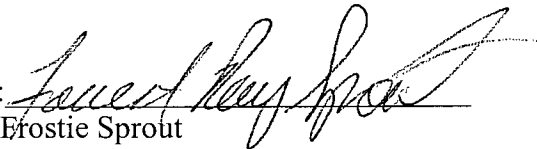
#### **TECHNICAL STAFF**

The senior engineers have been specifically trained by Lucent to handle their hardware. The senior engineers have in turn trained the junior engineers and the engineering supervisor. Many of the engineers also have Cisco and Microsoft certifications.

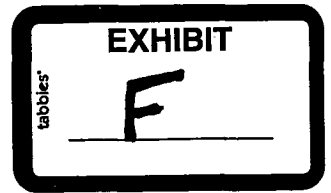
FURTHER YOUR AFFIANT SAYETH NAUGHT.

Contact Communications

BY:

  
Frostie Sprout





# STEVE MOSSBROOK

## FUNCTIONAL SUMMARY

Since 1975 I have been involved in entrepreneurial ventures as principal owner and executive.

## EMPLOYMENT

- |                |  |              |
|----------------|--|--------------|
| 1997 - Present | Contact Communications<br><i>President</i>                                   | Riverton, WY |
|                | <ul style="list-style-type: none"><li>Wholesale telecommunications</li></ul> |              |
| 1994 - Present | Wyoming.com LLC<br><i>President</i>  | Riverton, WY |
|                | <ul style="list-style-type: none"><li>Internet service provider</li></ul>    |              |
| 1987 - 1994    | Mossbrook Consulting<br><i>President</i>                                     | Lander, WY   |
|                | <ul style="list-style-type: none"><li>Software consultants</li></ul>         |              |

## EDUCATION

- |      |  |             |
|------|--|-------------|
| 1964 | Oberlin College<br><i>AB Economics</i>         | Oberlin, OH |
| 1972 | Georgia State University<br><i>MBA Finance</i> | Atlanta, GA |

## **ARLEN G. TAGGART**

P.O. BOX 1209 • Riverton, WY. 82501 • 307-857-0544

### **CREDENTIALS:**

- Twenty two years of experience in Administration and Management.
- Over fifteen years in executive level positions.
- Extended experience in management and human resources in a regulated environment.
- Implemented and evaluated the results of marketing, advertising and promotional projects.
- Responsible for staffing, training, motivation, and direction of management and hourly work forces.
- Approved forecasts and budgets and established strict expense, resource and quality controls.
- Established community support by public speaking, advising organizations, and written presentations.
- Experienced with enforcing compliance to administrative procedures in all areas and phases of activity.

### **ACCOMPLISHMENTS:**

- Identified need, justified capital budget, designed, bid and oversaw the purchase and installation of a \$600,000 access control system. Significantly improved the security and safety of 1800 employees and 45 company properties in Southern Nevada.
- Designed, justified, staffed and operated a department dedicated to serving the companies largest revenue producing customers. Resulted in significant improvements in both installation of service and repair recovery times.
- Developed and instituted procedures for the recovery and reuse of customer premise equipment. This resulted in annual savings of 1.5 million dollars for the company.
- Designed and implemented consolidation of Centel-Texas and Centel-Nevada into a regional operation. This resulted in the overall reduction of 34 positions and associated costs.
- Negotiated contracts in Texas with union workers consolidating five separate contracts into one document. Reached agreement without strikes while at the same time holding pay increases to less than the rise in cost of living.
- Initiated human resource programs which reduced overall staff by 20% in less than three years. Activity and productivity increased during the same period of time.
- Instituted safety programs and procedures which reduced the number of vehicle accidents and personal on-the-job injuries over 30% between 1985 and 1989.

- Designed and implemented accounts receivable procedures which resulted in the reduction of 13 positions. This also improved the depositing of cash receivables by 24 hours earning Centel thousands of additional dollars in interest.

## EXPERIENCE:

Wyoming.Com

Riverton, Wyoming

### VICE PRESIDENT

*June 15, 1999 to Present*

- Incharge of a start-up telephone company (Competitive Local Exchange Carrier).
- Developing all aspects of company.

Central Telephone of Nevada(SPRINT)

Las Vegas, Nevada

### MANAGER SPECIAL SERVICES

*May 1997 to December 1997*

- Special troubleshooting position to pull together several high tech work groups.
- Establish productivity and performance tracking tools and standards.
- Design training programs for all employees
- Develop cooperative work roles between different groups to facilitate team approach to problem solving.
- Responsible for improving service results to Sprints largest customers. i.e. ATT, MCI and Sprint LDD.

Central Telephone-Nevada(SPRINT)

Las Vegas, Nevada

### MANAGER, SAFETY AND SECURITY

*Oct. 1993 to May 1997*

- Responsible for the safety and security of 1800 employees and 500 million dollars of physical plant.
- Administer safety programs and insure compliance with all applicable local, state and federal regulations.
- Represent Sprint on the Clark County Local Emergency Planning Committee(LEPC)
- Assist in the administration of compliance to EPA and other environmental regulations.
- Develop and maintain a positive working relationship with all law enforcement agencies in our service area.
- Administer risk management for the local division.

Central Telephone Company of Nevada(CENTEL)

Las Vegas, Nevada

### GENERAL PLANT OPERATIONS MANAGER

*1989 to 1993*

- Manage operating budget of 25 million dollars.
- Oversee diverse workforce of 500 employees.
- Responsible for the installation and maintenance of telephone service for all residential and business customers in Southern Nevada.
- Oversee the creation, editing, updating and maintenance of all outside plant line records.
- Responsible for receiving all customer repair calls, testing circuits, dispatching workmen and ensuring prompt clearing of trouble reports.
- Provide all telephonic services to the Las Vegas Convention Center, one of the largest and most active convention facilities in the world.

