

DIVIDER

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

PU-2491-02-462

Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment

Application

Filed 8/29/2002

02

Closed 10/25/2002

DESCRIPTION

Scott, Sandi L.

From: Bauske, Shelly A.
Sent: Monday, January 06, 2003 10:48 AM
To: Scott, Sandi L.
Subject: FW: Money Received.....

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

From: Geiger, Gloria A.
Sent: Monday, January 06, 2003 10:43 AM
To: Bauske, Shelly A.
Cc: Geiger, Gloria A.
Subject: RE: Money Received.....

7700 8503 248 22436

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

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

From: Bauske, Shelly A.
Sent: Monday, January 06, 2003 10:34 AM
To: Geiger, Gloria A.
Subject: Money Received.....

Case No. PU-2491-02-462
Ionex Telecommunications
\$73.26

APPROVED

DATE: 11-6-02
KMF

MOTION

November 6, 2002

Ionex Communications North, Inc./
Qwest Corporation
Interconnection Agreement Amendment
Application

Case No. PU-2491-02-462

I move the Commission bill Ionex Communications North, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2491-02-462, Ionex Communications North, Inc./Qwest Corporation, Interconnection Agreement Amendment, Application.

10

PU-2491-02-462

Pages: 3

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

11/06/2002

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

November 6, 2002

Russell C Merbeth
Ionex Communications North Inc
15305 Dallas Pkwy Ste 1500
Addison TX 75001

Dan Kuntz
PO Box 1695
Bismarck ND 58502-1695

RE: Case No. PU-2491-02-462
Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application

Enclosed is a copy of the statement approved at the November 6, 2002 Public Service Commission meeting for the expenses incurred to date in Case No. PU-2491-02-462.

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

November 6, 2002

Ionex Communications North, Inc./
Qwest Corporation
Interconnection Agreement Amendment
Application

Case No. PU-2491-02-462

Bill To:

Ionex Communications North, Inc.	\$73.26
Qwest Corporation	\$73.25

Expenses Incurred to Date:

Advertising Costs	\$146.51
-------------------	----------

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

Sprint Communications Company, L.P./Qwest Corporation Interconnection Agreement Amendment Application	Case No. PU-2271-02-436
New Edge Network, Inc./Qwest Corporation Interconnection Agreement Amendment Application	Case No. PU-2442-02-444
New Edge Network, Inc./Qwest Corporation Interconnection Agreement Application	Case No. PU-2442-02-456
Level 3 Communications, LLC/Qwest Corporation Interconnection Agreement Application	Case No. PU-2780-02-457
Ionex Communications North, Inc./Qwest Corporation Interconnection Agreement Amendment Application	Case No. PU-2491-02-462

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 **24th day of October, 2002**, she deposited in the United States Mail, Bismarck, North Dakota **six** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7001 1940 0005 3426 5528

Ken Ross
Sprint
6450 Sprint Pkwy Mailstop: KSOPHN0212
Overland Park KS 66251
Cert. No. 7001 1940 0005 3426 5535

9

PU-2491-02-462

Pages: 2

Affidavit of Service

by Public Service Commission

10/24/2002

CC: Comm Legal Illona Jerry .

Peter Blisard
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021
Cert. No. 7001 1940 0005 3426 5542

Robert McMillin
New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661
Cert. No. 7001 1940 0005 3426 5559

Stacey Waddell
New Edge Network Inc
3000 Columbia House Blvd
Vancouver WA 98661
Cert. No. 7001 1940 0005 3426 5566

Russell C Merbeth
Ionex Communications North Inc
15305 Dallas Pkwy Ste 1500
Addison TX 75001
Cert. No. 7001 1940 0005 3426 5573

Sharon Helbling further deposes and says that on the **24th day of October, 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.

