



**DIVIDER**

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

[Empty rectangular box]

PU-2823-03-400  
WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application  
Filed 7/11/2003      Closed 9/26/2003      03



Public Service Commission  
Receipt of Payment

Receipt# 5673

Received: 12/4/2003 Check# 2318686 for \$60.28  
Subject: Utility Valuation

**Docket # PU-2823-03-400**

Qwest  
5325 Zuni St Room 728  
Denver CO 80221

**11 PU-2823-03-400**

Pages: 1

Receipt# 5,673 \$60.28

by Qwest

12/04/2003

**APPROVED**

DATE: 11-20-03

MOTION

November 20, 2003

WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2823-03-400

I move the Commission bill WaveSent LLC and Qwest Corporation for costs incurred to date in Case No. PU-2823-03-400, WaveSent LLC/Qwest Corporation, Interconnection Agreement Amendment, Application.



**Public Service Commission**  
State of North Dakota

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COMMISSIONERS

Tony Clark, President  
Susan E. Wefald  
Kevin Cramer

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: [ndpsc@psc.state.nd.us](mailto:ndpsc@psc.state.nd.us)  
TDD 800-366-6888  
Fax 701-328-2410  
Phone 701-328-2400

November 20, 2003

Joseph B McNeal  
WaveSent LLC  
PO Box 15509  
Boise ID 83715

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

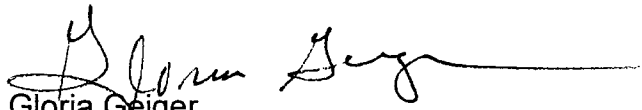
RE: Case No. PU-2823-03-400  
WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application

Enclosed is a copy of the statement approved at the November 20, 2003  
Public Service Commission meeting for the expenses incurred to date in Case  
No. PU-2823-03-400.

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

# Billing Statement

November 20, 2003

WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application

Case No. PU-2823-03-400

## Bill To:

WaveSent LLC .....	\$60.28
Qwest Corporation .....	\$60.28

## Expenses Incurred to Date:

Advertising Costs	\$120.56
-------------------	----------

## 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

MCImetro Access Transmission Services LLC/Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2800-03-368

Integra Telecom of North Dakota, Inc./Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2463-03-393

WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2823-03-400 ✓

Joseph B. McNeal d/b/a Page Data/Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2822-03-401

Preferred Carrier Services, Inc./Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2482-03-439

MCImetro Access Transmission Services LLC/Qwest Corporation  
Interconnection Agreement Amendment Application  
Case No. PU-2800-03-451

**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 **26th day of September, 2003**, she deposited in the United States Mail, Bismarck, North Dakota **eight** 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. 7002 2410 0003 4913 3654**

Director  
West Public Policy/Law & Public Policy  
WorldCom Inc  
6312 S Fiddlers Green Circle Ste 600  
Englewood CO 80111  
**Cert. No. 7002 2410 0003 4913 3678**

Vice President & Chief Technology Counsel  
Technology Law Group/Law & Public Policy  
WorldCom Inc  
1133 19<sup>th</sup> St NW  
Washington D C 20036  
**Cert. No. 7002 2410 0003 4913 3692**

Joseph B McNeal  
WaveSent LLC  
Page Data  
P O Box 15509  
Boise ID 83715  
**Cert. No. 7002 2410 0003 4913 3715**

Vice President  
Global Carrier Management  
WorldCom Inc  
707 17<sup>th</sup> St  
Denver CO 80202  
**Cert. No. 7002 24510 0003 4913 3661**

Director  
West Public Policy/Law & Public Policy  
WorldCom Inc  
707 17<sup>th</sup> St  
Denver CO 80202  
**Cert. No. 7002 2410 0003 4913 3685**

Karen Johnson  
Integra Telecom Inc  
19545 NW Von Neumann Dr Ste 200  
Beaverton OR 97006  
**Cert. No. 7002 2410 0003 4913 3708**

Alex Valencia  
Preferred Carrier Services Inc  
14681 Midway Rd Ste 105  
Addison TX 75001  
**Cert. No. 7002 2410 0003 4913 3722**

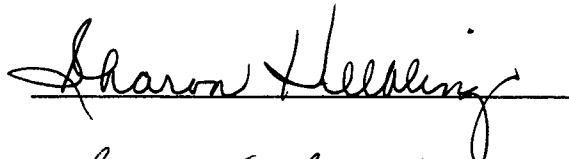

**Sharon Helbling** further deposes and says that on the **26th day of September, 2003**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

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 **26th day of September, 2003**.