Central Telephone Company of Nevada(CENTEL)

Las Vegas, Nevada

### GENERAL PERSONNEL AND PUBLIC RELATIONS MANAGER

*1985 to 1989*

- Oversee welfare of 2,100 employees in two state region.
- Develop high performance expense budgets and ensure compliance.

- Responsible for training all managerial staff at all levels in region.
- Implement policies involving labor relations, EEO, Affirmative Action, wage and salary, benefits, placement, Administrative Services and Public Relations.
- Staff, train, motivate and direct personnel/public relations management.
- Institute corporate health and benefit programs and determine wages/salaries.
- Represent Centel in contracts negotiated with unions and outside agencies.
- Administer advertising and contribution budgets.
- Ensure news releases, bill inserts and other publications are completed and distributed to public and to employees.
- Develop community presentations including audio-visual programs, telephone courtesy programs, and speeches for businesses, clubs and conventions.
- Keep aware of company image within the community through research programs and maintain positive image through company activity.
- Maintain contacts with civic and community leaders, politicians and government officials to promote interest and understanding of operations and problems.

Central Telephone Company of Texas(CENTEL)

Killeen, Texas

**GENERAL PERSONNEL AND PUBLIC RELATIONS MANAGER**

1979 to 1985

- Directed all activities of department to include Personnel, Labor Relations, Public Relations, Training, Safety, Security, Warehouse, Vehicles and Buildings and Grounds.
- Established performance standards, evaluate management personnel, approve promotions, pay raises and commendations.
- Handled all grievances to ensure expeditious treatment according to policy.
- Responsible for building engineering and maintenance of 150,000 square feet.
- Responsible for acquisition /updates on leases for 70,000 square feet of building space.
- Supervised acquisition and maintenance of 175 vehicle fleet.
- Responsible for materials and supplies for state operations.
- Established strict inventory and expense controls.

Central Telephone Company of Texas(CENTEL)

Killeen, Texas

**DISTRICT CUSTOMER SERVICE MANAGER**

1978 to 1979

- Managed 250 employee service operation with over 70,000 customer lines and an 8 million dollar budget.
- Set policies regarding billings, orders, installations, repairs and operator services.
- Responsible for maintaining positive customer relations.

Central Telephone Company of Texas(CENTEL)

Killeen, Texas

**COMMERCIAL MANAGER**

1976 to 1978

- Implemented CENTEL commercial practices & business office operations for entire state.
- Coordinated the revision of training and policy manuals for all employees.
- Managed business office operations of five company offices throughout central Texas.

Central Telephone Company of Va.(CENTEL)

Charlottesville, Virginia

**COMMERCIAL STAFF ASSISTANT**

1975 to 1976

- Management Resource Development Program.
- Trained in all phases of telecommunications management.

IBM

Chicago, Illinois

**CUSTOMER ENGINEER TRAINEE**

1968 to 1968

- Performed engineering changes on all models of IBM systems

**MILITARY:**

United States Navy 1962-1967

Nuclear Designated Electrician's Mate  
Rank E-5

Maintained operations of reactor and electrical plant on submarines.  
Supervised from 4-15 men in assignments and maintenance operations.

**EDUCATION:**

1999 Central Wyoming College Riverton, WY  
**MICROSOFT CERTIFIED SYSTEMS ENGINEER**  
Certificate program to plan, implement, maintain and support information systems with the Microsoft Windows NT operating system

1975 Michigan State University East Lansing, MI  
**MASTERS IN BUSINESS ADMINISTRATION**

Two year program with emphasis in personnel and labor relations.

1971 Michigan State University East Lansing, MI  
**BACHELOR OF ARTS WITH HONORS**

Field of Study: Multidisciplinary Social Science Major areas: Economics, Sociology, and Psychology(35 hours each)

**COMMUNITY:**

I have served on the board of directors of the following organizations:

Killeen Area United Way  
Killeen Crimestoppers  
Harker Heights Recreation Association  
Killeen Area Boy Scouts  
Harker Heights Planning & Zoning Commission  
Killeen Chamber of Commerce  
Nevada Council on Economic Education  
Paradise Rotary Club  
Nevada School of the Arts  
Nevada Safety Council  
Southern Nevada United Way  
Secret Witness of Southern Nevada  
Opportunity Village  
Leadership Las Vegas Alumni Assoc.

I have served as president of these organizations:

Killeen United Way  
Killeen Crimestoppers  
Harker Heights Recreation Assoc.  
Secret Witness of Southern Nevada(4 terms)  
Paradise Rotary Club

I have also served these groups in various other capacities such as vice president and committee chairmanships.

I have coached numerous youth sports programs:

Bobby Sox Softball  
Little League Baseball  
Girls Youth Soccer  
Boys Youth Soccer

**REFERENCES:**

Available upon request

## **Forrest Sprout**

Address: 116 S 4<sup>th</sup> W  
Riverton, WY 82501  
(307) 856-9428  
Frostie@wyoming.com

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### **Employment History:**

#### *Contact Communications, Riverton, WY*

1998 – Present: Vice President – Technology. Wholesale Telecommunications Provider. Designed current data network for Contact Communications and oversaw the implementation of the network. Selected the current public switched telephone network (PSTN) equipment for integration of voice circuits to the rest of the network. Design and help implement data and voice changes to the network. Select new equipment for testing, training and inclusion in the network.

#### *Wyoming.com LLC, Riverton, WY*

1998 – Present: Vice President – Technology. Internet Service Provider. Responsible for identifying new technologies for inclusion in the data network, testing and integration of new products, training of personnel on equipment, general network design and advanced problem solving. Work with sales team members to ensure customers get the correct network solution.

1994 – 1998: System Engineer. Internet Service Provider. Implemented the design of the wyoming.com data network. Worked with several other companies to ensure the reliability of the data network. Maintained and monitored the data network and associated computer servers. Handled customer technical support and user workstation support.

