

# DIVIDER

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

PU-2517-01-524

Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Filed 9/28/2001

Closed 12/6/2001

01

## DESCRIPTION

**Scott, Sandi L.**

---

**From:** Bauske, Shelly A.  
**Sent:** Friday, January 04, 2002 2:32 PM  
**To:** Scott, Sandi L.  
**Subject:** FW: Money Received.....

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

**From:** Bauske, Shelly A.  
**Sent:** Thursday, January 03, 2002 1:45 PM  
**To:** Geiger, Gloria A.  
**Subject:** Money Received.....

Case No. PU-2591-01-485  
CI2 Inc.  
\$100.14

Case No. PU-2482-01-459  
Phones for All (Preferred Carrier Services)  
\$100.14

Case No. PU-2463-01-421  
Integra Telecom  
\$71.53

Case No. PU-314-97-193  
Sprint  
\$599.66

Case No. PU-2517-01-524  
Sprint  
\$102.17

Case No. PU-2594-01-495  
Houlton Enterprises (Guaranteed Phone Service)  
\$102.17

Case No. PU-2057-01-395  
McLeodUSA  
\$71.53

12 **PU-2591-01-485** Pages: 0  
\$100.14 received  
by CI2, Inc./Qwest Corporation  
01/04/2002 CC: Comm Legal Ilona Jerry .

12 **PU-2482-01-459** Pages: 0  
\$100.14  
by Preferred Carrier Services, Inc./Qwest Corporation  
01/04/2002 CC: Comm Legal Ilona Jerry .

12 **PU-2463-01-421** Pages: 0  
\$71.53  
by Integra Telecom of North Dakota, Inc./Qwest Corp  
01/04/2002 CC: Comm Legal Ilona Jerry .

12 **PU-2517-01-524** Pages: 0  
\$102.17 received  
by Sprint Communications Co. LP dba Sprint Communi  
01/04/2002 CC: Comm Legal Ilona Jerry .

13 **PU-2594-01-495** Pages: 0  
\$102.17 received  
by Guaranteed Phone Service / Qwest Corporation  
01/04/2002 CC: Comm Legal Ilona Jerry .

12 **PU-2057-01-395** Pages: 0  
\$71.53 received  
by McLeodUSA Telecommunications Services, Inc.  
01/04/2002 CC: Comm Legal Ilona Jerry .

**Geiger, Gloria A**  
**From:** Bauske, Shelly A.  
**Sent:** Tuesday, December 11, 2001 2:19 PM  
**To:** Geiger, Gloria A.  
**Subject:** Money Received....

Case No. ?  
Western Wireless

4700 \$71.53  
21415

PU-2579-01-415

12 **PU-2579-01-415** Pages: 0  
\$71.53 received  
by Western Wireless Corporation  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2445-01-303  
New Access Communication, LLC  
\$59.57

4701  
21303

12 **PU-2445-01-303** Pages: 0  
\$59.57 received  
by New Access Communications, LLC/Qwest Corpora  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2482-01-459  
Qwest

4702  
? \$100.14  
21459

11 **PU-2482-01-459** Pages: 0  
\$100.14 received  
by Qwest Corporation  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2591-01-485  
Qwest

4703  
? \$100.13  
21485

11 **PU-2591-01-485** Pages: 0  
\$100.13 received  
by Qwest Corporation  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2594-01-495  
Qwest

4704  
? \$102.17  
21495

12 **PU-2594-01-495** Pages: 0  
\$102.17 received  
by Qwest Corporation  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2517-01-524  
Qwest

4705  
? \$102.17  
21524

✓ 11 **PU-2517-01-524** Pages: 0  
\$102.17 received  
by Qwest Corporation  
12/11/2001 CC: Comm Legal Ilona Jerry .

Case No. PU-2342-01-296  
Qwest

4706  
? \$470.44  
21296

26 **PU-2342-01-296** Pages: 0  
\$470.44 received  
by Qwest Corporation  
12/11/2001 CC: Comm Legal PUD (3)

Case No. PU-314-97-193  
Qwest

4707  
? \$599.67  
07193

**APPROVED**

DATE: 12-5-01  
KMF

MOTION

December 5, 2001

Sprint Spectrum, L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2517-01-524

I move the Commission bill Sprint Spectrum, L.P. and Qwest Corporation  
for costs incurred to date in Case No. PU-2517-01-524, Sprint Spectrum,  
L.P./Qwest Corporation, Interconnection Agreement Amendment, Application.



