

# DIVIDER

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

PU-2560-02-239

NPCR, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Filed 5/15/2002

Closed 8/20/2002

02

## DESCRIPTION



Public Service Commission  
Receipt of Payment

Receipt# 5281

Received: 3/5/2003 Check# 272036 for \$85.06  
Subject: Utility Valuation

**Docket # PU-2560-02-239**

Nextel Partners Inc  
10901 Bren Rd E  
Minnetonka MN 55343

**12 PU-2560-02-239**

Pages: 1

Receipt# 5,281 \$85.06

by Nextel Partners Inc

03/05/2003

**Scott, Sandi L.**

---

**From:** Bauske, Shelly A.  
**Sent:** Wednesday, September 04, 2002 8:48 AM  
**To:** Scott, Sandi L.  
**Subject:** FW: Money Received.....

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

**From:** Geiger, Gloria A.  
**Sent:** Tuesday, September 03, 2002 4:09 PM  
**To:** Bauske, Shelly A.  
**Subject:** RE: Money Received.....

Gloria Geiger  
Administrative Staff Officer  
North Dakota Public Service Commission  
701-328-2401  
fax 701-328-2133  
gag@oracle.psc.state.nd.us

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

**From:** Bauske, Shelly A.  
**Sent:** Tuesday, September 03, 2002 9:49 AM  
**To:** Geiger, Gloria A.  
**Subject:** Money Received.....

Case No. PU-2560-02-239  
Qwest  
7700 8503 248 22238 \$85.05

Case No. PU-2717-02-267  
Qwest  
7700 8503 248 22267 \$85.05

Case No. PU-2038-02-275  
Qwest  
7700 8503 248 22275 \$85.05

Total Qwest Check: \$255.15

Case No. PU-2553-02-158  
Griggs County Telephone  
\$29.09

✓11 **PU-2560-02-239** Pages: 0  
\$85.05 received  
by Qwest Corporation  
09/03/2002 CC: Comm Legal Illona Jerry .

12 **PU-2717-02-267** Pages: 0  
\$85.05 received  
by Qwest Corporation  
09/03/2002 CC: Comm Legal Illona Jerry .

11 **PU-2038-02-275** Pages: 0  
\$85.05 received  
by Qwest Corporation  
09/03/2002 CC: Comm Legal Illona Jerry .

12 **PU-2553-02-158** Pages: 0  
\$29.09 received  
by WWC Holding Co., Inc./Griggs County Telephone C  
09/03/2002 CC: Comm Legal Illona Jerry .

12 **PU-2686-02-167** Pages: 0  
\$29.09 received  
by WWC Holding Co., Inc./Polar Telecommunications,  
09/03/2002 CC: Comm Legal Illona Jerry .

12 **PU-2685-02-166** Pages: 0  
\$29.09 received  
by WWC Holding Co., Inc./Polar Communications Mutl  
09/03/2002 CC: Comm Legal Illona Jerry .

12 **PU-2038-02-275** Pages: 0  
\$85.06 received  
by IdeaOne Telecom Group, LLC/Qwest Corporation  
09/03/2002 CC: Comm Legal Illona Jerry .

7700 8503 248 22151

Case No. PU-2686-02-167  
Polar Telecommunications  
\$29.09

7700 8503 248 22151

Case No. PU-2685-02-166  
Polar Communications  
\$29.09

7700 8503 248 22151

Case No. PU-2038-02-275  
IdeaOne Telecom Group  
\$85.06

7700 8503 248 22275

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

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

**Case No. PU-2560-02-239 ✓**

**NOW Communications, Inc./Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2717-02-267**

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

**Case No. PU-2038-02-275**

**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 **19th day of August, 2002**, 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:

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695

**Cert. No. 7001 1940 0005 3427 0128**

R Scott Seab  
NOW Communications Inc  
711 S Tejon St Ste 201  
Colorado Springs CO 80903  
**Cert. No. 7001 1940 0005 3427 0232**

General Counsel  
Nextel Partners  
4500 Carillon Point  
Kirkland WA 98023

**Cert. No. 7001 1940 0005 3427 0225**

Doug Sattler Project Manager  
IdeaOne Telecom Group LLC  
3239 39<sup>th</sup> St SW  
Fargo ND 58104

**Cert. No. 7001 1940 0005 3427 0249**

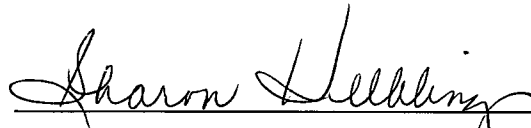
**Sharon Helbling** further deposes and says that on the **19th day of August, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.


