

# DIVIDER

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

PU-2397-01-270

Essex Communications, Inc.

Toll Dialing Parity

Application

Filed 5/18/2001

Closed 11/7/2002

01

## DESCRIPTION

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

**Z-Tel Communications, Inc.** Case No. **PU-2079-01-210**  
**Toll Dialing Parity**  
**Application**

**Essex Communications, Inc.** Case No. **PU-2397-01-270**  
**Toll Dialing Parity**  
**Application**

**Skyland Technologies, Inc.** Case No. **PU-1785-01-434**  
**Toll Dialing Parity**  
**Application**

**Premiere Network Services, Inc.** Case No. **PU-2477-01-436**  
**Toll Dialing Parity**  
**Application**

**VAL-ED Joint Venture L.L.P.** Case No. **PU-2084-01-437**  
**Toll Dialing Parity**  
**Application**

**Comm South Companies, Inc.** Case No. **PU-2311-02-220**  
**Toll Dialing Parity**  
**Application**

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

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **7th day of November, 2002**, she deposited in the United States Mail, Bismarck, North Dakota **six** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Order**

The envelopes were addressed as follows:

Monique Byrnes  
Technologies Management Inc  
P O Drawer 200  
Winter Park FL 32790-0200  
Cert. No. 7001 1940 0005 3425 1804

Nancy Beck  
eLEC Communications  
509 Westport Ave  
Norwalk CT 06851  
Cert. No. 7001 1940 0005 3425 1811

11 **PU-2397-01-270** Pages: 2

Affidavit of Service

by Public Service Commission

11/07/2002

CC: Comm Legal PUD (3)

Lisa Zavalney  
Skyland Technologies  
P O Box 939  
Williston ND 58802-0939  
**Cert. No. 7001 1940 0005 3425 1828**

Jaquetta Peace  
Premiere Network Services Inc  
1510 N Hampton Rd Ste 120  
DeSoto TX 75115  
**Cert. No. 7001 1940 0005 3425 1835**

Barbara S Garaas  
VAL-ED Joint Venture LLP  
702 Main Ave  
Moorhead MN 56561  
**Cert. No. 7001 1940 0005 3425 1842**

Sheri Pringle  
Comm South Companies Inc  
6830 Walling Lane  
Dallas TX 75231  
**Cert. No. 7001 1940 0005 3425 1859**

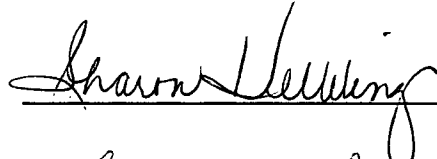
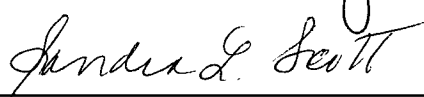
**Sharon Helbling** further deposes and says that on the **7th day of November, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Patrick Freeman  
Essex Communications Inc  
43 South Service Rd  
Melville NY 11747

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

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

Subscribed and sworn to before me  
this **7th day of November, 2002**.

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

SEAL

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

**APPROVED**

DATE: 11-6-02  
[Signature]

**MOTION**

**November 6, 2002**

**Z-Tel Communications, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2079-01-210**

**Essex Communications, Inc.  
Toll Dialing Parity  
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Application**

**Case No. PU-2084-01-437**

**Comm South Companies, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2311-02-220**

I move the Commission adopt the Order concerning toll dialing parity implementation plans in the captioned applications for approval of toll dialing parity plans.

PJF/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Z-Tel Communications, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2079-01-210**

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**Comm South Companies, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2311-02-220**

**ORDER  
INTRALATA TOLL DIALING PARITY IMPLEMENTATION PLANS**

**November 6, 2002**

Toll dialing parity (aka equal access or 1+ dialing) allows telephone subscribers to route intraLATA toll calls automatically, without the use of access codes, to any interexchange carrier of the subscriber's choice.

Under North Dakota Century Code § 49-21-08.1, every local exchange carrier is required to provide intraLATA dialing parity.

On April 25, 2001 Z-Tel Communications, Inc. filed its plan for providing intraLATA toll dialing parity. On May 18, 2001 Essex Communications, Inc. filed its toll dialing parity plan. On July 27, 2001 Skyland Technologies, Inc. filed its toll dialing parity plan. On August 1, 2001 Premiere Network Services, Inc. filed its toll dialing parity plan. On August 3, 2001 VAL-ED Joint Venture L.L.P. filed its toll dialing parity plan. On May 1, 2002 Comm South Companies, Inc. filed its toll dialing parity plan.