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

December 5, 2001

Evelyn Vernon  
Regulatory Accounting  
Sprint  
6860 W 115th St  
MS: KSOPKD0105  
Overland Park KS 66211

Dan Kuntz  
PO Box 1695  
Bismarck ND 58502-1695


RE: Case No. PU-2517-01-524  
Sprint Spectrum, L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Enclosed is a copy of the statement approved at the December 5, 2001 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2517-01-524.

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

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

Sincerely,

  
Gloria Geiger  
Admin Staff Officer  
701-328-2401

Enc.

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

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

Sprint PCS  
Legal Regulatory Dept  
6160 Sprint Pkwy Bldg 9  
Mail Stop KSOPHI0414  
Overland Park KS 66251

**Billing Statement**

**December 5, 2001**

Sprint Spectrum, L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2517-01-524

**Bill To:**

Sprint Spectrum, L.P. ....	\$102.17
Qwest Corporation .....	\$102.17

**Expenses Incurred to Date:**

Advertising Costs	\$204.34
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**Send Payment and a Copy of this Statement To:**

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

**Federal Tax ID 45-0309764**

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

**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 **6th day of December, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

**Order**

The envelopes were addressed as follows:

Rich Horner  
Guaranteed Phone Service  
2201 W Bdwy #1  
Council Bluffs IA 51501  
**Cert. No. 7099 3220 0002 8482 7894**

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695  
**Cert. No. 7099 3220 0002 8482 7900**

Sprint PCS  
Legal Regulatory Dept  
6160 Sprint Pkwy Bldg 9  
Mail Stop KSOPHIO414  
Overland Park KS 66251

**Cert. No. 7099 3220 0002 8482 7917**

**Sharon Helbling** further deposes and says that on the **6th day of December, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

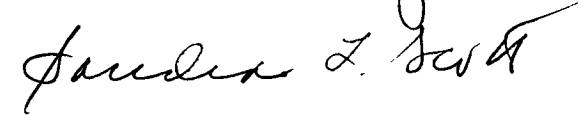
Scott Macintosh  
Qwest Corporation  
P O Box 5508  
Bismarck ND 58502-5508

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

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

Subscribed and sworn to before me  
this **6th day of December, 2001**.

  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public

SEAL



**APPROVED**

DATE: 12-5-01  
KMF

**MOTION**

**December 5, 2001**

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

I move the Commission adopt the Order approving the captioned applications for approval of interconnection agreements.

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

**ORDER**

**December 5, 2001**

On September 12, 2001, in Case No. PU-2594-01-495, Qwest Corporation (Qwest) filed an application for approval of a service resale agreement negotiated with Guaranteed Phone Service of Council Bluffs, Iowa. This agreement sets forth rates, terms and conditions under which Qwest agrees to provide services for resale.

On September 28, 2001, in Case No. PU-2517-01-524, Qwest filed an application for approval of an amendment negotiated to its Type 2 Wireless Interconnection Agreement with Sprint Spectrum L.P. as general partner and agent for Wireless Co L.P. jointly d/b/a Sprint PCS. This amendment sets forth intercarrier compensation for ISP-bound traffic to reflect the FCC Report and Order in CC Docket 99-68.

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.

On October 24, 2001, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive comments on the agreements until November 26, 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

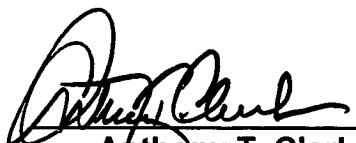
agreements. The Commission finds that implementation of the agreements is not inconsistent with the public interest, convenience and necessity.