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 **19th day of August, 2002**.

  
\_\_\_\_\_

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

SEAL

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

**APPROVED**

DATE: 8-16-02  
KMP

**MOTION**

**August 16, 2002**

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

**Case No. PU-2560-02-239**

**NOW Communications, Inc./Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2717-02-267**

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

**Case No. PU-2038-02-275**

I move the Commission adopt the Order approving the captioned  
interconnection agreements.

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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

**Case No. PU-2560-02-239**

**NOW Communications, Inc./Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2717-02-267**

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

**Case No. PU-2038-02-275**

**ORDER**

**August 16, 2002**

On May 15, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with NPCR, Inc. of Kirkland, Washington, Case No. PU-2560-02-239. This amendment sets forth intercarrier compensation for ISP-bound traffic in accordance with the order in CC Docket 99-68.

On June 5, 2002, Qwest filed an application for approval of an interconnection agreement negotiated with NOW Communications, Inc. of Lawrenceville, Georgia, Case No. PU-2717-02-267. This agreement adopts Qwest's fifth revised Statement of Generally Available Terms and Conditions for interconnection of facilities, unbundled network elements, ancillary services and services for resale.

On June 10, 2002, Qwest filed an application for approval of an amendment negotiated to its interconnection agreement with Idea One Telecom Group, LLC of Kindred, North Dakota, Case No. PU-2038-02-275. This amendment sets forth rates, terms and conditions for CLEC-to-CLEC Cross-Connections and Unbundled Loops.

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-2560-02-239**

Pages: 2

Order

by Public Service Commission

08/16/2002

CC. Comm Legal Ilona Jerry

On June 19, 2002, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive comments on the agreements until July 23, 2002. No comments have been received.

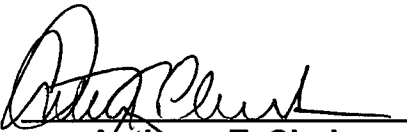
The Commission has reviewed the agreements and does not find them discriminatory against a telecommunications carrier that was not a party to the agreements. The Commission finds that implementation of the agreements is not inconsistent with the public interest, convenience and necessity.

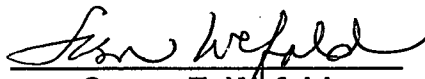
**Order**

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

**APPROVED**

DATE: 8-16-02  
KMF

MOTION

August 16, 2002

NPCR, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2560-02-239

I move the Commission bill NPCR, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2560-02-239, NPCR, Inc./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](http://www.psc.state.nd.us)  
e-mail: [sab@oracle.psc.state.nd.us](mailto:sab@oracle.psc.state.nd.us)  
TDD 800-366-6888  
Fax 701-328-2410  
Phone 701-328-2400

August 16, 2002

General Counsel  
Nextel Partners  
4500 Carillon Point  
Kirkland WA 98023

Dan Kuntz  
PO Box 1695  
Bismarck ND 58502-1695

RE: Case No. PU-2560-02-239  
NPCR, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Enclosed is a copy of the statement approved at the August 16, 2002 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2560-02-239.

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 16, 2002

NPCR, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2560-02-239

## Bill To:

NPCR, Inc. ....	\$85.06
Qwest Corporation .....	\$85.05

## Expenses Incurred to Date:

Advertising Costs	\$170.11
-------------------	----------

## 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**

# Affidavit of Publication

State of North Dakota )  
County of Burleigh )

JUL - 8 2002  
NORTH DAKOTA  
PUBLIC SAFETY  
CLERK OF DISTRICT COURT

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:  
NPCR Inc. / West 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 2nd day of July A.D. 2002

[Signature]

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

- 6 PU-2560-02-239 Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
07/08/2002 CC: Comm Legal Ilona Jerry .
- 6 PU-2717-02-267 Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
07/08/2002 CC: Comm Legal Ilona Jerry .
- 6 PU-2038-02-275 Pages: 1  
Affidavit of Publication  
by North Dakota Advertising Service, Inc.  
07/08/2002 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: 07/03/2002

Page: 1

To:

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

JUL - 8 2002

NORTH DAKOTA  
PUBLIC SERVICE  
COMMISSION  
BISMARCK, ND 58505

Client: Public Service Commission

Order: 02071PP0

Newspaper	Date	Inches	Page#	Rate	Amount
Bismarck Tribune	NPCR, Inc. 06/24/2002	82.00	SPR2	0.61	50.02
Devils Lake Daily Journal	NPCR, Inc. 06/26/2002	84.00	SPR2	0.57	47.88
Dickinson Press	NPCR, Inc. 06/26/2002	92.00	SPR2	0.52	47.84
Fargo, The Forum	NPCR, Inc. 07/01/2002	78.00	SPR2	0.73	56.94
Grand Forks Herald	NPCR, Inc. 06/25/2002	79.00	SPR2	0.61	48.19
Jamestown Sun	NPCR, Inc. 06/24/2002	98.00	SPR2	0.50	49.00
Minot Daily News	NPCR, Inc. 06/24/2002	135.00	SPR2	0.42	56.70
Valley City Times-Record	NPCR, Inc. 06/26/2002	92.00	SPR2	0.52	47.84
Wahpeton Daily News	NPCR, Inc. 06/27/2002	92.00	SPR2	0.52	47.84
Williston Herald	NPCR, Inc. 06/24/2002	88.00	SPR2	0.66	58.08

\*\*\* ADVERTISING TOTAL 510.33

\*\*\* TOTAL DUE 510.33

6 **PU-2560-02-239** Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

07/08/2002

CC: Comm Legal Ilona Jerry

6 **PU-2717-02-267** Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

07/08/2002

CC: Comm Legal Ilona Jerry

6 **PU-2038-02-275** Pages: 1

Affidavit of Publication

by North Dakota Advertising Service, Inc.

07/08/2002

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.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

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

**Case No. PU-2560-02-239**

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

**Case No. PU-2038-02-275**

**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 **20th day of June, 2002**, 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:

Dan Kuntz  
P O Box 1695  
Bismarck ND 58502-1695

**Cert. No. 7001 1940 0005 3426 8789**

R Scott Seab  
NOW Communications Inc  
711 S Tejon St Ste 201  
Colorado Springs CO 80903

**Cert. No. 7001 1940 0005 3426 8802**

General Counsel  
Nextel Partners  
4500 Carillon Point  
Kirkland WA 98023

**Cert. No. 7001 1940 0005 3426 8796**

Doug Sattler Project Manager  
IdeaOne Telecom Group LLC  
3239 39<sup>th</sup> St SW  
Fargo ND 58104

**Cert. No. 7001 1940 0005 3426 8826**

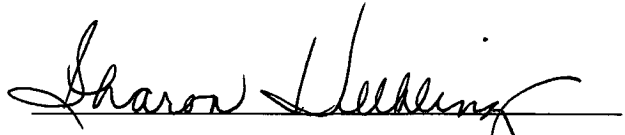
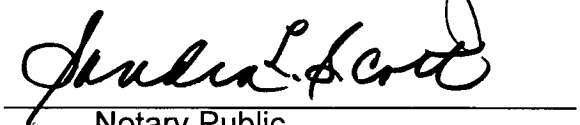
**Sharon Helbling** further deposes and says that on the **20th day of June, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

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

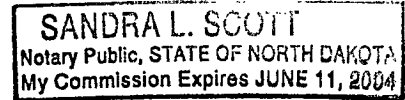
Dir-Interconnection Compliance  
Qwest Corporation  
1801 California St Rm 2410  
Denver CO 80202

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

Subscribed and sworn to before me  
this **20th day of June, 2002**.

  
  
Notary Public

SEAL



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

NPCR, Inc./Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2560-02-239

NOW Communications, Inc./Qwest Corporation  
Interconnection Agreement  
Application

Case No. PU-2717-02-267

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

Case No. PU-2038-02-275

AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR E-MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

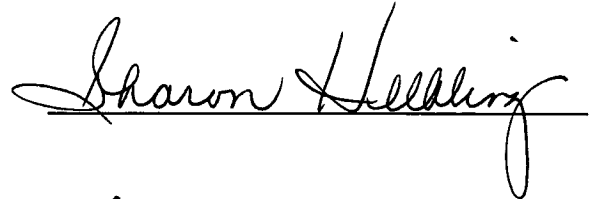
she is over the age of 18 years and not a party to this action and, on the **20th day of June, 2002**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and/or e-mailed a copy of:

**Notice of Opportunity to File Written Comments**

To:

**See Attached List**

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



Subscribed and sworn to before me  
this **20th day of June, 2002**.