On August 2, 2002 the Commission issued a Notice of Opportunity for Hearing. No requests for hearing or comments were received. The Notice also stated that the Commission could determine the matter without a hearing.

Toll dialing parity plans are to be filed in accordance with 47 CFR §§ 51.209 – 51.215. In addition, the company's toll dialing parity plan should incorporate provisions adopted in the Commission's June 18, 1999 and July 16, 1999 orders in Case No. PU-419-99-207.

Dialing parity plans must:

1. include a full 2-PIC dialing parity offering;
2. identify the ND LATA(s) for which dialing parity will be provided;
3. include the provision and process for allowing a customer to subscribe to one interexchange carrier for intraLATA calling and to the same or another interexchange carrier for interLATA;
4. included the methods that will be used to enable subscribers to select interexchange carriers;
5. include the methods for interexchange carrier notification of the availability of 1+ and the process for participating in the 1+ offering;
6. include the process to be used by the customer for changing a PIC;
7. include the process used by the company to make PIC changes;
8. include the provision that PIC changes will be completed within 5 business days;
9. list the PIC change charge (maximum \$5);
10. include a LATA map with sufficient detail to locate LATA boundaries and an explanation of LATA calling areas and jurisdictions;
11. include a statement that customers that do not make carrier selection for intraLATA 1+ and interLATA 1+ calls will be advised that, until selection is made, toll calls dialed using 1+ area code prefixes will not be completed and they must dial toll calls utilizing access codes such as 101XXXX, 950, 800, etc.
12. include a statement that the company's business office practices, including the scripts the local exchange company uses with customers deciding on their options for carrier selection, will be competitively neutral;

13. include the provision that the company shall offer to read a randomly ordered list of interexchange carriers from which the customer may make a PIC choice; and
14. include a statement that public access lines are eligible for carrier selection in the same manner as interLATA carrier selection.

The Commission has reviewed the toll dialing parity plans that are subject of this proceeding and has determined that amendments are necessary in order to comply with the requirements listed.

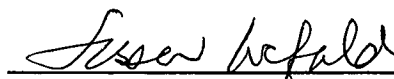
### Order

The Commission orders:

1. The captioned toll dialing parity plans must be amended by the companies and refilled for Commission approval.

### PUBLIC SERVICE COMMISSION

  
Anthony T. Clark  
Commissioner

  
Susan E. Wefald  
President

  
Leo M. Reinbold  
Commissioner

Scott, Sandi L.

---

**From:** Bauske, Shelly A.  
**Sent:** Friday, October 25, 2002 11:12 AM  
**To:** Scott, Sandi L.  
**Subject:** FW: Money Received.....

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

**From:** Geiger, Gloria A.  
**Sent:** Friday, October 25, 2002 11:09 AM  
**To:** Bauske, Shelly A.  
**Cc:** Geiger, Gloria A.  
**Subject:** RE: Money Received.....

Gloria Geiger  
North Dakota Public Service Commission  
600 E Boulevard 13th Floor Dept 408  
Bismarck, ND 58505-0480  
701-328-2401  
fax 701-328-2133  
gag@psc.state.nd.us

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

**From:** Bauske, Shelly A.  
**Sent:** Friday, October 25, 2002 10:54 AM  
**To:** Geiger, Gloria A.  
**Subject:** Money Received.....

Case No. PU-2397-01-270  
Essex Communications  
\$80.87

7700 8503 248 21210

8      **PU-2397-01-270**      Pages: 0  
\$80.87 received  
by Essex Communications, Inc.  
10/25/2002      CC: Comm Legal PUD (3)

**APPROVED**

MOTION

DATE: 9-25-02  
KMF

September 25, 2002

Essex Communications, Inc.  
Toll Dialing Parity  
Application

Case No. PU-2397-01-270

I move the Commission bill Essex Communications, Inc. for costs incurred to date in Case No. PU-2397-01-270, Essex Communications, Inc., Toll Dialing Parity, Application.

**7**

**PU-2397-01-270**

Pages: 3

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

09/25/2002

CC: Comm Legal PUD (3)



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

September 25, 2002

Thomas M Forte  
Technologies Management Inc  
PO Drawer 200  
Winter Park FL 32790-0200

RE: Case No. PU-2397-01-270  
Essex Communications, Inc.  
Toll Dialing Parity  
Application

Enclosed is a copy of the statement approved at the September 25, 2002  
Public Service Commission meeting for the expenses incurred to date in Case  
No. PU-2397-01-270.