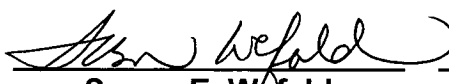
### Order

The Commission orders:

1. The captioned interconnection agreements are APPROVED.
2. The Commission retains continuing jurisdiction over the agreements at all times.
3. Notice of any changes to the agreements must be filed promptly with the Commission.
4. 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

# Affidavit of Publication

State of North Dakota )  
County of Burleigh )

NOV 21 2001  
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:  
Guaranteed Phone Service, 1 time(s)  
as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: Laurie Thiel

Subscribed and sworn to before me this 12<sup>th</sup> day of November A.D. 2001.

Laurie Schaffer

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

7 **PU-2594-01-495** Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
11/21/2001 CC: Comm Legal Ilona Jerry

6 **PU-2517-01-524** Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
11/21/2001 CC: Comm Legal Ilona Jerry

# 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: 11/18/2001

Page: 1

To:

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

21 2001

Client: Public Service Commission

Order: 01111PP0

Newspaper	Date	Inches	Page#	Rate	Amount
Bismarck Tribune	Guaranteed 10/30/2001	70.00	SPR2	0.61	42.70
Devils Lake Daily Journal	Guaranteed 10/30/2001	70.00	SPR2	0.57	39.90
Dickinson Press	Guaranteed 10/30/2001	79.00	SPR2	0.52	41.08
Fargo, The Forum	Guaranteed 11/05/2001	63.00	SPR2	0.73	45.99
Grand Forks Herald	Guaranteed 10/30/2001	67.00	SPR2	0.61	40.87
Jamestown Sun	Guaranteed 10/30/2001	81.00	SPR2	0.50	40.50
Minot Daily News	Guaranteed 10/30/2001	82.00	SPR2	0.42	34.44
Valley City Times-Record	Guaranteed 10/30/2001	79.00	SPR2	0.52	41.08
Wahpeton Daily News	Guaranteed 11/01/2001	79.00	SPR2	0.52	41.08
Williston Herald	Guaranteed 10/30/2001	76.00	SPR2	0.54	41.04

\*\*\* ADVERTISING TOTAL 408.68

\*\*\* TOTAL DUE 408.68

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.

Notice Of Opportunity To File Written  
Comments

October 24 - 2001

Case No. PU-2517-01-524

Bismarck	10-30
Devils Lake	10-30
Dickinson	10-30
Fargo	11-5
Grand Forks	10-30
Jamestown	10-30
Minot	10-30
Valley City	10-30
Wahpeton	11-1
Williston	10-30

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

**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 October, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **three** 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:

Rich Horner  
Guaranteed Phone Service  
2201 W Bdwy #1  
Council Bluffs IA 51501  
**Cert. No. 7099 3220 0002 8481 1961**

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695

**Cert. No. 7099 3220 0002 8481 1978**

Sprint PCS  
Legal Regulatory Dept  
6160 Sprint Pkwy Bldg 9  
Mail Stop KSOPHIO414  
Overland Park KS 66251

**Cert. No. 7000 0520 0022 8655 3735**

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

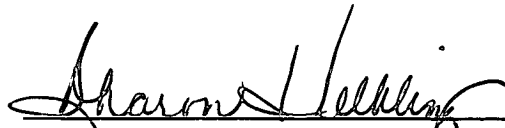
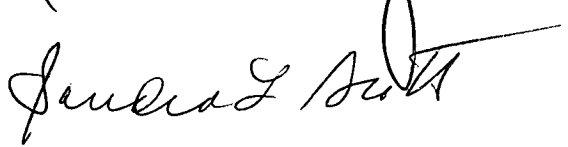
Scott Macintosh  
Qwest Corporation  
P O Box 5508  
Bismarck ND 58502-5508

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

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

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

SEAL

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

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

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application

Case No. PU-2594-01-495

Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement  
Application

Case No. PU-2517-01-524

**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 **25th day of October, 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**

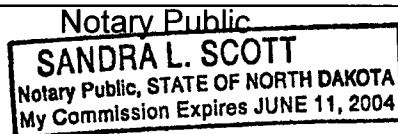
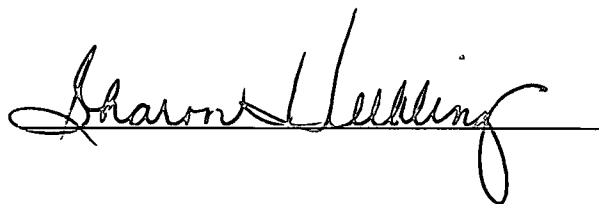
The envelopes were addressed as follows:

**See Attached List**

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

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

SEAL



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

ruth.holder@teligent.com  
Ruth Holder

lisestrom@dwt.com  
Lise Strom

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

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

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

C12 Inc  
200 Galleria Pkwy Ste 1200  
Atlanta GA 30339

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

wbrudvik@ohr dlaw.com  
William Bruudvik

donlee@martin-associates.com  
Don Lee

.  
Advance Inmate Technologies Inc  
243 E 19th Ave Ste 304  
Denver CO 80203

Advanced Inmate Technologies Inc  
243 E 19th Ave Ste 304  
Denver CO 80203

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

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

laurie.sims@connect.com  
Laurie Sims  
CCCND Inc  
124 W Capitol Ave Ste 250  
Little Rock AR 72201

.  
Citizens Telecomm Co of ND  
3 High Ridge Pk  
Stamford CT 06905

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

Computer Integrated Communications Inc  
8502 Bells Mill Rd  
Potomac MD 20854-4071

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  
PO Box 1077  
Dickinson ND 58601-1077

paul@consolidatedtelcom.com  
Paul Schuetzler  
Consolidated Telcom Inc  
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 Expswy  
Santa Clara CA 95050

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

Essential.com Inc  
1 Burlington Woods  
Burlington MA 01803-4503

Essex Communications Inc  
543 Main St  
New Rochelle NY 10801-7214

Evercom Systems Inc  
8201 Tristar Dr  
Irving TX 75063

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

Dave Waters  
Fairpoint Communications Solutions  
216 River St 4th Fl  
Troy NY 12180

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

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

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

carl.billek@corp.idt.net  
Carl Billek  
IDT America, Corp.  
520 Broad St 7th Fl  
Newark NJ 07102

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

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

meredith.gifford@gecapital.com  
Meredith Gifford  
GE Business Productivity Solutions Inc  
6540 Powers Ferry Rd  
Atlanta GA 30339

Global Tel\*Link Corporation  
2609 Cameron St  
Mobile AL 36607

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

jamie@ignus.com  
Jamie Kubik  
Ignus Inc  
P O Box 9202  
Fargo ND 58106-9202

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

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

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

Intrado Communications Inc  
6285 Lookout Rd  
Boulder CO 80301

Neil Schmid  
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  
600 17th St Ste 18005  
Denver CO 80202-5441

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**Helbling, Sharon D.**

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**From:** Helbling, Sharon D.  
**Sent:** Thursday, October 25, 2001 9:09 AM  
**To:** ndna (E-mail)  
**Subject:** Notice of Opportunity for Hearing and Notice of Opportunity to File Written Comments

**Colleen  
North Dakota Newspaper Association**

Colleen,

**Please have the attached Notice of Opportunity for Hearing and Notice of Opportunity to File Written Comments 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 328-4076.**

Thank you.

**Sharon Helbling  
Public Utilities Division**



1.doc



1.doc

4

**PU-2517-01-524**

Pages: 1

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

10/25/2001

CC: Comm Legal Ilona Jerry .

**APPROVED**

**MOTION**

DATE: 10-24-01  
KMF

**October 24, 2001**

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

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

JRL/sdh

**3**

**PU-2517-01-524**

Pages: 1

Motion

by Public Service Commission

10/24/2001

CC: Comm Legal Ilona Jerry .

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Guaranteed Phone Service/Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2594-01-495**

**Sprint Spectrum L.P./Qwest Corporation  
Interconnection Agreement Amendment  
Application**

**Case No. PU-2517-01-524**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**

**October 24, 2001**

On September 12, 2001, in Case No. PU-2594-01-495, Qwest Corporation (Qwest) filed an application for approval of a service resale agreement negotiated with Guaranteed Phone Service of Council Bluffs, Iowa. This agreement sets forth rates, terms and conditions under which Qwest agrees to provide services for resale.