Notary Public

SEAL



wbrudvik@ohnstadlaw.com  
William Brudvik

donlee@mart' associates.com  
Don Lee

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

jbrowne@lga.att.com  
Janet Browne  
AT&T  
1875 Lawrence St 14th Fl  
Denver CO 80202

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

beth.spradley@statescape.com  
Beth Spradley  
Beth Spradley  
Statescape  
1911 N Ft Meyer Dr Ste 702  
Arlington VA 22209

C12 Inc  
200 Galleria Pkwy Ste 1200  
Atlanta GA 30339

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

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

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

ltade@czn.com  
Lance Tade  
Citizens Telecomm of ND

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

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

Consolidated Telcom  
PO Box 1077  
Dickinson ND 58601-1077

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

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

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

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

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

sheba.chacko@stna.com  
Sheba Chacko  
Concert Communications Sales LLC  
11911 Freedom Dr 11th Fl  
Reston VA 20190

paul@consolidatedtelcom.com  
Paul Schuetzler  
Consolidated Telcom  
PO Box 1077  
Dickinson ND 58601-1077

Contact Communications  
937 W Main St  
Riverton WY 82501

mjrasher@msn.com  
Mary Jane Rasher  
DCI Group

Dickey Rural Services Inc  
P O Box 69  
Ellendale ND 58436

DIECA Communications Inc  
3420 Central Expy  
Santa Clara CA 95051-0703

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

Evercom Systems Inc  
8201 Tristar Dr  
Irving TX 75063-2824

jkirby@excel.com  
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

Dave Water  
Fairpoint Communications Solutions  
10 Airline Dr Ste 200  
Albany NY 12205-1025

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

karen.johnson@integratelecom.com  
Karen Johnson  
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

Intrado Communications Inc  
6285 Lookout Rd  
Boulder CO 80301

IPVoice Communications Inc  
P O Box 20370  
Mesa AZ 85277-0370

anewell@jato.net  
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**Helbling, Sharon D.**

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**From:** Helbling, Sharon D.  
**Sent:** Thursday, June 20, 2002 7:35 AM  
**To:** ndna (E-mail)  
**Subject:** Attached Notice of Opportunity to File Written Comments

**June 20, 2002**

**Colleen  
North Dakota Newspaper Association**

**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, please call me at 328-4076.**

**Thank you.**

**Sharon Helbling  
Public Utilities Division**



1.doc

**4** **PU-2560-02-239** Pages: 1

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

06/20/2002

CC: Comm Legal Ilona Jerry .

**MOTION**

**June 19, 2002**

**APPROVED**

DATE: 6-19-02  
KME

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

**Case No. PU-2560-02-239**

**NOW Communications, Inc./Qwest Corporation  
Interconnection Agreement  
Application**

**Case No. PU-2717-02-267**

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

**Case No. PU-2038-02-275**

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

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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

**Case No. PU-2560-02-239**

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Interconnection Agreement  
Application**

**Case No. PU-2717-02-267**

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

**Case No. PU-2038-02-275**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**

**June 19, 2002**

On May 15, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with NPCR, Inc. of Kirkland, Washington, Case No. PU-2560-02-239. This amendment sets forth intercarrier compensation for ISP-bound traffic in accordance with the order in CC Docket 99-68.

On June 5, 2002, Qwest filed an application for approval of an interconnection agreement negotiated with NOW Communications, Inc. of Lawrenceville, Georgia, Case No. PU-2717-02-267. This agreement adopts Qwest's fifth revised Statement of Generally Available Terms and Conditions for interconnection of facilities, unbundled network elements, ancillary services and services for resale.

On June 10, 2002, Qwest filed an application for approval of an amendment negotiated to its interconnection agreement with Idea One Telecom Group, LLC of Kindred, North Dakota. This amendment sets forth rates, terms and conditions for CLEC-to-CLEC Cross-Connections and Unbundled Loops.

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.