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

Please make your check payable to the *Public Service Commission*.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gloria Geiger".

Gloria Geiger  
Admin Staff Officer  
701-328-2401

Enc.

**Billing Statement**

**September 25, 2002**

Essex Communications, Inc.  
Toll Dialing Parity  
Application

Case No. PU-2397-01-270

**Bill To:**

Essex Communications, Inc.....\$80.87

**Expenses Incurred to Date:**

Advertising Costs \$80.87

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

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

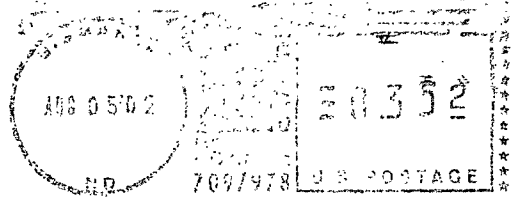
**Federal Tax ID 45-0309764**

Public Service Commission  
State of North Dakota

Official Mail 600 E BOULEVARD AVE DEPT 408  
BISMARCK ND 58505-0480

POSTAGE REQUESTED

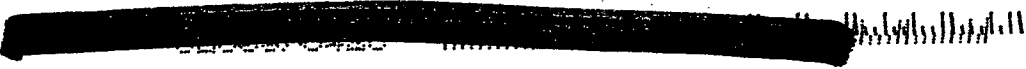
PRESORTED  
FIRST CLASS



*45% contains  
Notice of Opportunity  
To File*



PATRICK FREEMAN  
ESSEX COMMUNICATIONS INC  
43 SOUTH SERVICE RD  
MELVILLE NY 11747

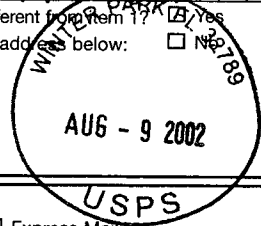


PU-2397-01-270

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>D. Christmas</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:  <i>Nancy Beck          LLC Communications          509 Westport Ave          Norwalk Ct 66851</i></p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label) <b>7001 1940 0005 3425 1811</b></p>	
Domestic Return Receipt 102595-02-M-1035	

PU-2397-01-270

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Ricardo Lattimore</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Ricardo Lattimore</i> C. Date of Delivery <i>8-9-02</i></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:  <i>Thomas M Furti          Technologies Management          PO Drawer 200          White Park IL 32720-0200</i></p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number</p>	



# Affidavit of Publication

State of North Dakota )

County of Burleigh )

08 19 2002

NORTH DAKOTA  
PUBLIC SERVICE  
COMMISSION  
EXECUTIVE SECRETARY

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:

Z-Tel.com 1 time(s)  
as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed:

[Signature]

Subscribed and sworn to before me this 15<sup>th</sup> day of August A.D. 2002

[Signature]

6 **PU-2079-01-210** Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
08/19/2002 CC: Comm Legal PUD (3)

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Affidavit of Publication  
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08/19/2002 CC: Comm Legal Illona Pat.

# North Dakota Advertising Service, Inc.

1435 Interstate Loop • Bismarck, ND 58501-0567 • PHONE (701) 223-6397 • FAX (701) 223-8185 • www.ndna.com

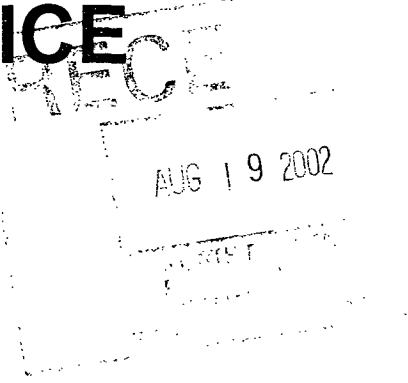
## INVOICE

Date: 08/16/2002

Page: 1

To:

JON H. MIELKE  
PUBLIC SERVICE COMMISSION  
STATE CAPITOL  
BISMARCK ND 58505



Client: Public Service Commission

Order: 02082PP0

Newspaper	Date	Inches	Page#	Rate	Amount
Bismarck Tribune	Z-Tel ... 08/09/2002	75.00	SPR2	0.64	48.00
Devils Lake Daily Journal	Z-Tel ... 08/09/2002	80.00	SPR2	0.63	50.40
Dickinson Press	Z-Tel ... 08/09/2002	83.00	SPR2	0.57	47.31
Fargo, The Forum	Z-Tel ... 08/12/2002	67.00	SPR2	0.71	47.57
Grand Forks Herald	Z-Tel ... 08/08/2002	73.00	SPR2	0.69	50.37
Jamestown Sun	Z-Tel ... 08/09/2002	78.00	SPR2	0.54	42.12
Minot Daily News	Z-Tel ... 08/09/2002	1.00	[Special]	57.24	57.24
Valley City Times-Record	Z-Tel ... 08/09/2002	83.00	SPR2	0.57	47.31
Wahpeton Daily News	Z-Tel ... 08/11/2002	83.00	SPR2	0.57	47.31
Williston Herald	Z-Tel ... 08/09/2002	78.00	SPR2	0.61	47.58

\*\*\* ADVERTISING TOTAL 485.21

\*\*\* TOTAL DUE 485.21

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by North Dakota Advertising Service, Inc.  
08/19/2002 CC: Comm Legal Illona Pat.

This invoice is due and payable upon receipt. Unpaid items over 30 days from invoice date are subject to a finance charge. The finance charge is computed by a periodic rate of 1 3/4 percent per month (or a minimum charge of 50 cents for balances of under \$50), which is an annual percentage rate of 21 percent.

Total unpaid balance may be paid at any time.

Please pay from this invoice — No statement will be sent. Return duplicate with remittance to North Dakota Advertising Service, Inc.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Z-Tel Communications, Inc. Toll Dialing Parity Application	Case No. PU-2079-01-210
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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 **5th day of August, 2002**, she deposited in the United States Mail, Bismarck, North Dakota **six** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Notice of Opportunity for Hearing**

The envelopes were addressed as follows:

Monique Byrnes  
Technologies Management Inc  
P O Drawer 200  
Winter Park FL 32790-0200  
Cert. No. 7001 1940 0005 3426 9090

Thomas M Forte  
Technologies Management Inc  
P O Drawer 200  
Winter Park FL 32790-0200  
Cert. No. 7001 1940 0005 3426 9106

5      **PU-2397-01-270**

Pages: 16

Affidvit of Service

by Public Service Commission

08/05/2002

CC: Comm Legal PUD (3)

Lisa Zavalney  
Skyland Technologies  
P O Box 939  
Williston ND 58802-0939  
**Cert. No. 7001 1940 0005 3426 9113**

Jaquetta Peace  
Premiere Network Services Inc  
1510 N Hampton Rd Ste 120  
DeSoto TX 75115  
**Cert. No. 7001 1940 0005 3426 9120**

Barbara S Garaas  
VAL-ED Joint Venture LLP  
702 Main Ave  
Moorhead MN 56561  
**Cert. No. 7001 1940 0005 3426 9137**

Sheri Pringle  
Comm South Companies Inc  
6830 Walling Lane  
Dallas TX 75231  
**Cert. No. 7001 1940 0005 3426 9144**

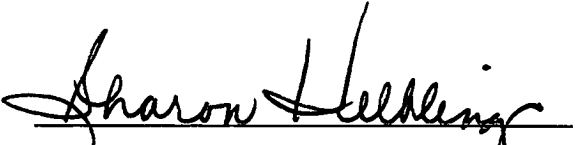
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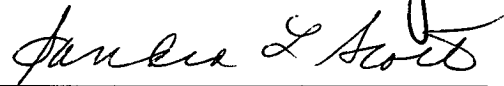
Patrick Freeman  
Essex Communications Inc  
43 South Service Rd  
Melville NY 11747

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

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

Subscribed and sworn to before me  
this **5th day of August, 2002**.

  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public

SEAL



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Z-Tel Communications, Inc. Toll Dialing Parity Application	Case No. PU-2079-01-210
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COUNTY OF BURLEIGH

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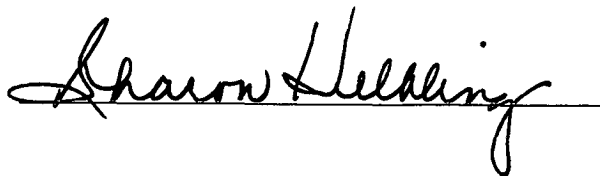
she is over the age of 18 years and not a party to this action and, on the **5th day of August, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and/or e-mailed a copy of:

**Notice of Opportunity for Hearing**

To:

**See Attached List**

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

  
\_\_\_\_\_

Subscribed and sworn to before me  
this **5th day of August, 2002.**

  
\_\_\_\_\_

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**Helbling, Sharon D.**

---

**From:** Helbling, Sharon D.  
**Sent:** Monday, August 05, 2002 9:24 AM  
**To:** ndna (E-mail)  
**Subject:** Attached Notices of Opportunity for Hearing

**Colleen Park  
North Dakota Newspaper Association**

**Colleen:**

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

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

**If you have any questions, please call me at 701-328-4076. Thank you.**

**Sharon Helbling  
Public Utilities Division**



1.doc



1.doc

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**PU-2397-01-270**

Pages: 1

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

1

08/05/2002

CC: Comm Legal PUD (3)

**MOTION**

**August 2, 2002**

**APPROVED**

DATE: 8-2-02  
KMF

**Z-Tel Communications, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2079-01-210**

**Essex Communications, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2397-01-270**

**Skyland Technologies, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-1785-01-434**

**Premiere Network Services, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2477-01-436**

**VAL-ED Joint Venture L.L.P.  
Toll Dialing Parity  
Application**

**Case No. PU-2084-01-437**

**Comm South Companies, Inc.  
Toll Dialing Parity  
Application**

**Case No. PU-2311-02-220**

I move the Commission issue a Notice of Opportunity for Hearing in the captioned applications for approval of toll dialing parity plans.

PJF/sdh

**3**

**PU-2397-01-270**

Pages: 1

Motion

by Public Service Commission

08/02/2002

CC: Comm Legal PUD (3)

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Z-Tel Communications, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2079-01-210**

**Essex Communications, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2397-01-270**

**Skyland Technologies, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-1785-01-434**

**Premiere Network Services, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2477-01-436**

**VAL-ED Joint Venture L.L.P.  
Toll Dialing Parity  
Application** **Case No. PU-2084-01-437**

**Comm South Companies, Inc.  
Toll Dialing Parity  
Application** **Case No. PU-2311-02-220**

**NOTICE OF OPPORTUNITY FOR HEARING  
August 2, 2002**

Toll dialing parity (aka equal access or 1+ dialing) allows telephone subscribers to route intraLATA toll calls automatically, without the use of access codes, to any interexchange carrier of the subscriber's choice.

Under North Dakota Century Code § 49-21-08.1, every local exchange carrier is required to provide intraLATA dialing parity.

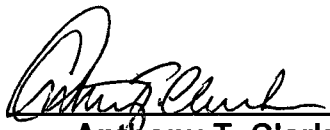
On April 25, 2001 Z-Tel Communications, Inc. filed its plan for providing intraLATA toll dialing parity. On May 18, 2001 Essex Communications, Inc. filed its toll dialing parity plan. On July 27, 2001 Skyland Technologies, Inc. filed its toll dialing parity plan. On August 1, 2001 Premiere Network Services, Inc. filed its toll dialing parity plan. On August 3, 2001 VAL-ED Joint Venture L.L.P. filed its toll dialing parity plan. On May 1, 2002 Comm South Companies, Inc. filed its toll dialing parity plan.

Toll dialing parity plans are to be filed in accordance with 47 CFR §§ 51.209 – 51.215. In addition, the company's toll dialing parity plan should incorporate provisions adopted in the Commission's June 18, 1999 and July 16, 1999 orders in Case No. PU-419-99-207.

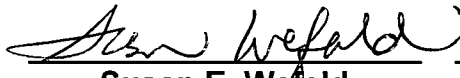
Those interested are invited to comment on the dialing parity plans in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearing must be received by **September 4, 2002**. If deemed appropriate, the Commission can determine the matter without a hearing.

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

**PUBLIC SERVICE COMMISSION**



**Anthony T. Clark**  
Commissioner



**Susan E. Wefald**  
President



**Leo M. Reinbold**  
Commissioner

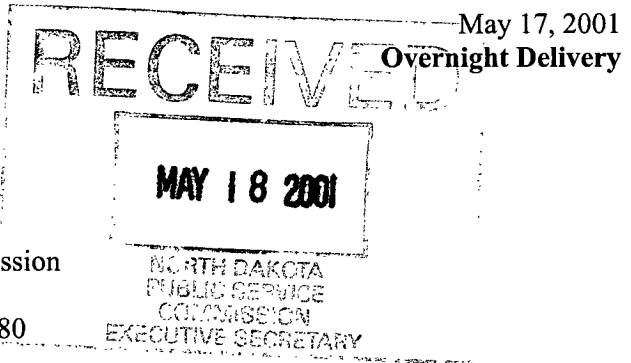


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Mr. John Mielke  
Executive Secretary  
North Dakota Public Service Commission  
State Capital  
Bismarck, North Dakota 58505-0480



RE: Dialing Parity Plan of Essex Communications, Inc. d/b/a eLEC Communications

Dear Mr. Mielke:

Enclosed for filing is the original and one (1) copy of the Dialing Parity Plan for Essex Communications, Inc. d/b/a eLEC Communications based upon a request the company received from Illona A. Jeffcoat-Sacco dated April 16, 2001.

