

DIVIDER

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

PU-2560-01-278

NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application

Filed 5/23/2001

Closed 7/26/2001

01

DESCRIPTION

Scott, Sandi L.

From: Bauske, Shelly A.
Sent: Wednesday, September 19, 2001 1:10 PM
To: Scott, Sandi L.
Subject: FW: Money Received....

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

From: Geiger, Gloria A.
Sent: Wednesday, September 19, 2001 1:00 PM
To: Bauske, Shelly A.
Subject: RE: Money Received....

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

From: Bauske, Shelly A.
Sent: Wednesday, September 19, 2001 12:33 PM
To: Geiger, Gloria A.
Subject: Money Received....

Case No. PU-2554-01-254
 Moore & Liberty
 \$35.13
 7700 8503 21254 248

Case No. PU-2535-01-192
 Ciera Network Systems, Inc.
 \$68.06
 7700 8503 21192 248

Case No. PU-2463-01-53
 Integra Telecom
 \$58.04
 7700 8503 21053 **001**

Case No. PU-2463-01-246
 Integra Telecom
 \$35.13
 7700 8503 21246 248

Case No. PU-2463-01-267
 Integra Telecom
 \$68.06
 770 8503 21267 248
 Total Integra Check: \$161.23

11 PU-2554-01-254 Pages: 0
 \$35.13 received
 by Moore & Liberty Tele Co.

12 PU-2535-01-192 Pages: 0
 \$68.06 received
 by Ciera Network Systems, Inc.

13 PU-2463-01-53 Pages: 0
 \$58.04 received
 by Integra Telecom of North Dakota, Inc.

11 PU-2463-01-246 Pages: 0
 \$35.13 received
 by Integra Telecom of North Dakota, Inc.

12 PU-2463-01-267 Pages: 0
 \$68.06 received
 by Integra Telecom of North Dakota, Inc.

✓13 PU-2560-01-278 Pages: 0
 \$68.05 received
 by Qwest Corporation

16 PU-2558-01-268 Pages: 0
 \$68.05 received
 by Qwest Corporation

13 PU-2535-01-192 Pages: 0
 \$68.05 received
 by Qwest Corporation

13 PU-2463-01-267 Pages: 0
 \$68.05 received
 by Qwest Corporation

12 PU-2463-01-246 Pages: 0
 \$35.13 received
 by Qwest Corporation
 09/19/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2560-01-278
Qwest
?
7700 8503 21278 248
68.05

Case No. PU-2558-01-268
Qwest
?

7700 8503 21268 248
68.05

Case No. PU-2535-01-192
Qwest
?

7700 8503 21192 248
68.05

Case No. PU-2463-01-267
Qwest
?

7700 8503 21267 248
68.05

Case No. PU-2463-01-246
Qwest
?

7700 8503 21246 248
35.13

Total Qwest Check: \$307.33

Affidavit of Publication

RECEIVED

SEP - 6 2001

COMMISSIONER
EXECUTIVE SECRETARY

State of North Dakota)
)
County of Burleigh)

Laurie Threl

, 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:
Integra-Interconnect, 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 13th day of August A.D. 2001.

[Signature: Laurie Schaffer]

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

- 11 PU-2463-01-267 Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/06/2001 CC: Comm Legal Ilona Jerry
- 11 PU-2558-01-268 Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/06/2001 CC: Comm Legal Ilona Jerry
- 12 PU-2560-01-278 Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/06/2001 CC: Comm Legal Ilona Jerry

Order Approving Negotiated
Agreements

July 25, 2001

Case No. 2560-01-278

Bismarck	8-1
Devils Lake	8-1
Dickinson	8-1
Fargo	8-6
Grand Forks	8-1
Jamestown	8-1
Minot	8-1
Valley City	8-1
Wahpeton	8-1
Williston	8-1

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: 09/05/2001

Page: 1

To:

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

SEP - 6 2001

Client: Public Service Commission

Order: 01081PP1

Newspaper	Date	Inches	Page#	Rate	Amount
Bismarck Tribune	Integra - 08/01/2001	95.00	SPR2	0.61	57.95
Devils Lake Daily Journal	Integra - 08/01/2001	98.00	SPR2	0.57	55.86
Dickinson Press	Integra - 08/01/2001	1.00	[Special]	56.68	56.68
Fargo, The Forum	Integra - 08/06/2001	91.00	SPR2	0.73	66.43
Grand Forks Herald	Integra - 08/01/2001	96.00	SPR2	0.61	58.56
Jamestown Sun	Integra - 08/01/2001	1.00	[Special]	60.00	60.00
Minot Daily News	Integra - 08/01/2001	130.00	SPR2	0.42	54.60
Valley City Times-Record	Integra - 08/01/2001	1.00	[Special]	56.68	56.68
Wahpeton Daily News	Integra - 08/01/2001	1.00	[Special]	56.68	56.68
Williston Herald	Integra - 08/01/2001	1.00	[Special]	56.70	56.70

*** ADVERTISING TOTAL 580.14

*** TOTAL DUE 580.14

11 PU-2463-01-267 Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

09/06/2001

CC: Comm Legal Ilona Jerry

11 PU-2558-01-268 Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

09/06/2001

CC: Comm Legal Ilona Jerry

12 PU-2560-01-278 Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

09/06/2001

CC: Comm Legal Ilona Jerry

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.

APPROVED

DATE: 8-22-01
KMF

MOTION

August 22, 2001

NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2560-01-278

I move the Commission bill NPCR, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2560-01-278, NPCR, Inc./Qwest Corporation, Interconnection Agreement, Application.

11

PU-2560-01-278

Pages: 3

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

08/22/2001

CC: Comm Legal Ilona Jerry .



Public Service Commission
State of North Dakota

COMMISSIONERS

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

Executive Secretary
Jon H. Mielke

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

August 22, 2001

David J Manning
Nextel Partners
4500 Carillon Point
Kirkland WA 98033

Michael van Eckharkt
Davis Wright & Tremaine
2600 Century Square
1501 4th Ave
Seattle WA 98101

Dan Kuntz
PO Box 1695
Bismarck ND 58502-1695

RE: Case No. PU-2560-01-278
NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application

Enclosed is a copy of the statement approved at the August 22, 2001 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2560-01-278.

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.