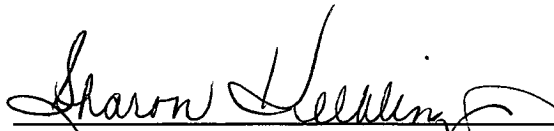
Scott Macintosh
Qwest Corporation
P O Box 5508
Bismarck ND 58502-5508


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

Greg Rogers
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021

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

Subscribed and sworn to before me
this **24th day of October, 2002**.





Notary Public

SEAL

CHARLENE A. MAGSTAD
Notary Public, State of NORTH DAKOTA
My Commission Expires Jan. 7, 2004

APPROVED

MOTION

DATE: 10-23-02 October 23, 2002
KMF

**Sprint Communications Company, L.P./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2271-02-436

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2442-02-444

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2442-02-456

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2780-02-457

**Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2491-02-462

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

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Sprint Communications Company, L.P./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2271-02-436**

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2442-02-444**

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement
Application** **Case No. PU-2442-02-456**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement
Application** **Case No. PU-2780-02-457**

**Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2491-02-462**

ORDER

October 23, 2002

On August 13, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with Sprint Communications Company, L.P. of Overland Park Kansas, Case No. PU-2271-02-436. This amendment sets rates, terms and conditions for unbundled loops, loop mux combination, special and bona fide requests, and single point of presence in the LATA.

On August 21, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with New Edge Network, Inc., of Vancouver WA, Case No. PU-2442-02-444. This amendment sets rates, terms and conditions for DC power reduction and collocation decommissioning, cancellation or transfer of responsibility.

On August 28, 2002, Qwest filed for approval of a new interconnection agreement negotiated with New Edge Network, Inc., Case No. PU-2442-02-456. This agreement supersedes a previous agreement and adopts Qwest's sixth revised Statement of Generally Available Terms and Conditions for interconnection of facilities, unbundled network elements, ancillary services and services for resale.

Also on August 28, 2002, Qwest filed for approval of an interconnection agreement negotiated with Level 3 Communications, LLC of Louisville CO, Case No. PU-2780-02-457. This agreement sets forth rates, terms and conditions for

interconnection of facilities including unbundled network elements, ancillary services and services for resale.

On August 29, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Ionex Communications North, Inc. of Addison, TX, Case No. PU-2491-02-462. This amendment sets bill and keep compensation arrangements.

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 September 11, 2002, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive comments on the agreements until October 15, 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



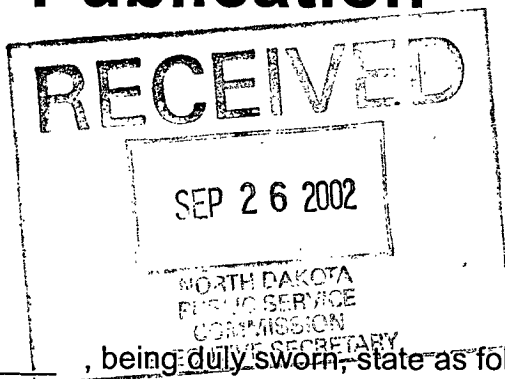
Leo M. Reinbold
Commissioner

Affidavit of Publication

State of North Dakota)

County of Burleigh)

Laure 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:
Sprint - Tenex, 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 September A.D. 2002

[Signature]

7 **PU-2442-02-444** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/26/2002 CC: Comm Legal Ilona Jerry .



6 **PU-2271-02-436** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/26/2002 CC: Comm Legal Ilona Jerry .

6 **PU-2442-02-456** Pages: 1
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6 **PU-2780-02-457** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/26/2002 CC: Comm Legal Ilona Jerry .

✓6 **PU-2491-02-462** Pages: 1
Affidavit of Publication
by North Dakota Advertising Service, Inc.
09/26/2002 CC: Comm Legal Ilona Jerry .