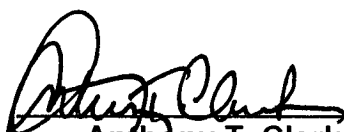
In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253. Section 252(e)(4) requires that the

Commission must act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

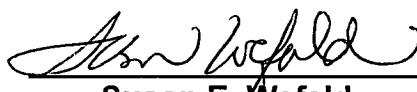
**The Commission will receive written comments on these agreements until July 23, 2002.**

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

**PUBLIC SERVICE COMMISSION**



Anthony T. Clark  
Commissioner



Susan E. Wefald  
President



Leo M. Reinbold  
Commissioner

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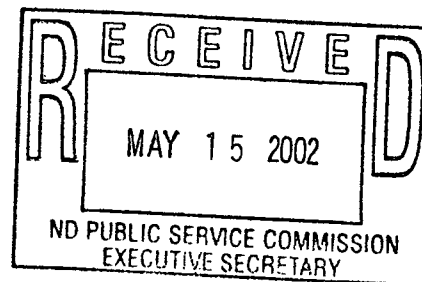
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National Board of Trial Advocacy

May 15, 2002

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



**Re: Amendment to Interconnection Agreement Between Qwest Corporation and NPCR, Inc. dba Nextel Partners**

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of an Amendment to the Type II Wireless Interconnection Agreement between NPCR/Nextel Partners and Qwest Corporation. The document amends an Interconnection Agreement that was approved by the Commission on July 25, 2001 in case No. PU-2560-01-278. The amendment adds terms and conditions for ISP. Contact information for Nextel Partners should be sent to Attention: General Counsel, 4500 Carillon Point, Kirkland, WA 98023. The telephone number is 425-576-3660.

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", written over a horizontal line.

Daniel S. Kuntz

Enclosures

c: Scott Macintosh w/enc.  
Debra Hartl wo/enc.  
Nextel Partners/General Counsel wo/enc.

1

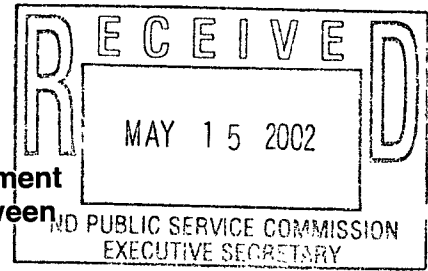
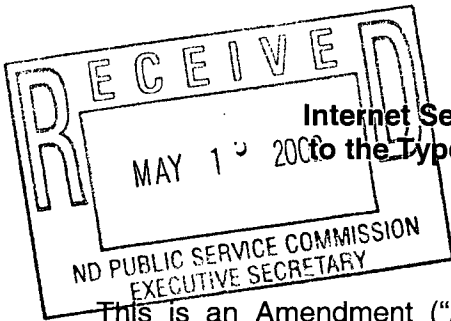
PU-2560-02-239

Pages: 5

Interconnection Agreement Amendment  
application  
by NPCR, Inc./Qwest Corporation

05/15/2002

CC: Comm Legal Illona Jerry .



**Internet Service Provider ("ISP") Bound Traffic Amendment  
to the Type 2 Wireless Interconnection Agreement between  
Qwest Corporation and  
NPCR, Inc. d/b/a Nextel Partners  
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 NPCR, Inc. d/b/a Nextel Partners ("Wireless Service Provider ("WSP)"). WSP and Qwest shall be known jointly as the "Parties".

**RECITALS**

WHEREAS, WSP 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 (EAS/Local) Traffic**

Pursuant to the election in Section 5 of this Amendment, the Parties agree to exchange all EAS/Local (§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 EAS/Local 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 WSP that exceeds a 3:1 ratio of terminating (Qwest to WSP) to originating (WSP 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 WSP 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 For the year 2001, WSP 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 WSP was entitled to compensation under that Agreement during the first quarter of 2001, plus a ten percent (10%) growth factor.

3.2.2.2 For 2002, WSP 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.

3.2.2.3 In 2003, WSP 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 WSP 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

Brent Eilsson, Counsel  
\_\_\_\_\_  
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 supercedes 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.

**NPCR, Inc. d/b/a Nextel Partners**

*David W. Thaler*  
Signature

David W. Thaler  
Name Printed/Typed

V P of Business Ops.  
Title

1/11/02  
Date

**Qwest Corporation**

*L. T. Christensen*  
Signature

L. T. Christensen  
Name Printed/Typed

Director – Business Policy  
Title

1/17/02  
Date

AM-2560-02-239

**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:

General Counsel  
 Nextel Partners  
 4500 Carillon Point  
 Kirkland WA 98023

2. Article Number  
(Transfer from service label)

7001 1940 0005 3427 0225

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *M. Wardinsky*  Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

*M. Wardinsky* *8/22/02*

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

PT-2717-02-385

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

General Counsel  
 Nextel Partners  
 4500 Carillon Point  
 Kirkland WA

2. Article Number (Copy from service label)

7001 1940 0005 3426 8796

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

*M. Wardinsky* *6-26-02*

C. Signature

x *M. Wardinsky*  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