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

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

Billing Statement

August 22, 2001

NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2560-01-278

Amount Due:

NPCR, Inc.	\$68.06
Qwest Corporation	\$68.05

Expenses Incurred to Date:

Advertising Costs	\$136.11
-------------------	----------

Send Payment and a Copy of this Statement To:

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

Federal Tax ID 45-0309764

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-2463-01-267

**360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

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 **25th day of July, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **five envelopes** with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7000 0520 0022 8655 3452

360networks (USA) inc
Contract Management
12101 Airport Way
Broomfield CO 80021

Cert. No. 7000 0520 0022 8655 3476

Karen Johnson
Integra Telecom Inc
19545 NW Von Neumann Dr Ste 200
Beaverton OR 97006-6902
Cert. No. 7000 0520 0022 8655 3469

David Manning
Nextel Partners
4500 Carillon Point
Kirkland WA 98003
Cert. No. 7000 0520 0022 8655 3483

10

PU-2560-01-278

Pages: 2

Affidavit of Service

by Public Service Commission

07/26/2001

CC: Comm Legal Ilona Jerry

Michael van Eckharkt
Davis Wright & Tremaine
2600 Country Sq 1504 4th Ave
Seattle WA 98101
Cert. No. 7000 0520 0022 8655 3490

Sharon Helbling further deposes and says that on the **25th day of July, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

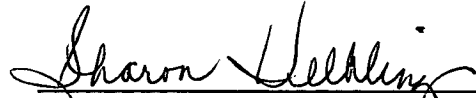
Scott Macintosh
Qwest Corporation
P O Box 5508
Bismarck ND 58502-5508

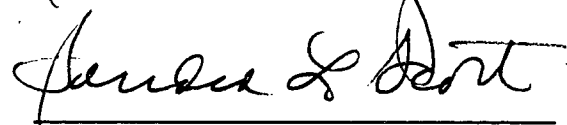
Dir-Interconnection Compliance
Qwest Corporation
1801 California St Rm 2410
Denver CO 80202

360networks (USA) inc
Carrier Services
12101 Airport Way
Broomfield CO 80021

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

Subscribed and sworn to before me
this **25th day of July, 2001**.





Notary Public

SEAL

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

MOTION

July 25, 2001

APPROVED

DATE: 7-25-01
KME

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

Case No. PU-2463-01-267

**360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

I move the Commission adopt the Order Approving Negotiated Agreements in the captioned applications for approval of interconnection agreements and amendments.

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. PU-2463-01-267

**360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

ORDER APPROVING NEGOTIATED AGREEMENTS

July 25, 2001

On May 16, 2001, in Case No. PU-2558-01-268, Qwest filed an application for approval of an interconnection agreement with 360networks (USA) Inc. of Broomfield, CO. This agreement sets forth rates, terms and conditions for interconnection of facilities including access to unbundled network elements, ancillary services and services for resale.

On May 17, 2001, in Case No. PU-2463-01-267, Qwest filed an application for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. This amendment sets forth terms and conditions for Single Point of Presence in the LATA.

On May 23, 2001, in Case No. PU-2560-01-278, Qwest filed an application for approval of an interconnection agreement negotiated with NPCR, Inc. of Kirkland, WA. This agreement adopts a previously approved interconnection agreement between Sprint Spectrum L.P. and Qwest.

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

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

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253.

8

PU-2560-01-278

Pages: 2

Order Approving Negotiated Agreements

by Public Service Commission

07/25/2001

CC: Comm Legal Ilona Jerry .

On June 6, 2001, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive written comments on the agreement until July 10, 2001. No comments have been received.

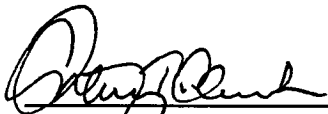
The Commission has reviewed the agreements and does not find them discriminatory against a telecommunications carrier that was not a party to the agreements. The Commission finds that implementation of the agreements is not inconsistent with the public interest, convenience and necessity.

Order

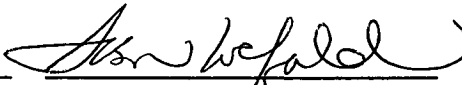
The Commission orders:

1. The interconnection agreement filed on May 16, 2001, negotiated between 360networks (USA), Inc. and Qwest, is APPROVED.
2. The amendment filed on May 17, 2001, negotiated between Integra Telecom of North Dakota, Inc. and Qwest, is APPROVED.
3. The interconnection agreement filed on May 23, 2001, negotiated between NPCR, Inc. and Qwest, is APPROVED.
4. The Commission retains continuing jurisdiction over the agreements at all times.
5. Notice of any changes to the agreements must be filed promptly with the Commission.
6. The agreements must not be assigned, assumed or otherwise transferred without the approval of the Commission.

PUBLIC SERVICE COMMISSION



Anthony T. Clark
Commissioner



Susan E. Wefald
President



Leo M. Reinbold
Commissioner

NORTH DAKOTA ADVERTISING SERVICE, INC.

1435 Interstate Loop • Bismarck, ND 58501-4058 • PHONE (701) 223-6397 • FAX 223-8185

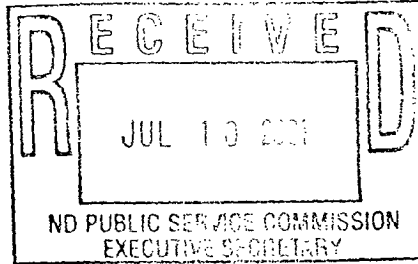
INVOICE

Date: 07/09/2001

Page: 1

To:

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



Client: Public Service Commission

Order: 01063PP1

Newspaper	Date	Inches	Rate	Amount
-----------	------	--------	------	--------

Bismarck Tribune	Ciera Netw 06/13/2001	89.00	SPR2 0.61	54.29
Devils Lake Daily Journal	Ciera Netw 06/13/2001	92.00	SPR2 0.57	52.44
Dickinson Press	Ciera Netw 06/13/2001	1.00	[Special] 52.00	52.00
Fargo, The Forum	Ciera Netw 06/18/2001	86.00	SPR2 0.73	62.78
Grand Forks Herald	Ciera Netw 06/13/2001	87.00	SPR2 0.61	53.07
Jamestown Sun	Ciera Netw 06/13/2001	1.00	[Special] 53.00	53.00
Minot Daily News	Ciera Netw 06/13/2001	144.00	SPR2 0.42	60.48
Valley City Times-Record	Ciera Netw 06/13/2001	1.00	[Special] 52.00	52.00
Wahpeton Daily News	Ciera Netw 06/14/2001	1.00	[Special] 52.00	52.00
Williston Herald	Ciera Netw 06/13/2001	97.00	SPR2 0.54	52.38