#### *Active Duty, USAF, Minot AFB, ND*

1992 - 1994: Weather Observer. Alternate Duties: Computer Custodian, Local Climatology and Technical Library. Observed and disseminated weather conditions for safe flying operations. Rated in both visual and radar observation of weather.

### **Academics:**

#### *Massachusetts Institute of Technology, Cambridge, MA*

1987 – 1992: USAF scholarship to study Materials Engineering.

7028 Speas Road (307) 235-7927  
Casper WY 82604 john@wyoming.com

# John K. Ganley

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## SUMMARY:

Over 15 years technical experience in the Information Systems and Information Technology fields, including 10 years in supervisory and management roles. Technically strong, with hands-on systems installation experience. Well-versed in a variety of platforms and operating systems, including Compaq, DEC, HP, Novell, Microsoft Windows 95/98/NT, and Oracle/SQL. Constant advances in other technical areas with an emphasis on state-of-the-art data and telecommunications equipment and protocols. Extensive background in business and financial software packages.

## PROFESSIONAL EXPERIENCE:

04/00 to  
Present

### **DIRECTOR, NETWORK OPERATIONS CENTER**

*WYOMING.COM & CONTACT COMMUNICATIONS, Riverton, Wyoming*

- Director of the Telecommunications Center for one of Wyoming's largest ISP's.
- Coordinates Engineering activities for CO and local POP sites
- Responsible for the organization and implementation of telecom sites located throughout regional territories.
- Telecommunications/telephony management for a large staff of System Engineers.

03/95 to  
04/00

### **INFORMATION SYSTEMS DIRECTOR**

*WESTECH FAMILY OF COMPANIES (WESTECH, WOTCO, Global Mfg.), Casper, Wyoming*

- Director of the information Systems department for Wyoming's largest privately-owned company, managing information systems for the Westech corporate office and 2 manufacturing facilities: WOTCO, in Casper, WY, and Global Mfg. in Charleston, SC.
- Telecommunications/telephony management: redesigned all telecommunications systems.
- Developed detailed project plans for all departments requiring system and data. All projects to date completed on time and under budget.
- Prepared annual capital and operating budgets for information and telecommunications systems. Stayed within budget goal every year.
- Corporate IS interface for external customer systems integration.
- Provided main support for company's accounting, inventory, and manufacturing systems, including successful implementation of Oracle-based software package.
- Starting with 10 DOS-based PCs, established 100+ node state-of-the-art network infrastructure running Windows 95/NT/NT-TSE utilizing TCP/IP.

09/94 to  
01/95

### **INFORMATION SYSTEMS PROJECT CONSULTANT**

Contracts include:

*SECURITY CAPITAL INDUSTRIAL, Aurora, Colorado*

- Contracted to plan and implement entire voice and data installation for new regional office. Completed project within 45 days, on time and under budget.
- Provided sole support for diverse group of individuals utilizing Windows-based workstations.
- Acting Systems Administrator for Novell network with responsibilities for initial installation and on-going maintenance for software and hardware upgrades.

*ELECTRONIC HEALTH DATA INTERCHANGE, Thornton, Colorado*

- Project Manager for system development, including meetings with client representative to design telecommunications networks for start-up company.
- Designed basic product, which was composed of a UNIX-based server and Paradox/Windows software module.
- Primary architect of communications platform, which was comprised of a frame relay network utilizing high-speed data transmission. System also designed to support video conferencing.
- Selected project team, utilizing outside contract consultants matched with corporate team to minimize overall costs.

04/90 to  
01/94

**M.I.S. MANAGER**

*FISCHER IMAGING CORPORATION, Denver, Colorado*

Manager of Management Information Systems Department, responsible for data and telecommunications support for corporate office in Denver and regional offices located throughout the U.S.

- Maintained and managed large Novell network for engineering department, with CAD-CAM interface for shop floor integration.
- Hands-on programmer, utilizing POWERHOUSE report writer (including QUIZ, QTP, etc.).
- Telecommunications/telephony management: upgraded corporate telephone system with implementation of 200K Northern Telecom Meridian SL-1.
- Linked Denver headquarters to Chicago subsidiary office ROLM system, with data and voice savings of over \$72,000 annually.
- Maintained and managed manufacturing/accounting system utilizing ASK software, with responsibilities for manufacturing, financial reporting, and shop floor procedures.
- Prepared annual capital and operating budgets for information and telecommunications systems.
- Responsible for department personnel annual performance evaluation, goal setting, and project direction.
- Developed a 7-year plan for data systems, working with a team of Colorado State University professors and graduate students.

03/89 to  
03/90

**SENIOR PROGRAMMER/ANALYST - PROJECT LEADER**

*BOLT, BERANEK AND NEWMAN, INC. (BBN), Cambridge, Massachusetts*

Responsibilities included support and maintenance for 4 subsidiaries with software packaged that included ASK MANMAN/OMAR and NYNEX FIELDWATCH. Tasks covered all aspects of manufacturing, order entry, inventory control, and call tracking.

- Project planning from initial specifications through development and final implementation utilizing DEC VAX/VMS.
- Acting Application Manager, supervising 6 to 10 programmer/analysts, with additional responsibility for planning, hiring, employee reviews, and department upgrades.
- Developed programs using COBOL, FORTRAN, and DCL (for job streams); additional tasks utilizing DATATRIEVE with DBMS-32 as database and POWERHOUSE for utility and reporting functions.
- Coordinated VAX email through "Arpanet."

10/87 to  
03/89

**PROGRAMMER/ANALYST - PROJECT LEADER**

*THE DATA GROUP CORPORATION, a NYNEX Company, Burlington, Massachusetts*

Project leader responsible for the on-time delivery of final production version of software modules.

- Development in COBOL on VAX, utilizing ISAM and flat files for file structures and FMS for user input (call tracking system, hand-held units, remote access).
- Development and maintenance programming in 4GL language PROTOS on HP3000, utilizing IMAGE, KSAM, and flat files for file structures and VPLUS for user input.