On September 28, 2001, in Case No. PU-2517-01-524, Qwest filed an application for approval of an amendment negotiated to its Type 2 Wireless Interconnection Agreement with Sprint Spectrum L.P. as general partner and agent for Wireless Co L.P. jointly d/b/a Sprint PCS. This amendment sets forth intercarrier compensation for ISP-bound traffic to reflect the FCC Report and Order in CC Docket 99-68.

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

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

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


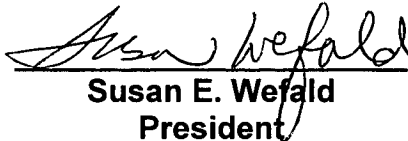
**The Commission will receive written comments on these agreements until November 26, 2001.**

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

**PUBLIC SERVICE COMMISSION**



**Anthony T. Clark**  
Commissioner



**Susan E. Wefald**  
President

**Leo M. Reinbold**  
Commissioner

ZUGER KIRMIS & SMITH

COUNSELORS AND ATTORNEYS AT LAW

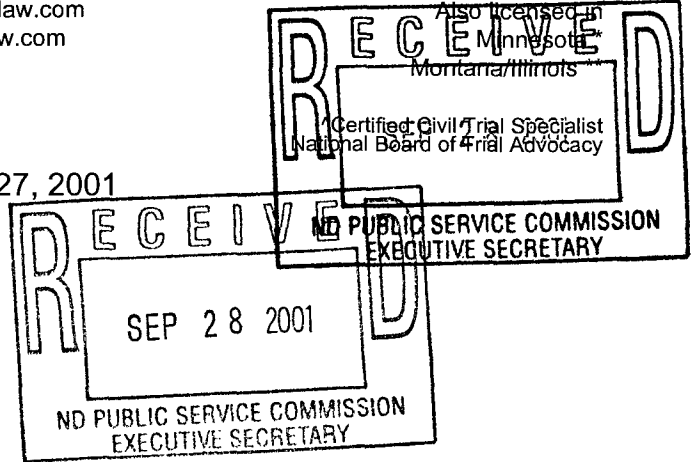
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September 27, 2001

Mr. Jon Mielke  
Executive Secretary  
ND Public Service Commission  
600 East Boulevard Avenue -- 12<sup>th</sup> Floor  
Bismarck, ND 58505-0480



**Re: Amendment to Type 2 Wireless Interconnection Agreement between Qwest Corporation and Sprint Spectrum L.P.**

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of an amendment to the Type 2 Wireless Interconnection Agreement between Sprint Spectrum L.P. and Qwest Corporation. The document amends an Interconnection Agreement between Sprint Spectrum L.P. and Quest Corporation that was approved by the Commission on December 20, 2000, in case number PU-2420-00-560. The contact information for Sprint Spectrum L.P. should be sent to Sprint PCS, Attn: Legal Regulatory Department, 6160 Sprint Parkway, Building 9, Mail Stop: KSOPHIO414, Overland Park, KS 66251.

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,

Daniel S. Kuntz

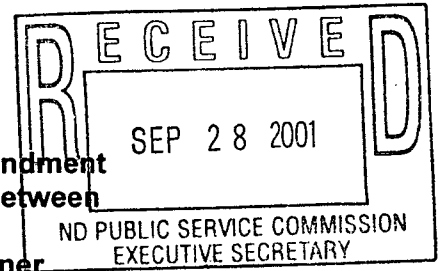
Enclosures

- c: Scott McIntosh (w/enc.)
- Sprint PCS (w/o enc.)
- Deb Hartl (w/o enc.)

1 PU-2517-01-524

Pages: 5

**Internet Service Provider ("ISP") Bound Traffic Amendment  
to the Type 2 Wireless Interconnection Agreement between  
Qwest Corporation and  
Sprint Spectrum L.P. as Agent and General Partner  
of Wireless Co. L.P.**



**for the State of North Dakota**

This is an Amendment ("Amendment") to the Type 2 Wireless Interconnection Agreement between Qwest Corporation ("Qwest"), formerly known as U S WEST Communications, Inc., a Colorado corporation, and Sprint Spectrum L.P., a Delaware Limited Partnership, as general partner and agent for WirelessCo., L.P., a Delaware Limited Partnership jointly d/b/a Sprint PCS. Sprint PCS and Qwest shall be known jointly as the "Parties".