*** ADVERTISING TOTAL 544.44

*** TOTAL DUE 544.44

10 PU-2535-01-192 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry .

6 PU-2558-01-268 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry .

6 PU-2463-01-267 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry .

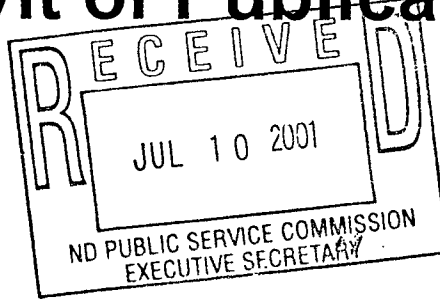
7 PU-2560-01-278 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry .

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.

Affidavit of Publication



State of North Dakota)
County of Burleigh)

Laurie Thiel, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:
Ciera Network - NPCR, 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 25th day of June A.D. 2001.

Laurie Schaffer

10 PU-2535-01-192 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry

6 PU-2463-01-267 Pages: 11
Affidavit of Publication
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07/10/2001 CC: Comm Legal Ilona Jerry

6 PU-2558-01-268 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry

7 PU-2560-01-278 Pages: 11
Affidavit of Publication
by North Dakota Advertising Service, Inc.
07/10/2001 CC: Comm Legal Ilona Jerry

Notice Of Opportunity For Hearing
June 6, 2001

Case no. PU - 910 - 01 - 274

Bismarck	6-13
Devils Lake	6-13
Dickinson	6-13
Fargo	6-18
Grand Forks	6-13
Jamestown	6-13
Minot	6-13
Valley City	6-13
Wahpeton	6-14
Williston	6-13

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Ciera Network Systems, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2535-01-192

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

Case No. PU-2463-01-267

**360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

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 June, 2001**, 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 to File Written Comments

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7000 0520 0022 8655 4619

360networks (USA) inc
Contract Management
12101 Airport Way
Broomfield CO 80021
Cert. No. 7000 0520 0022 8655 4633

Karen Johnson
Integra Telecom Inc
19545 NW Von Neumann Dr Ste 200
Beaverton OR 97006-6902
Cert. No. 7000 0520 0022 8655 4626

Robert Livingston
Ciera Network Systems Inc
2630 Fountainview Ste 300
Houston TX 77057
Cert. No. 7000 0520 0022 8655 4640

6

PU-2560-01-278

Pages: 4

Affidavits of Service

by Public Service Commission

06/07/2001

CC: Comm Legal Illona Jerry

David Manning
Nextel Partners
4500 Carillon Point
Kirkland WA 98003
Cert. No. 7000 0520 0022 8655 4749

Michael van Eckharkt
Davis Wright & Tremaine
2600 Country Sq 1504 4th Ave
Seattle WA 98101
Cert. No. 7000 0520 0022 8655 4756

Sharon Helbling further deposes and says that on the **7th day of June, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

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

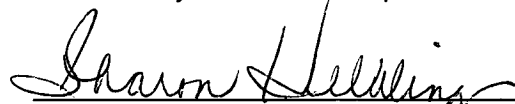
Dir-Interconnection Compliance
Qwest Corporation
1801 California St Rm 2410
Denver CO 80202

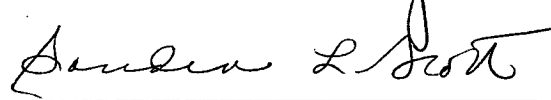
360networks (USA) inc
Carrier Services
12101 Airport Way
Broomfield CO 80021

Sam Jarrett
Ciera Network Systems Inc
2630 Fountainview Ste 300
Houston TX 77057

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

Subscribed and sworn to before me
this **7th day of June, 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

Ciera Network Systems, Inc./Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2535-01-192

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

Case No. PU-2463-01-267

360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2558-01-268

NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2560-01-278

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 **7th day of June, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

Notice of Opportunity to File Written Comments

The envelopes were addressed as follows:

See Attached List

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

Subscribed and sworn to before me
this 7th day of June, 2001.

Sharon Helling

Sandra L. Scott

Notary Public

SEAL

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

bberkenpas@mcleodusa.com
Barb Berkenpas

wbrudvik@ohr.tadlaw.com
William B. Jvrik

Janis Peterson

lisestrom@dwt.com
Lise Strom

mannawiz@pacbell.net
Larry Manna
Compuwiz
1012 Industrial Blvd
South Lake Tahoe CA 96150

hill@nccray.com
Bob Hill
Skyland Technologies

ruth.holder@teligent.com
Ruth Holder

eVulkan Inc
1 River Ct Apt 1408
Jersey City NJ 07310-2006

Local Telcom Holdings LLC
485 Madison Ave 15th Fl
New York NY 10022-5803

Global Telelink Services Inc
1455 Old Alabama Rd Ste 100
Roswell GA 30076-2134

nlarsen@nvc.net
Clint Hanson
Accent Communications Inc
235 E 1st Ave
Groton SD 57445

jlchapman@acomminc.com
Jerry Chapman
Acomm Inc
510 1st Ave N Ste 203
Minneapolis MN 55403-0343

John B Glicksman
Adelphia Business Solutions Operations
121 Champion Way
Canonsburg PA 15317

Advanced Telcom Inc
110 Stony Point Rd Ste 200
Santa Rosa CA 95401

Kevin Timpane
Arrival Communications Inc
601 Montgomery St Ste 675
San Francisco CA 94111-2662

smassey@bepc.com
Sheryl Massey
Basin Electric Power Coop
1717 E Interstate Ave
Bismarck ND 58501-0564

jtmgr@bektel.com
Jerome Tishmack
BEK Communications Cooperative
PO Box 230
Steele ND 58482-0230

jtmgr@bekte' rom
Jerome Tishmack
BEK Communications I Inc
PO Box 230
Steele ND 58482-0230