# John K. Ganley

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## EDUCATION

05/80 Bachelor of Science, Long Island University, New York

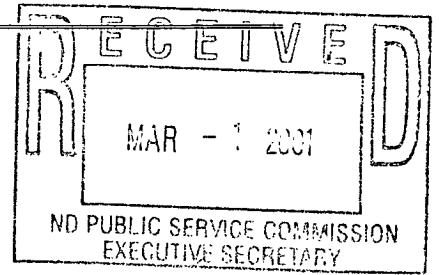
06/80 to present Formal education continues with technical-training seminars, including (but not limited to):

- Company-sponsored management training seminars
- Telecommunications technology seminars
- Northern Telecom training
- Xerox "Leadership through Quality" program
- Oracle/SQL-PL/SQL
- DEC, VAX, and Hewlett Packard training programs
- All required courses for Novell CNE certification
- All required courses for Microsoft MCSE certification

Relevant outside activities include:

- Member, Casper College Business Advisory Board (Technical Division)
- Participant, "Casper Leadership" program sponsored by Casper Area Economic Development Association (CAEDA)

References available upon request.



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**Intrastate Telecommunications Services**

**Regulations, Rates and Price Schedule applicable to  
Retail Telecommunications Services provided by:**

**Contact Communications, Inc.**

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**CHECK SHEET**

The title page and pages 1-25 inclusive of this Regulations, Rates and Price Schedule are effective as of the date shown. Original and revised pages, as named below, comprise all changes from the Original Price Schedule in effect on the date indicated.

<u>PAGE</u>	<u>REVISION</u>
Title	Original
1	Original
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23	Original
24	Original
25	Original

**CONCURRING, CONNECTING AND OTHER PARTICIPATING CARRIERS**

**CONCURRING CARRIERS**

No Concurring Carriers

**CONNECTING CARRIERS**

No Connecting Carriers

**OTHER PARTICIPATING CARRIERS**

No Participating Carriers

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**EXPLANATION OF SYMBOLS**

- (C) To signify changed listing, rule or condition which may affect rates or charges.
- (D) To signify discontinued material, including listing, rate, rule or condition.
- (I) To signify rate or charge increase.
- (M) To signify material relocated from or to another part of Price Schedule with no change in text, rate, rule or condition.
- (N) To signify new material including listing, rate, rule or condition.
- (R) To signify reduction.
- (S) To signify reissued material.
- (T) To signify a change in wording of text but not change in rate, rule, or condition.

**EXPLANATION OF ABBREVIATIONS**

**LATA** Local Access and Transport Area. A geographic area established by the U.S. District Court for the District of Columbia in Civil Action No. 17-49, within which a Local Exchange Company provides Communication Services.

**LEC** Local Exchange Company

**ICD** Internet Call Diversion

**DSL** Digital Subscriber Line

**ISP** Internet Service Provider

**POTS** Plain Old Telephone Service

**APPLICABILITY**

This Price Schedule contains the regulations and rates applicable to the retail sales of telecommunications services by Contact Communications, Inc. between and among points within the **State of North Dakota** as specified herein. Service is furnished subject to the availability of facilities and subject to transmission, atmospheric, and like conditions. This Price Schedule does not apply to wholesale customers of Contact Communications, Inc. Rates and Regulations applicable to such service will be determined ICB.

### MAP OF EXCHANGE AREAS

The Exchange Areas to be served by Contact Communications, Inc. have yet to be determined, pending the negotiation of interconnection agreements. Upon finalization of the interconnection agreements, a map will be submitted as a Revision.

**I. DEFINITIONS**

For the purpose of this Price Schedule, the following definitions will apply:

**Access Coordination**

Provides for the design, ordering, installation, coordination, preservice testing, service turn-up and maintenance on a Company provided Local Access Channel.

**Access Line**

An arrangement which connects the Customer's telephone to a Contact Communications, Inc. designated switching center or point of presence.

**Administrative Change**

A change in Customer billing address or contact name.

**Alternate Access**

Alternate Access is a form of Local Access except that the provider of the service is an entity, other than the Local Exchange Carrier, authorized or permitted to provide such service. The charges for Alternate Access may be subject to private agreement rather than published or special Price Schedule if permitted by applicable governmental rules.

**Application for Service**

A standard Company order form which includes all pertinent billing, technical and other descriptive information which will enable the Company to provide a communication service as required.

**ASR**

ASR (Access Service Request) means an order placed with a Local Access Provider for Local Access.

**Authorization Code**

A numerical sequence which enables a customer to access the carrier and which is used by the Company to identify the customer for billing purposes.

Authorized User

A person, firm, corporation, or any other entity authorized by the Customer to utilize the Carrier's service under the terms and conditions of this Price Schedule. The customer remains responsible for payment of services.

Bandwidth

The total frequency band, in hertz, allocated for a channel.

Bill Date

The date on which billing information is compiled and sent to the Customer.

Call

A completed connection between the Calling and Called Stations

Called Station

The telephone number called.

Central Office

A Local Exchange Carrier switching system where Local Exchange Carrier customers station loops are termination for purposes of interconnection to each other and to trunks.

Channel or Circuit

A dedicated communications path between two or more points having bandwidth or transmission speed specified in this Price Schedule and selected by a Customer.

Company

Contact Communications, Inc.

Customer

The person, firm, corporation, or governmental entity which orders service either for its own use, as a resale carrier or as a nonprofit manager of a sharing group, and is responsible for the payment of charged and for compliance with Company Price Schedule regulations. The term Customer also includes an entity that remains presubscribed to the Company service after its account(s) are

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removed from the Company's billing system, subsequently continues to use the company's network, and its billed by the local exchange Carrier for such use, or otherwise uses service for which no other Customer is obligated to compensate the Company.