**RECITALS**

WHEREAS, Sprint PCS and Qwest entered into the aforementioned Agreement ("Agreement") which was approved by the appropriate state Commission ("Commission"); and

WHEREAS, The FCC issued an Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP-Bound Traffic); and

WHEREAS, the Parties wish to amend the Agreement to reflect the aforementioned Order under the terms and conditions contained herein.

**AGREEMENT**

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to the language as follows in lieu of existing contract language:

**1. Definitions**

For purposes of this Amendment the following definitions apply:

- 1.1 "Bill and Keep" is as defined in the FCC's Order on Remand and Report and Order in CC Docket 99-68 (Intercarrier Compensation for ISP-Bound Traffic). Bill and Keep is an arrangement where neither of two (2) interconnecting networks charges the other for terminating traffic that originates on the other network. Instead, each network recovers from its own end users the cost of both originating traffic that it delivers to the other network and terminating traffic that it receives from the other network. Bill and Keep does not, however, preclude intercarrier charges for transport of traffic between carriers' networks.
- 1.2 "Information Service" is as defined in the Telecommunications Act of 1996 and FCC Order on Remand and Report and Order in CC Docket 99-68 and includes ISP-bound traffic.
- 1.3 "Information Services Access" means the offering of access to Information Services Providers.

## **2. Exchange Service Traffic**

Pursuant to the election in Section 5 of this Amendment, the Parties agree to exchange all telecommunications (§251(b)(5)) traffic at the FCC ordered rate, pursuant to the FCC's Order on Remand and Report and Order in CC Docket 99-68, (Intercarrier Compensation for ISP-Bound Traffic) or the state ordered reciprocal compensation rate. When the FCC ordered rate for ISP-bound traffic is applied to telecommunications traffic, the FCC Ordered ISP rate is used in lieu of End Office call termination and Tandem Switched Transport rate elements.

## **3. ISP-Bound Traffic**

3.1 Qwest elects to exchange ISP-bound traffic at the FCC ordered rates pursuant to the FCC's Order on Remand and Report and Order (Intercarrier Compensation for ISP-Bound Traffic) CC Docket 99-68 (FCC ISP Order), effective June 14, 2001, and usage based intercarrier compensation will be applied as follows:

3.2 Compensation for Interconnection configurations exchanging traffic pursuant to Interconnection agreements as of adoption of the FCC ISP Order, April 18, 2001:

3.2.1 Identification of ISP-Bound traffic -- Qwest will presume traffic delivered to Sprint PCS that exceeds a 3:1 ratio of terminating (Qwest to Sprint PCS) to originating (Sprint PCS to Qwest) traffic is ISP-bound traffic. Either Party may rebut this presumption by demonstrating the factual ratio to the state Commission. Traffic exchanged that is not ISP bound traffic will be considered to be section 251(b)(5) traffic. The provisions in this amendment apply regardless of how the ISP bound traffic is determined.

3.2.2 Growth Ceilings for ISP-Bound Traffic -- Intercarrier compensation for ISP-bound traffic originated by Qwest end users and terminated by Sprint PCS will be subject to growth ceilings. ISP-bound MOUs exceeding the growth ceiling will be subject to Bill and Keep compensation.

3.2.2.1.1 For the year 2001, Sprint PCS may receive compensation, pursuant to a particular Interconnection Agreement for ISP bound minutes up to a ceiling equal to, on annualized basis, the number of ISP bound minutes for which Sprint PCS was entitled to compensation under that Agreement during the first quarter of 2001, plus a ten percent (10%) growth factor.

3.2.2.1.2 For 2002, Sprint PCS may receive compensation, pursuant to a particular Interconnection Agreement, for ISP bound minutes up to a ceiling equal to the minutes for which it was entitled to compensation under that Agreement in 2001, plus another ten percent (10%) growth factor.

3.2.2.1.3 In 2003, Sprint PCS may receive compensation, pursuant to a particular Interconnection Agreement, for ISP bound minutes up to a ceiling equal to the 2002 ceiling applicable to that Agreement.