North Dakota Newspaper Association

1435 Interstate Loop
 Bismarck, ND 58503-0567
 Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

Order **02093PP1-16645**

Invoice # **4519**

September 25, 2002

Attn: JONH. MIELKE
PUBLIC SERVICE COMMISSION
STATE CAPITOL
BISMARCK, ND 58505

Advertiser: **Public Service Commission**

P.O.#:

Amount Due **\$732.59**

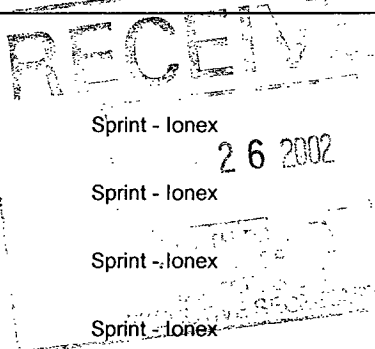
Amount Paid

Voice: 328-4076

Please detach and return this portion with your payment

Public Service Commission Invoice # 02093PP1-16645-4519

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
DAILY							
Bismarck Tribune (Bismarck ND)							
1.00	Special	69.12	69.12	0.00	Sprint - Ionex		09/16/02
Devils Lake Daily Journal (Devils Lake ND)							
1.00	Special	71.82	71.82	0.00	Sprint - Ionex		09/16/02
Dickinson Press (Dickinson ND)							
1.00	Special	71.25	71.25	0.00	Sprint - Ionex		09/15/02
Fargo, The Forum (Fargo ND)							
1.00	Special	71.71	71.71	0.00	Sprint - Ionex		09/23/02
Grand Forks Herald (Grand Forks ND)							
1.00	Special	73.83	73.83	0.00	Sprint - Ionex		09/16/02
Jamestown Sun (Jamestown ND)							
1.00	Special	69.66	69.66	0.00	Sprint - Ionex		09/16/02
Minot Daily News (Minot ND)							
168.00	SPR2	0.54	90.72	0.00	Sprint - Ionex		09/16/02
Valley City Times-Record (Valley City ND)							
1.00	Special	71.25	71.25	0.00	Sprint - Ionex		09/16/02
Wahpeton Daily News (Wahpeton ND)							
1.00	Special	71.25	71.25	0.00	Sprint - Ionex		09/17/02
Williston Herald (Williston ND)							
1.00	Special	71.98	71.98	0.00	Sprint - Ionex		09/16/02



Gross Advertising	732.59	Total Misc	0.00	Amount Paid	0.00
Agency Discount		Tax	0.00	Adjustments	0.00
Other Discount	0.00	Total Billed	732.59	Payment Date	
Service Charge	0.00	Unbilled	0.00	Balance Due	732.59

- 6 **PU-2271-02-436** Pages: 1
- 6 **PU-2442-02-456** Pages: 1
- 6 **PU-2780-02-457** Pages: 1

- 7 **PU-2442-02-444** Pages: 1
- 6 **PU-2491-02-462** Pages: 1

Affidavit of Publication

Affidavit of Publication

by North Dakota Advertising Service, Inc.

by North Dakota Advertising Service, Inc.

09/26/2002

CC: Comm Legal Ilona Jerry .

09/26/2002

CC: Comm Legal Ilona Jerry .

Notice Of Opportunity To File
Written Comments

September 1, 2002

Case No. PU-2491-02-462

Bismarck	9-16
Devils Lake	9-16
Dickinson	9-19
Fargo	9-23
Grand Forks	9-17
Jamestown	9-16
Minot	9-16
Valley City	9-16
Wahpeton	9-17
Williston	9-16

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Sprint Communications Company, L.P./Qwest Corporation
Interconnection Agreement Amendment
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Application** **Case No. PU-2780-02-457**

**Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2491-02-462**

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 **12th day of September, 2002**, she deposited in the United States Mail, Bismarck, North Dakota **six** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity to File Written Comments

The envelopes were addressed as follows:

Dan Kuntz
P O Box 1695
Bismarck ND 58502-1695

Cert. No. 7099 3220 0002 8482 2974

Ken Ross
Sprint
6450 Sprint Pkwy Mailstop: KSOPHN0212
Overland Park KS 66251
Cert. No. 7099 3220 0002 8482 2981