C12 Inc
200 Galleria Pkwy Ste 1550
Atlanta GA 30339

chamon@connect.com
Carole Hamon
CCCND Inc
124 W Capitol Ave Ste 250
Little Rock AR 72201

Citizens Telecomm Co of MN
3 High Ridge Park
Stamford CT 06905

Daniel L Barth
Comm South Companies Inc
2909 N Buckner Blvd Ste 800
Dallas TX 75228

ken@staff.ctctel.com
L Dan Wilhelmson
Consolidated Comm Networks Inc
PO Box 1077
Dickinson ND 58601-1077

Consolidated Telcom
507 S Main
Dickinson ND 58601

ken@staff.ctctel.com
L Dan Wilhelmson
Consolidated Telcom Inc
PO Box 1077
Dickinson ND 58601-1077

ken@staff.ctctel.com
L Dan Wilhelmson
Consolidated Telephone Cooperative
PO Box 1077
Dickinson ND 58601-1077

Contact Communications
937 W Main St
Riverton WY 82501

Robert Hill
Daktel Communications LLC
P O Box 299
Carrington ND 58421-0299

Dave Dircks
DCN LLC
P O Box 180
Devils Lake ND 58301-0180

Dickey Rural Services Inc
P O Box 69
Ellendale ND 58436

drtc@drtel.net
Darren Moser
Dickey Rural Telephone Cooperative
PO Box 69
Ellendale ND 58436-0069

DIECA Communications Inc
2330 Central Exprswy
Santa Clara CA 95050

jkirby@excel.com
Jerry Kirby
eMeritus Communications Inc
8750 N Central Expswy Ste 2000
Dallas TX 75231

Essex Communications Inc
48 S Service Rd
Melville NY 11747

Dave Waters
Fairpoint Communications Solutions
216 River St 4th Fl
Troy NY 21280

glenn.richards@shawpittman.com
Glenn Richards
Glenn Richards
ShawPittman
2300 N St NW

rlaqua@rrv.net
Ronald Laqua
Halstad Telephone Company
PO Box 55
Halstad MN 56548-0055

HTC Services Inc
P O Box 55
Halstad MN 56548

dclark@hq.idt.net
Diane Clark
IDT America, Corp.
520 Broad St 7th Fl
Newark NJ 07102

kander@ictc.com
Keith Anderson
Inter-Community Telephone Co
PO Box 8
Nome ND 58062-0008

Essential.com Inc
3 Burlington Woods Dr
Burlington MA 01803

jkirby@excel.com
Jerry Kirby
Excel Telecommunications Inc
8750 N Central Expswy Ste 2000
Dallas TX 75231

meredith.gifford@gecapital.com
Meredith Gifford
GE Capital Telemanagement Services
Corp
6540 Powers Ferry Rd
Atlanta GA 30339

cooperstown@mlgc.com
Ray Brown
Griggs County Telephone Company
Cooperstown ND 58425

hold@texas.net
Dana Wilson
Home Owners Long Distance Inc
8647 Wurzbach Rd #M-1
San Antonio TX 78240-1245

Julia Waysdorf
ICG Telecom Group Inc
161 Inverness Dr W
Englewood CO 80112

Integra Telecom of North Dakota Inc
19545 Von Neumann Dr Ste 200
Beaverton OR 97006-6902

kander@ictc.com
Keith Anderson
Inter-Community Telephone Co. II
PO Box 8
Nome ND 58062-0008

itci@hcctel.net
Bruce Reuber
Interstate Telcom Consulting Inc
130 Birch Ave W
Hector MN 55342-0668

Neil Schm.
Ionex Communications North Inc
5710 LBJ Frwy Ste 215
Dallas TX 75240

IPVoice Communications Inc
7585 E Redfield Rd Ste 202
Scottsdale AZ 85260-6938

James Valley Coop Telephone Co
P O Box 69
Ellendale ND 58436-0069

anewell@jato.net
Andrew R Newell
JATO Operating Two Corp
6200 S Syracuse Way Ste 200
Greenwood Village CO 80111-4739

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

Steven Katka
Loretel Systems Inc
13 E 4th Ave
Ada MN 56510

marcus.milam@attws-sf.com
Marcus Milam
Marcus Y Milam

dfranklin@maxcess.net
Doris Franklin
Maxcess Inc
315 S Calhoun St Ste 314
Tallahassee FL 32301

susan.a.travis@wcom.com
Susan Travis
MCI Worldcom
201 Spear St 9th Fl
San Francisco CA 94105

Michel Murray
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

McKenzie Consolidated Telecom LLC
P O Box 1140
Watford City ND 58854-1140

skillebrew@deltacom.com
Sharon Killebrew
McLeodUSA

john_sullivan@cable.comcast.com
John Sullivan
McLeodUSA

wheaston@mcleodusa.com
William Heaston
McLeodUSA
P O Box 3177
Cedar Rapids IA 52406-3547

Amy Ibis
McLeodUSA
5100 S McLeod Ln
Sioux Falls SD 57108-2207

knations@mmfn.com
Karen Nations
Metromedia Fiber Network Services Inc
360 Hamilton Ave
White Plains NY 10601

sbunn@mlgc.com
Shelie Bunn
Moore & Liberty Telephone Co
Enderlin ND 58027

dhill@ndarec.com
Dennis Hill
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

info@newaccess.cc
Steven C Clay
New Access Communications LLC
120 S 6th St Ste 950
Minneapolis MN 55402-1838

NewPath Holdings Inc
11260 Aurora Ave Bldg 12
Des Moines IA 50322-7905

rer@norlight.com
Robert E Rogers
NorLight Inc
275 N Corporate Dr
Brookfield WI 53045

klund@nccray.com
Kenneth Lund
Northwest Communications Corp
PO Box 38
Ray ND 58849-0038

jram@erols.com
John Ramsey
Parcel Consultants Inc
150 Commerce Rd
Cedar Grove NJ 07009

gerrya@midrivers.com
Gerry Anderson
Mid-Rivers Telephone Coop Inc
PO Box 280
Circle MT 59215-0280

hfuglest@ndarec.com
Harlan Fugelsten
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

pschaner@ndarec.com
Patti Schaner
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661

lclemens@nft.net
Larry Clemens
Noonan Farmers Tele Co
Noonan ND 58765

pat@ndta.net
Patricia Gisinger
North Dakota Telephone Assoc
PO Box 2614
Bismarck ND 58502-2614

royce@restel.net
Royce Aslakson
Parcel Consultants Inc
150 Commerce Rd
Cedar Grove NJ 07009

ddunning@polarcomm.com
David Dunning
Polar Commun Mut Aid Corp
PO Box 270
Park River ND 58270-0270

ddunning@polarcomm.com
David Dunning
Polar Telcom Inc
PO Box 270
Park River ND 58270-0270

ddunning@polarcomm.com
David Dunning
Polar Telecommunications Inc
PO Box T
Park River ND 58270