3.2.3 Rate Caps -- Intercarrier compensation for ISP-bound traffic exchanged between Qwest and Sprint PCS will be billed in accordance with their existing Agreement or as follows, whichever rate is lower:

- 3.2.3.1 \$.0015 per MOU for six (6) months from June 14, 2001 through December 13, 2001.
- 3.2.3.2 \$.001 per MOU for eighteen (18) months from December 14, 2001 through June 13, 2003.
- 3.2.3.3 \$.0007 per MOU from June 14, 2003 until thirty six (36) months after the effective date or until further FCC action on intercarrier compensation, whichever is later.
- 3.2.3.4 Compensation for ISP bound traffic in Interconnection configurations not exchanging traffic pursuant to Interconnection agreements prior to adoption of the FCC ISP Order on April 18, 2001 will be on a Bill and Keep basis until further FCC action on Intercarrier compensation. This includes carrier expansion into a market it previously had not served.

**4. Effective Date**

This Amendment shall be deemed effective upon approval by the Commission; however, Qwest will adopt the rate-affecting provisions for both ISP bound traffic and (§251(b)(5)) of the Order as of June 14, 2001, the effective date of the Order.

**5. Rate Election**

The reciprocal compensation rate elected for (§251(b)(5)) traffic is (elect and sign one):

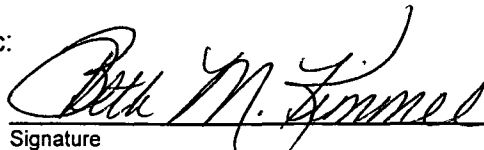
Current rate for voice traffic in the existing Interconnection Agreement:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name Printed/Typed

**OR**

The rate applied to ISP traffic:

  
\_\_\_\_\_  
Signature

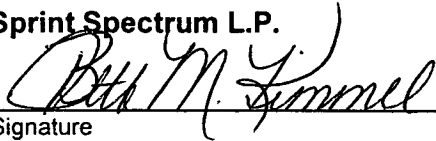
Beth Kimmel  
\_\_\_\_\_  
Name Printed/Typed

**6. Further Amendments**

Except as modified herein, the provisions of the Agreement shall remain in full force and effect. Neither the Agreement nor this Amendment may be further amended or altered except by written instrument executed by an authorized representative of both Parties. This Amendment shall constitute the entire Agreement between the Parties, and supersedes all previous Agreements and Amendments entered into between the Parties with respect to the subject matter of this Amendment.

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

**Sprint Spectrum L.P.**

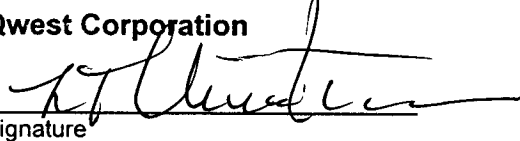
  
Signature

Beth Kimmel  
Name Printed/Typed

Director – Numbering and Interconnection  
Management  
Title

8/23/01  
Date

**Qwest Corporation**

  
Signature

L. T. Christensen  
Name Printed/Typed

Director – Business Policy  
Title

8/30/01  
Date

94-2517-01-525

**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:

Sprint PCS  
 Regal Regulatory Dept  
 6160 Sprint Pkwy Bldg 9  
 Mail Stop KSOP#10414  
 Cleveland Park, KS 66251

2. Article Number (Copy from service label)

7000 0520 0022 8655 3735

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

C. Chambliss

B. Date of Delivery

10/30

C. Signature

[Signature]

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

**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:

Sprint PCS  
 Regal Regulatory Dept  
 6160 Sprint Pkwy Bldg 9  
 Mail Stop KSOP#10414  
 Overland Park, KS 66251

2. Article Number (Copy from service label)

7099 3220 0002 8482 7917

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

C. Chambliss

B. Date of Delivery

12/1

C. Signature

[Signature]

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

**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:

Dan Kuntz  
 PO Box 1695  
 Bismarck ND 58502-1695

2. Article Number (Copy from service label)

0102 7900

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

C. Chambliss

B. Date of Delivery

12-7-01

C. Signature

[Signature]

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