Peter Blisard
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021
Cert. No. 7099 3220 0002 8482 2998

Robert McMillin
New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661
Cert. No. 7099 3220 0002 8482 3001

Stacey Waddell
New Edge Network Inc
3000 Columbia House Blvd
Vancouver WA 98661
Cert. No. 7099 3220 0002 8482 3018

Russell C Merbeth
Ionex Communications North Inc
15305 Dalls Pkwy Ste 1500
Addison TX 75001
Cert. No. 7099 3220 0002 8482 3025

Sharon Helbling further deposes and says that on the **12th day of September, 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.

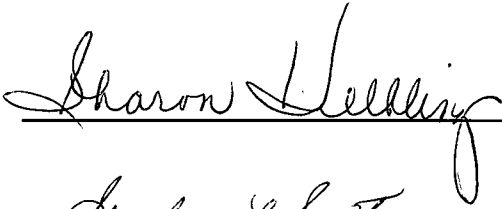
Scott Macintosh
Qwest Corporation
P O Box 5508
Bismarck ND 58502-5508

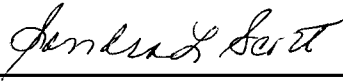
Dir-Interconnection Compliance
Qwest Corporation
1801 California St Rm 2410
Denver CO 80202

Greg Rogers
Level 3 Communications LLC
1025 Eldorado Blvd
Broomfield CO 80021

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

Subscribed and sworn to before me
this **12th day of September, 2002**.





Notary Public

SEAL

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

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

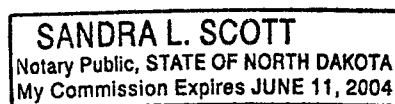
Sharon Helbling

Subscribed and sworn to before me
this **12th day of September, 2002.**

Sandra L. Scott

Notary Public

SEAL



wbrudvik@ohnstadlaw.com
William Brudvik

donlee@martin-associates.com
Don Lee

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

Advanced Telcom Inc
19 Old Courthouse Sq
Santa Rosa CA 95404-4920

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

C12 Inc
200 Galleria Pkwy Ste 1200
Atlanta GA 30339

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
6830 Walling Ln
Dallas TX 75231-7204

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

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

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

bgipson@vartec.net
Becky Gipson
eMeritus Communications Inc
1600 Viceroy Dr
Dallas TX 75235

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

bgipson@vartec.net
Becky Gipson
Excel Telecommunications Inc
1600 Viceroy Dr
Dallas TX 75235

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

Regulatory Dept
Essential.com Inc
5 Bragdon Ln Ste 200
Kennebunk Me 04043

Evercom Systems Inc
8201 Tristar Dr
Irving TX 75063-2824

Dave Waters
Fairpoint Communications Solutions
521 E Morehead St Ste 250
Charlotte NC 28202-2695

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

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

Global Tel*Link Corporation
2609 Cameron St
Mobile AL 36607

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

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

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

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

HTC Services Inc
P O Box 55
Halstad MN 56548

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

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

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

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
PO Box 8
Nome ND 58062-0008

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

Neil Schmid
Ionex Communications North Inc
15305 Dallas Pkwy Ste 1500
Addison TX 75001-6768

IPVoice Communications Inc
14860 Montfort Dr Ste 210
Dallas TX 75254-6772

anewell@jato.net
Andrew R Newell
JATO Operating Two Corp
600 17th St Ste 18005
Denver CO 80202-5441

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

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

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

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

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

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

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

barbara.loscalzo@lmco.com
Barbara Loscalzo
Lockheed Martin Global Telecomm
2339 Route 70 West
Cherry Hill NJ 08002

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

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

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

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

dhill@ndarec.com
Dennis Hill
ND Assn Rural Electric Coops
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Tampa FL 33602-5925

Helbling, Sharon D.