Customer Premises/Customer's Premises

Locations designated by a Customer where service is originated/terminated whether for its own communications needs or for the use of its resale customers.

Customer Provided Equipment

Telecommunications terminal equipment that is located at the Customer's residence or place of business.

Dedicated Access/Special Access

Dedicated Local Access between the Customer's Premises or serving wire center and the Company's Point of Presence for origination and termination of calls.

DS-0

DS-0 means Digital Signaling Level Service and is a 64 Kbps signal.

DS-1

DS-1 means Digital Signal Level 1 Service and is 1.544 Mbps

Due Date

The Due Date is the date on which payment is due.

Equal Access

A form of dialed access provided by local exchange companies whereby interexchange calls dialed by the Customer are automatically routed to the Company's network. Presubscribed Customers may also route interexchange calls to the Company's network by dialing an access code supplied by the Company.

### Facilities

The assemblage of buildings, equipment, software, wire, fiber, and other items used to establish telecommunications services.

### Individual Case Basis (ICB)

Individual Case Basis (ICB) determinations involve situations where complex Customer specific arrangements are required to satisfactorily serve the Customer. The nature of such service requirements makes it difficult to establish general Price Schedule provisions for such circumstances. When it becomes possible to determine specific terms and conditions for such offerings, they will be offered pursuant to such terms and conditions.

### Initial and Additional Period

The Initial Period denotes the interval of time allowed at the rate specified for a connection between given service points. The Additional Period denotes the interval of time used for measuring and charging for time in excess of the Initial Period.

### Installation

The connection of a Circuit, Dedicated Access Line, or port for new, changed or an additional service.

### Interruption

Interruption shall mean a condition whereby the service or a portion thereof is inoperative, beginning at the time of notice by the Customers to the Company that such service is inoperative and ending at the time of restoration.

### Kbps

Kilobits per second.

### LATA (Local Access Transport Area)

A geographical area established for the provision and administration of communications service of a Regional Bell Operating System.

Local Access

Local Access means the service between a Customer Premises and a Company designated Point of Presence.

Local Access Provider

Local Access Provider means an entity providing Local Access.

Local Exchange Carrier (LEC)

The local telephone utility that provides local telephone exchange and access service.

Mbps

Megabits per second.

Multiplexing

Multiplexing, or “muxing”, is the sequential combining of lower bit rate Private Line Services onto a higher bit rate Private Line Service for more efficient facility capacity or vice versa.

NA

Not Available

N/C

No Charge

Nonrecurring Charges

Nonrecurring Charges are one-time charges.

Operator Assisted Call

A telephone connection complete through the use of the Company’s Operator Services

Payment Method

The manner which the Customer designates as the means of billing charges for calls using the Company's service.

Point-of-Presence (POP)

A Company-designated location where a facility is maintained for the purpose of providing access to its service.

Rate Center

A specified geographical location used for determining mileage measurements.

Restore

To make service operative following an interruption by repair, reassignment, rerouting, substitution or component parts, or otherwise, as defined by the carrier(s) involved.

Service

Service means any or all service(s) provided pursuant to this Price Schedule.

Service Commitment Period

The term elected by the Customer and stated on the service order during which the Company will provide the services subscribed to by the Customer.

Serving Wire Center

A specified geographic point from which the vertical and horizontal coordinate is used in calculation of airline mileage.

Special Promotional Offerings

Special trial offerings, discounts, or modifications of its regular service offerings which the Company may, from time to time, offer to its customers for a particular service. Such offerings may be limited to certain dates, times and locations.

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### Switched Access Origination/Termination

Where access between the Customer and the interexchange carrier is provided on local exchange company Feature Group circuits and the connection to the Customer is a LEC provided business or residential access line. The cost of switched Feature Group access

### Third Number Billing

An Operator Assisted Call for which charges are billed not to the originating number but to another telephone number which is neither the originating nor the terminating telephone number.

### Travel Card Call

A service whereby the Customer or Authorized User dials all of the digits necessary to route and bill a call placed from a location other than his/her residence or normal place of business. Service is accessed via a "1-800" or other access code dialing sequence.

### United States

The forty-eight states contained within the mainland United States, the District of Columbia, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands.

### V & H Coordinates

Geographic points which define the originating and terminating points of call in mathematical terms so that the airline mileage of the call may be determined. Call mileage may be used for the purpose of rating calls.

## **II. RULES AND REGULATIONS**

### **2.1 Undertaking of the Company**

The services and facilities of Contact Communications, Inc. are furnished for communications originating within the **State of North Dakota** under the terms of this Price Schedule. The Company's services and facilities are available twenty-four (24) hours per day, seven (7) days per week.

Any member of the general public (including any natural person or legally organized entity such as a corporation, partnership, or governmental body) is entitled to obtain service under this Price Schedule, provided that the Company reserves the right to deny service: (A) to any Customer that, in the Company's

reasonable opinion, presents an undue risk of nonpayment, (B) in circumstances in which the Company has reason to believe that the use of the service would violate the provisions of this Price Schedule or any applicable law or regulation, or if any applicable law or regulation restricts or prohibits provision of this service, or (C) if insufficient facilities are available to provide the service.

## 2.2 Use of Service

The services offered herein may be used for any lawful purpose, including residential, business, governmental, or other use. However, the Customer remains liable for all obligations under this Price Schedule notwithstanding such sharing or resale and regardless of the Company's knowledge of the same. The Company shall have no liability to any person or entity other than the Customer. The Customer shall not use nor permit others to use the service in a manner that could harm the facilities of the Company or others or that is inconsistent with any applicable law or regulation.

## 2.3 Limitations

2.3.1. Service is offered subject to the availability of facilities and the provisions of this Price Schedule. The Company reserves the right to refuse to provide service to or from any location where it has not ordered facilities, installed network interconnections or the necessary facilities and/or equipment are otherwise not available.