Jeff Walker
Preferred Carrier Services Inc
14681 Midway Rd Ste 105
Dallas TX 75244

Premiere Network Services Inc
1510 N Hampton Rd Ste 120
DeSoto TX 75115

mpbosh@minot.ndak.net
Mike Bosh
Pringle and Herigstad P C
PO Box 1000
Minot ND 58702-1000

Scott Lee
Protel Advantage Inc
300 E Main St #300
Anoka MN 55303-2481

pam@tnics.com
Pamela Harrington
RC Communications Inc
PO Box 197
New Effington SD 57255-0197

ardondoran@rrt.net
Ardon Doran
Red River Rural Tele Assoc
PO Box 136
Abercrombie ND 58001

ardondoran@rrt.net
Ardon Doran
Red River Telecom Inc
PO Box 136
Abercrombie ND 58001-0136

jdbtbb@ndak.net
Jan Boschee
Reservation Telephone Cooperative
Parshall ND 58770

mbrestel@ndak.net
Marcia Burckhard
Reservation Telephone Cooperative
Parshall ND 58770

pam@tnics.com
Pamela Harrington
Roberts Cty Tele Coop Assoc
New Effington SD 57255

ServiSense.com Inc
180 Wells Ave Ste 450
Newton MA 02459-3302

warrenlh@srttel.com
Warren Hight
Souris River Tele Coop
PO Box 2027
Minot ND 58702-2027

SRT Communications Inc
P O Box 789
Minot ND 58702

suelh@srttel.com
Sue Hamilton
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

stevedl@srttel.com
Steve Lysne
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

janehp@srttel.com
Jane Petersen
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

kimrw@srttel.com
Kim Weydahl
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

gvinall@talk.com
George Vinall
Talk.com Holding Corp
12020 Sunrise Valley Dr Ste 250
Reston VA 20191

Telera Communications Inc
910 E Hamilton Ave Ste 200
Campbell CA 95008

Telicor Inc
100 W Harrison Ste S200
Seattle WA 98119-4191

bpipkin@touch1.com
Leigh Ann Wooten
Touch 1 Long Distance Inc
100 Brookwood Rd
Atmore AL 36502

maryg@uslink.net
Mary Goodman
U S Link Inc
P O Box 317
Pequot Lakes MN 56472-0327

christm@srttel.com
Chris Morfield
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

johnar@srttel.com
John Reiser
SRT Communications Inc
P O Box 789
Minot ND 58702-0789

mdickers@state.nd.us
Marcy Dickerson
State Tax Department
State Capitol
Bismarck ND 58505

clarson@telegroup.com
Caroline Larson
Telegroup Inc
2098 Nutmeg Ave
Fairfield IA 52556

Telergy Network Services Inc
1 Telergy Pkwy
East Syracuse NY 13057

Tom Carroll
TotalTel Inc
150 Clove Rd 8th Fl
Little Falls NJ 07424

Touch America Inc
40 E Bdwy
Butte MT 59701

lahall@usgs.gov
Lenora Hall
U S Geological Survey

kjvannin@usgs.gov
K Vannin
U S Geological Survey

kblicke@uswest.com
Kent Blickensderfer
U S WEST Communications Inc
PO Box 5508
Bismarck ND 58502-5508

smacint@uswest.com
Scott Macintosh
U S WEST Communications Inc
PO Box 5508
Bismarck ND 58502-5508

sschwan@uswest.com
Suzy Schwandt
U S WEST Communications Inc
P O Box 5508
Bismarck ND 58502-5508

jmunnn@uswest.com
John Munn
U S WEST Communications Inc
1801 California Rm 5100
Denver CO 80202

maneill@qwest.com
Mary Ann Neill
U S WEST Communications Inc
1801 California St Rm 4700
Denver CO 80202

saberry@uswest.com
Sharon Berry
U S WEST Communications Inc
409 1st Ave N
Fargo ND 58102-4802

johng@unidial.com
John Greive
UniDial Communications Inc
1901 Eastpoint Pkwy
Louisville KY 40223

United Communications HUB Inc
225 S Lake Ave Ste 705
Pasadena CA 91106

University of North Dakota
Box 8275 University Station
Grand Forks ND 58202

kander@ictc.com
Keith Anderson
Valley Communications Inc
P O Box 8
Nome ND 58062

bonniek@westriv.com
Bonnie Krause
West River Telecomm Coop
PO Box 467
Hazen ND 58545-0467

pihland@means.net
Paul Ihland
Wolverton Telephone Company
Wolverton MN 56594

Derrick Johnson
Lockheed Martin Global Telecomm
6560 Rock Spring Dr
Bethesda MD 20817

Jennifer Sikes
1-800 Reconex
2500 Industrial Ave
Hubbard OR 97032

ACN Communications Services Inc
32991 Hamilton Ct
Farmington Hills MI 48334

Arch Paging
11437 Valley View Rd
Eden Prairie MN 55344

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

Jennifer Whitley
Business Discount Plan Inc
3780 Kilroy Arpt Wy
Long Beach CA 90806

Scott Geston
Cable One of Fargo
P O Box 10624
Fargo ND 58106-0624

Robert Fallan
Coast International
14303 W 95th St
Lenexa KS 66215-5210

Molli Harper
Commnet Cellular Inc
8350 E Crescent Pkwy Ste 400
Englewood CO 80111

Elaine McHale
Concert Communications Sales LLC
295 N Maple Ave Rm 3160A2
Basking Ridge NJ 07920