From: Helbling, Sharon D.
Sent: Wednesday, September 11, 2002 3:07 PM
To: ndna (E-mail)
Subject: Attached Notice of Opportunity to File Written Comments

**Colleen Park
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

MOTION

APPROVED

DATE: 9-11-02
KME

September 11, 2002

**Sprint Communications Company, L.P./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2271-02-436

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2442-02-444

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2442-02-456

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement
Application**

Case No. PU-2780-02-457

**Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2491-02-462

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**

**Sprint Communications Company, L.P./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2271-02-436**

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2442-02-444**

**New Edge Network, Inc./Qwest Corporation
Interconnection Agreement
Application** **Case No. PU-2442-02-456**

**Level 3 Communications, LLC/Qwest Corporation
Interconnection Agreement
Application** **Case No. PU-2780-02-457**

**Ionex Communications North, Inc./Qwest Corporation
Interconnection Agreement Amendment
Application** **Case No. PU-2491-02-462**

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS

September 11, 2002

On August 13, 2002, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with Sprint Communications Company, L.P. of Overland Park Kansas, Case No. PU-2271-02-436. This amendment sets forth rates, terms and conditions for unbundled loops, loop mux combination, special and bona fide request process, and single point of presence in the LATA.

On August 21, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with New Edge Network, Inc., of Vancouver WA, Case No. PU-2442-02-444. This amendment sets forth rates, terms and conditions for DC power reduction as well as collocation decommissioning, cancellation and transfer of responsibility.

On August 28, 2002, Qwest filed for approval of a new interconnection agreement negotiated with New Edge Network, Inc., Case No. PU-2442-02-456. This agreement supersedes a previous agreement and adopts Qwest's sixth revised Statement of Generally Available Terms and Conditions for interconnection of facilities, unbundled network elements, ancillary services and services for resale.

2

PU-2491-02-462

Pages: 2

Notice of Opportunity to File Written
Comments
by Public Service Commission

09/11/2002

CC: Comm Legal Ilona Jerry .

Also on August 28, 2002, Qwest filed for approval of an interconnection agreement negotiated with Level 3 Communications, LLC of Louisville CO, Case No. PU-2780-02-457. This agreement sets forth rates, terms and conditions for interconnection of facilities including unbundled network elements, ancillary services and services for resale.

On August 29, 2002, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Ionex Communications North, Inc. of Addison, TX, Case No. PU-2491-02-462. This amendment sets forth bill and keep compensation arrangements.

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.

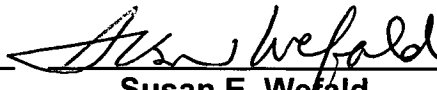
The Commission will receive written comments on these agreements until October 15, 2002.

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



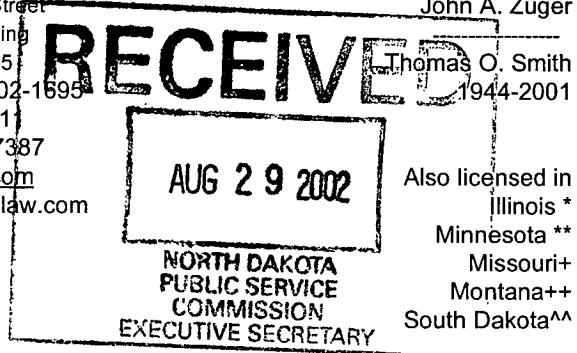
Leo M. Reinbold
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^Certified Civil Trial Specialist
National Board of Trial Advocacy

August 29, 2002

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

**Re: Amendment to Interconnection Agreement Between Qwest Corporation and
ionex Communications North, Inc.**

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of an Amendment to the Interconnection Agreement between ionex Communications North, Inc. and Qwest Corporation. This document amends an Interconnection Agreement between Advanced Communications Group and U S WEST Communications Group, Inc. that was approved by the Commission on January 27, 1999 in Case No. PU-1997-98-558. Advanced Communications Group assigned the agreement to FirstTel, and FirstTel has changed its name to ionex. The Amendment adds terms and conditions Bill and Keep Compensation. Contact information for ionex Communications North should be directed to Russell C. Merbeth, General Counsel, 15305 Dallas Parkway, Suite 1500, Addison, TX 75001. The telephone number is 214-646-2314.