2.3.2. The Company reserves the right to discontinue service when necessitated by conditions beyond its control, or when the Customer is using the service in violation of the provisions of this Price Schedule, or in violation of the law.

2.3.3. The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connection.

2.3.4. The Company reserves the right to discontinue service, limit service, or to impose requirements on Customers as required to meet changing regulatory or statutory rules and standards, or when such rules and standards have an adverse material affect on the business or economic feasibility of providing service, as determined by Contact Communications, Inc.

2.3.5. Billing begins on the date that service becomes effective and is provided on the basis of a minimum period of at least one month. For the purpose of computing charges in this Price Schedule, a month is considered to

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have 30 days. When a service is discontinued prior to the expiration of the minimum period, charges are applicable whether the service is used or not.

2.3.6. Service will be provided until canceled by the Customer on not less than thirty (30) days written notice from the date postmarked on the letter giving notice of cancellation.

2.3.7 The Service Commitment Period for any service shall be established by the service order relevant thereto and commence at the start of service. Upon the expiration of the Service Commitment Period term, the Service Commitment Period shall automatically be extended unless written notice of termination by either the Company or Customer is received by the other party thirty (30) days prior to the expiration of the Service Commitment Period.

2.3.8 Early termination of the Service Commitment Period term will result in a penalty to the Customer in the amount of twenty five per cent (25%) of the amount due under the remainder of the term. This amount is due from the Customer within thirty (30) days after the notice of early termination of service.

## 2.4 Assignment or Transfer

All service provided under this Price Schedule is directly or indirectly controlled by the Company and neither the Customer nor its Authorized Users may transfer or assign the use of service without the express prior written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of service. All terms and conditions contained in this Price Schedule shall apply to all such permitted transferees or assignees, as well as all conditions of service.

## 2.5 Liability of the Company

2.5.1. Except as stated in this 2.5.2, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this Price Schedule. This Price Schedule does not limit the liability of the Company for willful misconduct.

2.5.2. The liability of the Company for damages of any nature arising from errors, mistakes, omissions, interruptions, or delays of the Company, its agents, servants, or employees, in the course of establishing, furnishing, rearranging, or changing the service or facilities or equipment shall not exceed an amount equal to the charges applicable under this Price Schedule (calculated on a proportionate basis where appropriate) to the

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period during which such errors, mistake, omission, interruption or delay occurs. However, any such mistakes, omissions, interruptions, delays, errors or defects in transmission or service which are caused by or contribute to by the negligence or willful act of the Customer, or which arise from the use of the Customer-Provided Facilities or equipment provided by third parties, shall not result in the imposition of any liability whatsoever upon the Company.

- 2.5.3. The Company is not liable for any act, omission or negligence of any other Local Exchange Carrier, Other Common carrier, or other provider whose facilities are used concurrently in furnishing any portion of the services received by the Customer, or for the unavailability of, or any delays in, the furnishing of any service or facilities which are provided by any Local Exchange Carrier.
- 2.5.4. The Company shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to fire, flood, or other catastrophes, acts of God: atmospheric conditions or other phenomena of nature, such as radiation; any law, regulation, directive, order or request of the United States Government, or any other government including state and local governments having any jurisdiction over the Company or the services provided hereunder; national emergencies; civil disorder, insurrections, riots, wars, strikes, lockouts, work stoppages, or other labor problems or regulations established or actions taken by any court or government agency having jurisdiction over the Company.
- 2.5.5. The Company shall not be liable for any act or omission of any other entity furnishing to the customer facilities or equipment used with the service furnished hereunder; nor shall the Company be liable for any damages or losses due in whole or in part to the fault or negligence of the Customer or due in whole or in part to the failure of Customer-provided equipment or facilities.
- 2.5.6. The Customer shall indemnify, defend and hold harmless the Company (including the costs of reasonable attorney's fees) against:
- (a) Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information, or other content transmitted over the Company's facilities or equipment;
  - (b) Claims for patent infringement arising from combining or connecting the Company's facilities or equipment with facilities, equipment, apparatus or systems of the Customer; and

- (c) All other claims (including, without limitation, claims for damage to any business or property, or injury to, or death of, any person) arising out of any act or omission of the Customer, the Customer's agents or authorized Users, in connection with any service or facilities or equipment provided by the Company.

2.5.7 Under no circumstances whatsoever shall the Company or its officers, directors, agents, or employees be liable for indirect, incidental, special or consequential damages.

## 2.6 Minimum Period

The minimum period for which services are provided and for which rates and charges are applicable is one (1) month unless otherwise specified in this Price Schedule or by mutually agreed upon contract. When a service is disconnected prior to the expiration of the minimum period, charges are applicable, whether the service is used or not.

## 2.7 Billing and Payment for Service

### 2.7.1 Responsibility for Charges

Charges for installations, service connections, moves, rearrangements, and prepaid services, where applicable, are payable upon demand to the Company or its authorized agent. Billing thereafter will include recurring charges and actual usage as defined in this Price Schedule.

### 2.7.2 Payment for Service

The Customer is responsible for payment of all charges for services furnished to the Customer or its joint or authorized users. This responsibility is not changed due to any use, misuse, or abuse of the Customer's service or Customer provided equipment by third parties, the Customer's employees, or the public. This includes payment for calls or services that originate at the customer's number(s), are accepted at the Customer's number's (e.g. collect calls), are billed to the Customer number(s) via Third Number Billing if the customer is found to be responsible for such call or service, the use of a Calling Card, or the use of a Company-assigned Special Billing Number, and incurred at the specific request of the Customer.