Myer Sharf
Knollwood Place Apts #221
3630 Phillips Pkwy
St Louis Park MN 55426

Ann Faught
Absaraka Co-op Tele Co
Absaraka ND 58002

Mark Waind
Altru Health System
1200 South Columbia Rd
Grand Forks ND 58201

Leeann Brunnette
AT&T
321 E Walnut St
Des Moines IA 50309

Dorothy Jones
Bell Atlantic Communications Inc
1320 N Courthouse Rd 9th Fl
Arlington VA 22201

John Session
Cable & Wireless Comm Inc
8219 Leesburg Pike
Vienna VA 22182

Choctaw Communications Inc
1600 Viceroy
Dallas TX 75235

Comcast Telecommunications
1500 Market St
Philadelphia PA 19102

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

D D D Calling Inc
5120 Woodway Ste 8020
Houston TX 77056

Robert Hill
Dakota Central Tele Coop
PO Box 299
Carrington ND 58421-0299

Robert Hill
Dakota Central Telecom I
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

Lawrence Freedman
Fleischman & Walsh
1400 16th ST NW
Washington DC 20036

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

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

Ken Hanks
International Telcom Ltd
417 2nd Ave W
Seattle WA 98119

Sue Weiske
Ionex Communications North Inc
5710 LBJ Frwy Ste 215
Dallas TX 75240

Nanette Edwards
ITC DELTACOM INC
4092 Memorial Pkwy SW
Huntsville AL 35802-1382

Larry Barnes
IXC/SSC-Regulatory Affairs
1122 S Capital of TX Hwy
Austin TX 78746-6426

Katherine E Ford
U S WEST
1801 California St Ste 5100
Denver CO 80202

Thomas K Crowe
Law Offices of Thomas K Crowe PC
2300 M St NW Ste 800
Washington DC 20037

LCI International Telecom Corp
4650 Lakehurst Ct
Dublin OH 43017

Level 3 Communications LLC
3555 Farnam St
Omaha NE 68131

Jan Lowe
Long Dist Consolidated Billing Co
145 S Livernois Rd #199
Rochester MI 48307-1837

Marilyn Foss
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

MCImetro Access Transmission Services
707 17th ST Ste 3600
Denver CO 80202

McLeodUSA
P O Box 3177
Cedar Rapids IA 52406-3177

Midcontinent Communications
410 South Phillips Ave
Sioux Falls SD 57104

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

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

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

Minnesota Independent Equal Access
Corp
10300 6th Avenue N
Plymouth MN 55441

Mike Strand
MITS
PO Box 5237
Helena MT 59604-5237

MVX Communications LLC
100 Rowland Way Ste 145
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

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

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

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

Heather T. xell
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

Darrell Henderson
Stateline Telecomm Inc
PO Box 39
Bison SD 57620-0039

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

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

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

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

Christina Tygielski
Universal Access Inc
Sears Tower 233 S Wacker Dr Ste 600
Chicago IL 60606-6307

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

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

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

Kenneth Carlson
United Telephone Mut Aid Corp
Langdon ND 58249

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

Carolyn Fodor
Winstar
100 Galleria #111
Southfield MI 48034

Helbling, Sharon D.

From: Helbling, Sharon D.

Sent: Thursday, June 07, 2001 9:40 AM

To: ndna (E-mail)

Subject: Attached Notice of Opportunity to File Written Comments

Colleen,

Please have the attached Notice of Opportunity to File Written Comments published as a legal publication in the next issue of the ten North Dakota daily newspapers, and run it as a "News Item" only article as well.

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



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PU-2560-01-278

Pages: 1

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

06/07/2001

CC: Comm Legal Ilona Jerry

APPROVED

MOTION

DATE: 6-6-01
KMF

June 6, 2001

**Ciera Network Systems, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2535-01-192

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

Case No. PU-2463-01-267

**360networks (USA) inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

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

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Ciera Network Systems, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2535-01-192

**Integra Telecom of North Dakota, Inc./Qwest
Corporation
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Case No. PU-2558-01-268

**NPCR, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2560-01-278

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS

June 6, 2001

On April 19, 2001, in Case No. PU-2535-01-192, Qwest Corporation (Qwest) filed an application for approval of a service resale agreement negotiated with Ciera Network Systems, Inc. This agreement sets forth rates, terms and conditions under which Qwest agrees to provide services for resale.

On May 16, 2001, in Case No. PU-2558-01-268, Qwest filed an application for approval of an interconnection agreement with 360networks (USA) inc. of Broomfield, CO. This agreement sets forth rates, terms and conditions for interconnection of facilities including access to unbundled network elements, ancillary services and services for resale.

On May 17, 2001, in Case No. PU-2463-01-267, Qwest filed an application for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. This amendment sets forth terms and conditions for Single Point of Presence in the LATA.

On May 23, 2001, in Case No. PU-2560-01-278, Qwest filed an application for approval of an interconnection agreement negotiated with NPCR, Inc. of Kirkland, WA. This agreement adopts a previously approved interconnection agreement between Sprint Spectrum L.P. and Qwest.

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

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PU-2560-01-278

Pages: 2

Notice of Opportunity to File Written
Comments
by Public Service Commission

06/06/2001

CC: Comm Legal Illona Jerry .

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


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

The Commission will receive written comments on these agreements until July 10, 2001.

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

PUBLIC SERVICE COMMISSION


Anthony T. Clark
Commissioner


Susan E. Wefald
President


Leo M. Reinbold
Commissioner



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

May 24, 2001

David Manning
Nextel Partners
4500 Carillon Point
Kirkland WA 98003

Michael van Eckharkt
Davis Wright & Tremaine
2600 Country Sq
1504 4th Ave
Seattle WA 98101

Dear Mr. Manning and Mr. Van Eckharkt:

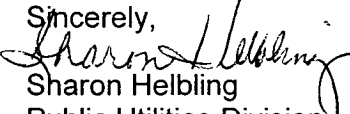
We have received an interconnection agreement between Qwest Corporation and NPCR, Inc. d/b/a Nextel Partners (CMRS). In the agreement you state you are a reseller. However, in North Dakota, you have not applied for certification as a reseller.

We will process your interconnection agreement, but before you can provide telecommunications services in North Dakota, you are required to apply for a Certificate of Registration for switchless local resale, and/or a Certificate of Public Convenience and Necessity for facilities-based local services.