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

1 **PU-2491-02-462**

Pages: 6

Interconnection Agreement Amendment
application
by Ionex Communications North, Inc./Qwest Corporati

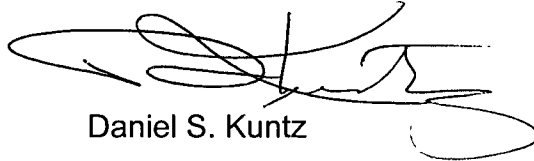
08/29/2002

CC: Comm Legai llona Jerry .

Mr. Jon Mielke
August 29, 2002
Page 2

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel S. Kuntz', with a large, sweeping flourish extending to the right.

Daniel S. Kuntz

Enclosures

c: Scott Macintosh w/enc.
Debra Hartl wo/enc.
Russell Merbeth wo/enc.

**Bill and Keep Compensation Amendment
to the Interconnection Agreement between
Qwest Corporation and
ionex Communications North, Inc.
for the State of North Dakota**

RECEIVED

AUG 29 2002

NORTH DAKOTA
PUBLIC SERVICE
COMMISSION
EXECUTIVE SECRETARY

This is an Amendment ("Amendment") to the Interconnection Agreement between Qwest Corporation ("Qwest"), a Colorado corporation, and ionex Communications North, Inc. ("CLEC"). CLEC and Qwest shall be known jointly as the "Parties".

RECITALS

WHEREAS, CLEC and Qwest entered into an Interconnection Agreement for service in the state of North Dakota that was approved by the North Dakota Public Service Commission ("Commission") on January 22, 1999 as referenced in Docket No. D98.12.281, Order No. 6136 (the "Agreement"); and

WHEREAS, the Parties wish to amend the Agreement further 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 as follows:

1. Amendment Terms

The Parties agree to utilize the Bill and Keep Compensation Mechanism as set forth in Attachment 1, attached hereto and incorporated herein by reference.

2. Effective Date

This Amendment shall be deemed effective upon approval by the Commission; however, the Parties may agree to implement the provisions of this Amendment upon execution. To accommodate this need, CLEC must generate, if necessary, an updated Customer Questionnaire. In addition to the Questionnaire, all system updates will need to be completed by Qwest. CLEC will be notified when all system changes have been made. Actual order processing may begin once these requirements have been met.

3. Further Amendments

The provisions of this Amendment, including the provisions of this sentence, may not be interpreted, amended, modified or supplemented, and waivers or consents to departures from the provisions of this Amendment may not be given without the written consent thereto by both Parties' authorized representative. No waiver by any party of any default, misrepresentation, or breach of warranty or covenant hereunder, whether intentional or not, will be deemed to extend to any prior or subsequent default, misrepresentation, or breach of warranty or covenant hereunder or affect in any way any rights arising by virtue of any prior or subsequent such occurrence.

4. Entire Agreement

This Amendment (including the documents referred to herein) constitutes the full and entire understanding and agreement between the Parties with regard to the subjects of this Amendment and supersedes any prior understandings, agreements, amendments or representations by or between the Parties, written or oral, to the extent they relate in any way to the subjects 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.

ionex Communications North, Inc.