Customer bills will be mailed by the \_\_\_\_\_ of each month and are due upon receipt. Any amount left unpaid by the \_\_\_\_\_ of the month (payment date), will be past due and may be subject to a Late Payment

Fee. If such payment date would cause payment to be due on a Saturday, Sunday or any legal holiday observed in the state, payment for such bills will be due from the customer as follows:

If such payment date falls on a Saturday, Sunday or a Holiday which is observed on a Monday, the payment date shall be the first non-holiday day following such Saturday, Sunday or Holiday. If such payment date falls on a Holiday which is observed on Tuesday, Wednesday, Thursday or Friday, the payment date shall be the next non-Holiday day following such Holiday.

### 2.7.3 Late Payment Fee

Amounts not paid by the payment date of the invoice will be considered past due. Customers may be assessed late fee on past due amounts at the rate of 1.5% of the unpaid balance. If a customer presents an undue risk of nonpayment at any time, the Company may require that Customer to pay bills within a specified number of days and to make such payments in cash or of the equivalent of cash.

### 2.7.4 Return Check Charge

The Company reserves the right to assess a return check charge of \$15.00 whenever a check or draft presented for payment of service is not accepted by the institution upon which it is written.

### 2.7.5 Other

Disputes with respect to charges must be presented to the Company within \_\_\_ days from the date the invoice is rendered or such invoice will be deemed to be correct and binding on the Customer.

In the event the Company incurs fees or expenses, including attorney's fees, in collecting, or attempting to collect, any charges owed the Company, the Customer will be liable to the Company for the payment of all such fees and expenses reasonably incurred.

## 2.8 Deposits

The Company reserves the right to examine the credit record of Customer. If the Customer's financial condition is unknown or unacceptable to the Company, the Customer may be required to post a security deposit in the amount not greater than three (3) months of the service requested. The Company may apply this deposit against overdue charges. The fact that a security deposit has been made in no way relieves the Customer from the prompt payment of bills upon

presentation. The unused portion of the security deposit, without interest, will be returned to Customer thirty (30) days after termination of service.

## 2.9 Taxes and Fees

The Company reserves the right to bill any and all applicable taxes and fees in addition to normal rates and charges for services provided to the customer. Taxes and fees include, but are not limited to: Federal Excise Tax, State Sales Tax, Municipal Tax, Gross Receipts Tax, and Access Charges. Such taxes and fees are in addition to rates as quoted in this Price Schedule and will be itemized separately on Customer invoices.

## 2.10 Interconnection

2.10.1 Service furnished by the Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to technical limitation established by the Company. Service furnished by the Company is not part of a joint undertaking with such other common carriers or systems. The Company does not undertake to provide any special facilities, equipment, or services to enable the Customer to interconnect the facilities or the equipment of the Company with services or facilities of other common carriers or with private systems.

2.10.2 Interconnection with the services or facilities of other common carriers shall be under the applicable terms and conditions of this Price Schedule and the other common carrier's Price Schedules.

### 2.11 Inspection, Testing and Adjustment

The Company may, upon reasonable notice, make such tests and inspections as may be necessary to determine whether the terms and conditions of this Price Schedule are being complied with in the installation, operation or maintenance of the Customer's or the Company's facilities or equipment. The Company may interrupt service at any time, without penalty or liability, due to the departure from or reasonable suspicion of the departure from any of these terms and conditions.

### 2.12 Credit Allowances for Interruption of Service

Credit allowances for interruptions of service which are not due to the Company's inspection or testing, to the negligence of the Customer, or to the failure of channels, equipment and/or communications systems provided by the Customer, are subject to the general liability provisions set forth in this Price Schedule.

It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, the Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer.

For purposes of credit computation every month shall be considered to have 30 days. The Customer shall be credited for an interruption of one day (24 hours) or more at the rate of 1/30<sup>th</sup> of the monthly charge for the services affected for each day that the interruption continues.

Credit Formula:

$$\text{Credit} = A/30 \times B$$

A = outage time in days

B = total monthly charge for affected service.

### 2.13 Cancellation by the Customer

The Customer may have service discontinued upon notice to the Company. The Company shall hold the Customer responsible for payment of all bills for service furnished until the cancellation date specified by the customer.

## 2.14 Discontinuance of Service

- 2.14.1 Upon nonpayment of any sum that is more than 30 days overdue to the Company, or any violation of any provisions governing the furnishing of service under this Price Schedule, the Company may, upon written notification to the Customer, without incurring any liability, immediately discontinue the furnishing of such service. Customer shall be deemed to have cancelled service as of the date of such disconnection and shall be liable for any cancellation charges set forth in this Price Schedule.
- 2.14.2 The Company reserves the right to discontinue furnishing services or billing options upon written notice, when necessitated by conditions beyond its reasonable control.
- 2.14.3 Service may be discontinued by the Company, without notice to the Customer, by blocking traffic to or from certain cities, or NXX exchanges, or by blocking calls using certain Customer authorization codes such as Calling Card codes, when the Company deems it necessary to take such action to prevent unlawful use of the service. The Company will restore service as soon as it can be provided without undue risk.
- 2.14.4 Without incurring any liability, the Company may discontinue the furnishing of service(s) to a Customer immediately and without notice if the Company deems that such action is necessary to prevent or to protect against fraud or to otherwise protect its personnel, agents, facilities or services.
- 2.14.5 The discontinuance of service by the Company pursuant to this Section does not relieve the Customer of any obligations to pay the Company for charges due and owing for service(s) furnished up to the time of discontinuance.
- 2.14.6 The Customer whose check or draft is returned unpaid for any reason, after one attempt at collection, shall be subject to discontinuation of service in the same manner as provided for nonpayment of overdue charges.
- 2.14.7 The remedies set forth herein shall not be exclusive and the Company shall at all times be entitled to all rights available to it under either law or equity.
- 2.14.8 Except as otherwise provided in the Price Schedule, or as specified in writing by the party entitled to receive service, notice may be given

orally or in writing to the persons whose names and business addresses appear on the executed service order.

#### 2.15 Restoration of Service

If service has been discontinued for nonpayment or as otherwise provided herein and the Customer wishes it continued, service shall, at the Company's discretion, be restored when all past due amounts are paid or the event giving rise to the discontinuance (if other than nonpayment) is corrected.