I have enclosed an application form for registration as a reseller, an example of a facilities-based application, and all other rules and laws that apply. You are also required to apply to the North Dakota Secretary of State's office for authority to do business in North Dakota, and provide us with a copy of those papers, including an original Certificate of Good Standing. You can complete that process by calling the North Dakota Secretary of State's office at 701-328-2900.

Tariffs are required for CLECs (see N.D.C.C. 49-21-04 attached). If a local exchange reseller requires prepayments, the bond amount is \$25,000. A copy of the PSC policy relating to bonds for local exchange resellers is enclosed.

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

Sincerely,

Sharon Helbling
Public Utilities Division

sdh

Enclosures

c: Dan Kuntz

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PU-2560-01-278

Pages: 1

Letter to NPCR re reseller application
requirements
by Public Service Commission

05/24/2001

CC: Comm Legal Ilona Jerry

ZUGER KIRMIS & SMITH

COUNSELORS AND ATTORNEYS AT LAW

Lyle W. Kirmis
Lance D. Schreiner, P.C.
James S. Hill, P.C.*[^]
Patrick J. Ward**[^]
Rebecca S. Thiem, P.C.*
Daniel S. Kuntz, P.C.
Brenda L. Blazer, P.C.
Jerry W. Evenson, P.C.[^]
Lawrence A. Dopson
Lawrence E. King, P.C.*
Tracy Vigness Kolb
Shawnda R. Reid

316 North Fifth Street
Provident Building
P.O. Box 1695
Bismarck, ND 58502-1695
(701) 223-2711
fax (701) 223-7387
zkslaw@zkslaw.com
www.zkslaw.com

Of Counsel
John A. Zuger

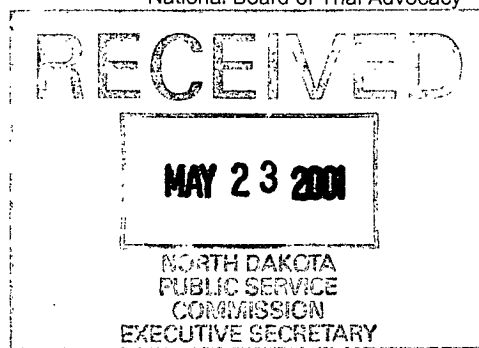
Thomas O. Smith
1944-2001

Also licensed in
Minnesota *
Montana/Illinois **

[^]Certified Civil Trial Specialist
National Board of Trial Advocacy

May 23, 2001

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



Re: Interconnection Agreement Between Qwest Corporation and NPCR, Inc. d/b/a Nextel Partners

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of an Agreement for an Interconnection Agreement between NPCR, Inc. d/b/a Nextel Partners ("CMRS") and Qwest Corporation. The document adopts the terms and conditions of an Interconnection Agreement, including any associated amendments, between Sprint Spectrum L.P. and Qwest Corporation f/k/a U S WEST Communications that was approved by the Public Service Commission on December 20, 2000 in case PU-2420-00-560. The contact person for CMRS are David J. Manning, General Counsel, Nextel Partners, 4500 Carillon Point, Kirkland, WA 98033 and Michael van Eckharkt, of Davis Wright & Tremaine, 2600 Century Square, 1501 4th Avenue, Seattle, WA 98101.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel S. Kuntz". The signature is fluid and cursive, with a large loop at the end.

Daniel S. Kuntz

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PU-2560-01-278

Pages: 5

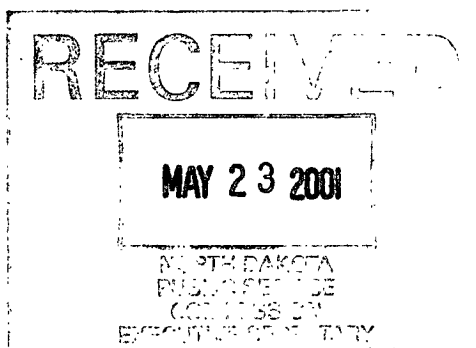
Interconnection Agreement application
by NPCR, Inc./Qwest Corporation

05/23/2001

CC: Comm Legal Ilona Jerry

Mr. Jon Mielke
Executive Secretary
May 23, 2001
Page 2

c: Scott Macintosh w/enc
Deb Hartl wo/enc
Donald J. Manning wo/enc
Michael vanEckharkt



April 26, 2001

NPCR, Inc. dba Nextel Partners
4500 Carillon Point
Kirkland, WA 98033

Dear Mr. Manning:

We have received your request that, under Section 252(i) of the Telecommunications Act of 1996, NPCR, Inc. dba Nextel Partners ("CMRS") wishes to "Pick and Choose" in its entirety, the terms of the Interconnection Agreement and any associated amendments, if applicable, ("Agreement") between Sprint Spectrum L.P. and Qwest Corporation fka U S WEST Communications, Inc. ("Qwest") that was approved by the Commission as an effective agreement in the State of North Dakota. NPCR, Inc. dba Nextel Partners is incorporated in the state of Delaware. We understand you have a copy of the Agreement.

With respect to the aforementioned Agreement, Qwest and CMRS (" the Parties") understand and agree:

1. The Parties shall request the Commission to expedite its review and approval of this Agreement. This Agreement shall become effective upon such approval.
2. Notwithstanding the mutual commitments set forth herein, the Parties are entering into this Agreement without prejudice to any positions they have taken previously, or may take in the future, in any legislative, regulatory, or other public forum addressing any matters, including those relating to the types of arrangements contained in this Agreement. During the proceeding in which the Commission is to review and approve the Agreement, Qwest may point out that it has objected, and continues to object, to the inclusion of the terms and conditions to which it objected in the proceedings involving the approval of the Underlying Agreement.
3. This Agreement contains provisions based upon the decisions and orders of the FCC and the Commission under and with respect to the Act. Currently, court and regulatory proceedings affecting the subject matter of this Agreement are in various stages, including the proceedings where certain of the rules and regulations of the FCC are being challenged. In addition, there is uncertainty in the aftermath of the Supreme Court's decision in AT&T Corp. et al. v. Iowa Utilities Board. Based on that uncertainty, and the regulatory and judicial proceedings which will occur as a result of that decision, the Parties acknowledge that this Agreement may need to be changed to reflect any changes in law. The Agreement has not been corrected to reflect the requirements, claims or outcomes of any of the proceedings. Accordingly, when a final, decision or decisions are made in the proceedings that automatically change and modify the Underlying Agreement, then like changes and modifications will similarly be made to this Agreement. In addition, to the extent rules or laws are based on regulatory or judicial proceedings as a result of the recent Supreme Court decision, this Agreement will be amended to incorporate such changes. In the event of a Commission ruling in a generic cost docket that results in changes to the rates contained in this Agreement, the Agreement shall be automatically modified to reflect such change in rates.
4. Subsequent to the execution of this Agreement, the FCC or the Commission may issue decisions or orders that change or modify the rules and regulations governing implementing of the Act. If such