Please acknowledge receipt of this application by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose.

Any questions you may have regarding this filing may be directed to me at (407) 740-8575. Thank you for your assistance in this matter

Sincerely,

Thomas M. Forte  
Consultant to Essex Communications, Inc.

Enclosures

cc: Patrick Freeman, Essex  
file: Essex - ND (Local)  
tms: NDx0102

**INTRALATA TOLL DIALING PARITY PLAN**

ESSEX COMMUNICATIONS, INC.  
d/b/a eLEC Communications  
43 South Service Road  
Melville, New York 11747

**May 17, 2001**

**Essex Communications, Inc.**  
d/b/a eLEC Communications

**IntraLATA Toll Dialing Parity Plan**

**1. Purpose**

In compliance with the FCC's Order 99-54, Essex Communications, Inc. d/b/a eLEC Communications ("Essex") files its plan for implementing intraLATA toll dialing parity in North Dakota where it is certified to provide local exchange service.

The intent of this Plan is to provide customers the ability to pre-select the telecommunications carrier of their choice for completing 1+ intraLATA toll calls without the use of access codes.

**Implementation Schedule**

Essex will offer intraLATA toll dialing parity to its customers upon entering the local exchange market in North Dakota. Essex anticipates that it will enter North Dakota's local service market within the next six months. At that time, Essex's retail customers may choose any participating interexchange carrier.

**Carrier Selection Procedures**

Essex will implement the full 2-PIC carrier selection methodology. With the full 2-PIC methodology, customers will be able to presubscribe to one telecommunications carrier for interLATA toll calls and presubscribe to the same or a different participating telecommunications carrier for intraLATA toll calls.

Processes will be established to provide new customers with an opportunity to choose their intraLATA toll carrier. Company employees who communicate with the public, accept orders and serve in customer service capacities will be trained to explain the availability of 2-PIC intraLATA toll dialing parity, and to assist customers in making an initial PIC choice or in changing a PIC choice for intraLATA and interLATA toll calls.

**Existing Customers**

Essex currently does not have any existing local service customers in North Dakota.

**New Customers**

Once Essex enters the local market, customers who contact Essex requesting new telephone exchange service will be informed of the opportunity to choose both an intraLATA carrier and an interLATA carrier for their toll calls. If requested by the customer, Essex will provide a list of telecommunications carriers that are available to provide intraLATA toll service in their exchange. The list of intraLATA toll carriers will be presented to customers in a competitively neutral manner.

Customers will be able to make a "no-PIC" selection, but will be unable to make intraLATA toll calls on a 1+ or 0+ dialed basis.

## **Access to Operator Services and Directory Assistance**

Access to Operator Services and Directory Assistance will continue to be available through the customer's local exchange carrier or interLATA carrier. No industry standard has been established for access to Operator Services and Directory Assistance unique to the intraLATA carrier. For Operator Services, customers dial "0" to reach their local exchange operator and "00" to reach their interLATA operator. For Directory Assistance, customers dial "1-411" for accessing the local exchange Directory Assistance and customers dial "1-NPA-555-1212" for accessing interLATA Directory Assistance.

## **PIC Change Charge**

Any intraLATA or interLATA PIC change made by a new customer after the initial selection will be subject to a \$5.00 nonrecurring charge for each change made.

## **CUSTOMER NOTIFICATION**

Once Essex enters the local service market in North Dakota, customers will be notified of the availability of intraLATA toll dialing parity when they select Essex as their local service carrier.

## **CARRIER NOTIFICATION**

Interexchange carriers will be notified of intraLATA equal access implementation once Essex has entered the local service market. At that time, carriers should provide a list of exchanges in which they plan to offer intraLATA toll service in advance of Essex's implementation date. Interexchange carriers who enter the market after implementation will be added to the list of participating carriers within 30 days of notifying Essex.