Russell C. Merrett

Signature

RUSSELL C. MERRETT

Name Printed/Typed

GENERAL COUNSEL

Title

AUGUST 20, 2002

Date

Qwest Corporation

L.T. Christensen

Signature

L.T. Christensen

Name Printed/Typed

Director – Business Policy

Title

8/26/02

Date

**ATTACHMENT 1
BILL AND KEEP COMPENSATION**

1.0 Exchange Service (EAS/Local) Traffic

1.1 End Office Call Termination

1.1.1 The Parties agree that, based upon the fact that the traffic exchanged between the Parties historically has been roughly balanced, end office call termination compensation for Exchange Service (EAS/Local) traffic shall be based upon the bill and keep compensation mechanism, whereby neither Party charges the other Party reciprocal compensation for the termination of EAS/Local traffic originated by the other Party. Bill and keep shall govern compensation for such traffic exchanged by the Parties in this state until the earlier of: (1) the expiration of this Agreement, or (2) further action by the Federal Communications Commission, or a court of competent jurisdiction, vacates, replaces, modifies, or supersedes the applicable rules adopted in Order on Remand and Report and Order, CC Docket Nos. 96-98, 99-68, FCC 01-131 (rel. Apr. 27, 2001).

1.1.2 Reserved for Future Use.

1.1.3 Reserved for Future Use.

1.1.4 Neither Party shall be responsible to the other for call termination charges associated with third party traffic that transits such Party's network.

1.2 Tandem Switched Transport

1.2.1 For traffic delivered through a Qwest or CLEC tandem Switch (as defined in this Agreement), the Parties agree that, based upon the fact that the traffic exchanged between the Parties historically has been roughly balanced, tandem switched transport functions for Exchange Service (EAS/Local) non-transit traffic shall be compensated based upon the bill and keep compensation mechanism. Bill and keep will apply to both the tandem switching rate and the tandem transmission rate. Bill and keep shall govern compensation for such traffic exchanged by the Parties in this state until the earlier of: (1) the expiration of this agreement, or (2) further action by the Federal Communications Commission, or a court of competent jurisdiction, vacates, replaces, modifies, or supersedes the applicable rules adopted in Order on Remand and Report and Order, CC Docket Nos. 96-98, 99-68, FCC 01-131 (rel. Apr. 27, 2001).

1.2.2 Reserved for Future Use.

1.2.3 Reserved for Future Use.

1.2.4 When Qwest receives an unqueried call from CLEC to a number that has been ported to another CLEC switch within the EAS/Local calling area, and Qwest performs the query, mileage sensitive tandem transmission rates will apply which reflect the distance to the end office to which the call has been ported.

1.2.4.1 To determine the responsible originating Carrier of unqueried calls for purposes of identification of the Carrier to bill LNP

query charges, Qwest and CLEC are required to utilize the Number Portability Administration Center (NPAC) database, or another database that is supported by OBF.

1.3 Reserved for Future Use.

1.4 Reserved for Future Use.

2.0 ISP-bound Traffic

2.1 The Parties agree that ISP-bound traffic is governed by the FCC's Order on Remand and Report and Order (Intercarrier Compensation for ISP-bound Traffic) CC Docket 01-131 (FCC ISP Order), effective June 14, 2001. However, the Parties agree to exchange ISP-bound traffic utilizing the bill and keep compensation mechanism. Bill and keep will apply to both end office call termination and tandem switched transport of ISP-bound traffic.

PU-2491-02-462
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:
Russell C Merbeth
Arney Communications North Inc
15305 Dallas Hwy Ste 1500
Addison TX 75001

2. Article Number
(Transfer from service label) 7001 1940 0005 3426 5573

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Ken Criss* Agent
 Addressee

B. Received by (Printed Name)
KEN CRISS

C. Date of Delivery
7-28-02

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

Domestic Return Receipt

102595-02-M-1035

PU-2491-02-462
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:
Russell C Merbeth
Arney Communications North Inc
15305 Dallas Hwy Ste 1500
Addison TX 75001

2. Article Number
(Transfer from service label) 7099 3220 0002 8482 3035

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Rebecca Arden* Agent
 Addressee

B. Received by (Printed Name)
Rebecca Arden

C. Date of Delivery
9-16-02

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

Domestic Return Receipt

102595-02-M-1035