changes or modifications alter the state of the law upon which the Underlying Agreement was negotiated and agreed, and it reasonably appears that the parties to the Underlying Agreement would have negotiated and agreed to different term(s) condition(s) or covenant(s) than as contained in the Underlying Agreement had such change or modification been in existence before execution of the Underlying Agreement, then this Agreement shall be amended to reflect such different terms(s), condition(s), or covenant(s). Where the Parties fail to agree upon such an amendment, it shall be resolved in accordance with the Dispute Resolution provision of the Underlying Agreement which is being adopted pursuant to Section 252(i).

5. This Agreement shall continue in force and effect through the initial term of the Underlying Agreement. Thereafter, this Agreement can be terminated by either Party on thirty (30) days written notice, if another Interconnection Agreement will not replace the current Agreement. If there is a replacement Interconnection Agreement, one Party can notify the other Party that it is requesting Section 251/252 negotiations under the Federal Telecommunications Act of 1996 ("Act"). That notification will trigger the timeframes and procedures contained in Section 252 of the Act, or pursuant to the timeframes set forth by the appropriate state commission. In the event of such notice, the arrangements between our companies shall continue and be governed by the terms of the expired agreement until the new agreement is approved by the appropriate state commission.

6. The Parties agree that Qwest's position has been, and continues to be, that Interconnection Agreements entered into pursuant to Sections 251 and 252 of the Act, including the reciprocal compensation provisions of those Agreements, apply only to local traffic. Local traffic is that traffic that originates and terminates in the same local calling area. Each company bears the burden of proof that the traffic being exchanged is in fact local in nature.

7. CMRS adopts the terms and conditions of Sprint Spectrum L.P. Agreement for interconnection with Qwest and in applying the terms and conditions, agrees that NPCR, Inc. dba Nextel Partners be substituted in place of "Sprint Spectrum L.P." throughout the Agreement wherever the latter appears.

8. Qwest requests that notice to Qwest Corporation as may be required under the Agreement shall be provided as follows:

To: Qwest Corporation
Director Interconnection Compliance
1801 California Street, Room 2410
Denver, CO 80202

With copy to:
Qwest Corporation Law Department
Attention: General Counsel, Interconnection
1801 California Street, 38th Floor
Denver, CO 80202

CMRS requests that notice to CMRS as may be required under the Agreement shall be provided as follows:

To: Donald J. Manning
General Counsel
Nextel Partners
4500 Carillon Point
Kirkland WA 98033
Phone: 425-576-3660

Michael van Eckharkt
Davis Wright Tremaine
2600 Century Square
1501 Fourth Ave.
Seattle, WA 98101
Phone: 206-628-7632

9. CMRS represents and warrants that it is a certified provider of local dialtone service in the State of North Dakota, and that this Agreement will cover services in that state only.

Please sign all three original copies of this letter, and overnight them to Heidi Higer, 1801 California St, Suite 2410 – Denver, CO 80202 (Phone: 303-965-3029) by July 26, 2001. After July 26, 2001, Qwest may rescind its willingness to consider the Agreement's terms and conditions, and will consider that you have withdrawn from good faith negotiations.

Please note that Qwest will file this letter with the appropriate state commission for approval; however, some state commissions will not approve the letter until the CMRS is certified by the state commission. You may want to contact the appropriate state commission to determine the requisite filing guidelines.

Sincerely,



Date

5/2/01

Qwest Corporation
L.T. Christensen
Director – Business Policy
1801 California Street, Suite 23rd Floor
Denver, Colorado 80202

I agree to all terms and conditions contained in this letter as indicated by my signature below:

NPCR, INC.

CMRS Name



Signature

Donald J. Manning

Name

Vice President

Title

4/30/01

Date

PU-2560-01-278

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:

Michael van Eckhart
 Davis Wright & Jermaine
 2600 Century Sq 1504th Ave
 Seattle WA 98101

2. Article Number (Copy from service label)

7000 0520 0022 8655 3490

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

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

7/30/01

C. Signature

X *L Wood* Agent Addressee

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

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PU-2560-01-278

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:

David Manning
 Mental Partners
 4500 Carillon Pl
 Kirkland WA 98003

2. Article Number (Copy from service label)

7000 0520 0022 8655 3483

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

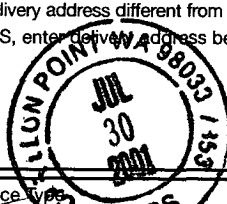
X *M. Wardenosky* Agent Addressee

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

3. Service Type

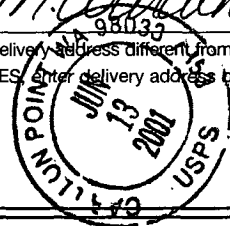
- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



PU-2560-01-278

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly)	B. Date of Delivery
	C. Signature X <i>M. Wadinsky</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee 98033	
1. Article Addressed to: <i>David Manning</i> <i>Netel Partners</i> <i>4500 Carlson Point</i> <i>Kirkland Wa 98003</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	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.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Copy from service label) <i>7000 0520 0022 8655 4749</i>		
PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952		



PU-2560-01-278

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly)	B. Date of Delivery
	C. Signature X <i>J. Wood</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee 2001	
1. Article Addressed to: <i>Michael van Eckhart</i> <i>Javis Wright & Shemaine</i> <i>2600 Country Sq 15044th Ave</i> <i>Seattle Wa 98101</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	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.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2. Article Number (Copy from service label) <i>7000 0520 0022 8655 4756</i>		
PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952		