#### 2.16 Use of Recording Devices

Customers and Authorized Users who use recording devices do so at their own risk. A Customer or Authorized User may only use a recording device if the Customer or Authorized User complies with the requirements of the applicable State and Federal law.

#### 2.17 Special Customer Arrangements

For special equipment and arrangements furnished due to Customer request for such in connection with the provision of service, charges equivalent to the actual cost of furnishing such requested equipment or arrangements apply. Actual cost consists of an estimate of the cost of maintenance; cost of operation; depreciation based on the estimated useful life of the facilities with an appropriate allowance for estimated net salvage; administration, taxes and uncollectible revenue on the basis or reasonable average charges for these items; any other specific items of expense associated with the particular situation; and a reasonable amount, computed on the estimated cost installed of any facilities provided for return contingencies.

Actual cost installed as mentioned above includes cost of equipment and materials specifically provided or used plus the estimated cost of installing, including engineering, labor supervision, transportation, rights of way and other items which are chargeable to the capital accounts.

#### 2.18 Other Terms and Conditions

2.18.1 The provision of service will not create a partnership or joint venture between the Company or the Customer nor result in joint service offerings to their respective Customers.

2.18.2 A Customer shall not use any service mark or trademark of the Company or refer to the Company in connection with any product, equipment, promotion, or publication of the Customer without prior written approval of the Company.

- 2.18.3 If an entity other than the Company (e.g., another carrier or a supplier) imposes charges on the Company in connection with a service, that entity's charges may, at the Company's option, be passed through to the Customer
- 2.18.4 In the event suit is brought or an attorney is retained by the Company to enforce the terms of this Price Schedule, the Company shall be entitled to recover, in addition to any other remedy, reimbursement for reasonable attorney's fees, court costs, costs of investigation and other related expenses incurred in connection therewith.
- 2.18.5 The failure to give notice or default, to enforce or insist upon compliance with any of the terms or conditions herein, the waiver of any term or condition herein, or the granting of an extension of time for performance by the Company or the Customer shall not constitute the permanent waiver of any term or condition herein. Each of the provisions shall remain at all times in full force and effect until modified in writing.

### **III. SERVICE OFFERINGS**

#### **3.1 General**

The rates identified for the service offerings in this Price Schedule include per minute prices only. Standard and term plan volume discounts are not included. Service offerings in their entirety can be viewed by Customer at Company headquarters during regular business hours, Monday through Friday 8:00AM through 5:00 PM. M.S.T.

#### **3.2 Description of Service Offerings**

The Company offers a range of local exchange services, including two way voice communications, but excluding traditional single line telephone service.

The Company will provide advanced data services including ICD (Internet call diversion) and DSL (digital subscriber line) on a wholesale basis to Internet and other retail service providers. However, these services are not covered under this Price Schedule.

**3.3 Timing of Calls**

Billing for calls placed over the Contact Communications, Inc. network is based in part on the duration of the call as follows, unless otherwise specified in this Price Schedule.

- 3.3.1 Call timing begins when the called party answers the call (i.e., when two-way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection.
- 3.3.2 Chargeable time for calls ends when one of the parties disconnects from the call.
- 3.3.3 For billing purposes, minimum call duration periods vary by service and are specified by product as appropriate.

**3.4 Promotions**

From time to time the Company shall, at its option, promote subscription or stimulate network usage by offering to waive some or all of the nonrecurring or recurring charges for the Customer (if eligible) of target services for a limited duration. Such promotions shall be made available to all similarly situated Customers in the target market area.

**IV. BASIC SERVICE RATES**

Primary Interexchange Carrier (PIC) charge	\$ _____
Per Minute Charge Intra-State/Intra-LATA	\$ _____
Per Minute Charge Intra-State/Inter-LATA	\$ _____

**V. SERVICE FEES RATE SCHEDULE**

*Connection	\$ _____
*Restoration/Reconnection	\$ _____
Return Unpaid Check	\$ 15.00 per check
*May be Waived for Promotional Offerings	

**VI. DIRECTORY ASSISTANCE SERVICE**

Directory Assistance is available to Customers of Contact Communications, Inc. Charges apply to each call to the Directory Assistance Bureau.

Directory Assistance: Directory Assistance is provided via \_\_\_\_\_ by contract.

**VII. CREDIT CARD SERVICE**

Surcharge: \$ \_\_\_\_\_ per call

The surcharge is in addition to the per minute charge from the Basic Service Rate schedule.

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:  
 Steven Masbrook  
 Contact Communications  
 937 West Main  
 Riverton WY 82501

C. Signature  
 Agent  
 Addressee  
*x Tony K. Bowen*

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)  
 7006 0520 0022 8654 1787

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

**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:  
 Alexander K Davison  
 Patton & Davison  
 1920 Thomas Ave Ste 600  
 Cheyenne WY 82003-0945

2. Article Number (Copy from service label)  
 7000 0520 0022 8654 0834

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *PH 2494-01-98*  
 B. Date of Delivery

C. Signature  
 Agent  
 Addressee  
*x Wendy...*

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *5/29/01*  
 B. Date of Delivery

C. Signature  
 Agent  
 Addressee  
*x C. Fowler*

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

3. Service Type  
 Certified Mail  Express Mail

**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:  
 Steven Masbrook  
 Contact Communications  
 937 West Main  
 Riverton WY 82501

2. Article Number (Copy from service label)  
 7000 0520 0022 8655 4497

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *PH 2494-01-98*  
 B. Date of Delivery *5/29*

C. Signature  
 Agent  
 Addressee  
*x Amy Schmidt*

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

**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.

Article Addressed to:  
 Alexander K Davison  
 Patton & Davison  
 1920 Thomas Ave Ste 600  
 Cheyenne WY 82003-0945