  
  
Notary Public

SEAL

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

**MOTION**

**September 24, 2003**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-368**

**Integra Telecom of North Dakota, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2463-03-393**

**WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2823-03-400**

**Joseph B. McNeal d/b/a Page Data/Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2822-03-401**

**Preferred Carrier Services, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2482-03-439**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-451**

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

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-368**

**Integra Telecom of North Dakota, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
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**WaveSent LLC/Qwest Corporation  
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Application** **Case No. PU-2823-03-400**

**Joseph B. McNeal d/b/a Page Data/Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2822-03-401**

**Preferred Carrier Services, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2482-03-439**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-451**

**ORDER**

**September 24, 2003**

On June 26, 2003, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with MCImetro Transmission Services, LLC of Vienna, VA, Case No. PU-2800-03-368. This amendment adopts intercarrier compensation arrangements for exchange of local/EAS and internet-bound traffic.

On July 9, 2003 Qwest filed for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. of Beaverton, OR, Case No. PU-2463-03-393. This amendment adds rates, terms and conditions for CLEC-to-CLEC Cross Connections.

**7** **PU-2823-03-400**

Pages: 3

Order approving interconnection  
agreements  
by Public Service Commission

09/24/2003

CC: Comm Legal Ilona Jerry

On July 11, 2003, Qwest filed for approval of an amendment to its paging interconnection agreement with WaveSent LLC, Case No. PU-2823-03-400. On July 14, 2003 Qwest filed for approval of an amendment negotiated to its paging interconnection agreement with Page Data, Case No. PU-2822-03-401. These amendments add terms and conditions for Single Point of Presence in the LATA.

On July 28, 2003, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Preferred Carrier Services, Inc. of Irving, TX, Case No. PU-2482-03-439. This amendment adds terms and conditions for Qwest's Performance Assurance Plan with Performance Indicator Definitions.

On August 4, 2003, Qwest filed for approval of an amendment negotiated to its interconnection agreement with MCImetro Access Transmission Service LLC, Case No. PU-2800-03-451. This amendment adds rates, terms and conditions for Collocation Available Inventory.

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 August 13, 2003, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive comments on the agreements until September 16, 2003. 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.

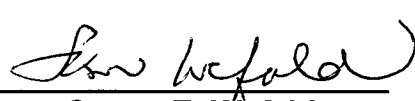
### **Order**

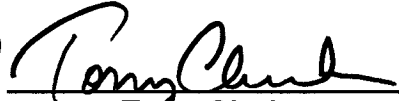
The Commission orders:

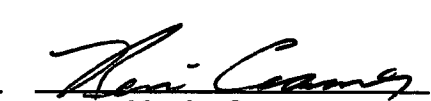
1. The captioned interconnection agreements are APPROVED.
2. The Commission retains continuing jurisdiction over the agreements at all times.
3. Notice of any changes to the agreements must be filed promptly with the Commission.

4. The agreements must not be assigned, assumed or otherwise transferred without the approval of the Commission.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Susan E. Wefald**  
Commissioner

  
\_\_\_\_\_  
**Tony Clark**  
President

  
\_\_\_\_\_  
**Kevin Cramer**  
Commissioner

AUG 28 2003

# Affidavit of Publication

PROVINCIAL SECRETARY

Colleen Park

, 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:  
PSC, Mental Health Assoc, 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: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 27 day of August 20 03.

Kim Henderson

6 **PU-2800-03-368** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .

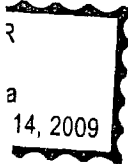
6 **PU-2822-03-401** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .

6 **PU-2463-03-393** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .

6 **PU-2482-03-439** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .

✓ 6 **PU-2823-03-400** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .

6 **PU-2800-03-451** Pages: 1  
 Affidavit of Publication  
 by North Dakota Advertising Service, Inc.  
 08/28/2003 CC: Comm Legal Ilona Jerry .





# North Dakota Newspaper Association

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

AUG 28

## INVOICE

Order 17986-03084PP0 Invoice # 22813

August 27, 2003

Attn: JONH. MIELKE  
PUBLIC SERVICE COMMISSION  
600 E. BOULEVARD AVE.  
STATE CAPITOL  
BISMARCK, ND 58505

Advertiser: **Public Service Commission**

P.O.#:

Amount Due **\$723.38**

Voice: 701-328-4076

Amount Paid

Please detach and return this portion with your payment

Public Service Commission Invoice # 17986-03084PP0-22813

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
<b>Bismarck Tribune (Bismarck ND)</b>							
111.00	SPR2	0.64	71.04	0.00	MCImetro...MCImetro		08/19/03
<b>Devils Lake Daily Journal (Devils Lake ND)</b>							
114.00	SPR2	0.63	71.82	0.00	MCImetro...MCImetro		08/21/03
<b>Dickinson Press (Dickinson ND)</b>							
127.00	SPR2	0.57	72.39	0.00	MCImetro...MCImetro		08/21/03
<b>Fargo, The Forum (Fargo ND)</b>							
104.00	SPR2	0.71	73.84	0.00	MCImetro...MCImetro		08/25/03
<b>Grand Forks Herald (Grand Forks ND)</b>							
107.00	SPR2	0.69	73.83	0.00	MCImetro...MCImetro		08/19/03
<b>Jamestown Sun (Jamestown ND)</b>							
131.00	SPR2	0.54	70.74	0.00	MCImetro...MCImetro		08/19/03
<b>Minot Daily News (Minot ND)</b>							
146.00	SPR2	0.54	78.84	0.00	MCImetro...MCImetro		08/19/03
<b>Valley City Times-Record (Valley City ND)</b>							
116.00	SPR2	0.61	70.76	0.00	MCImetro...MCImetro		08/19/03
<b>Wahpeton Daily News (Wahpeton ND)</b>							
136.00	SPR2	0.51	69.36	0.00	MCImetro...MCImetro		08/19/03
<b>Williston Herald (Williston ND)</b>							
116.00	SPR2	0.61	70.76	0.00	MCImetro...MCImetro		08/19/03

Gross Advertising	723.38	Total Misc	0.00	Amount Paid	0.00
Agency Discount		Tax	0.00	Adjustments	0.00
Other Discount	0.00	Total Billed	723.38	Payment Date	
Service Charge	0.00	Unbilled	0.00	Balance Due	723.38

- |   |                |          |   |                |          |
|---|----------------|----------|---|----------------|----------|
| 6 | PU-2800-03-368 | Pages: 1 | 6 | PU-2822-03-401 | Pages: 1 |
| 6 | PU-2463-03-393 | Pages: 1 | 6 | PU-2482-03-439 | Pages: 1 |
| 6 | PU-2823-03-400 | Pages: 1 | 6 | PU-2800-03-451 | Pages: 1 |

Affidavit of Publication

Affidavit of Publication

by North Dakota Advertising Service, Inc.

by North Dakota Advertising Service, Inc.

08/28/2003

CC: Comm Legal Illona Jerry .

08/28/2003

CC: Comm Legal Illona Jerry .

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

**MCImetro Access Transmission Services LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-368**

**Integra Telecom of North Dakota, Inc./Qwest Corporation  
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**MCImetro Access Transmission Services LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-451**

**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 **15th day of August, 2003**, she deposited in the United States Mail, Bismarck, North Dakota **eight** 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 2410 0003 4912 3730**

Director  
West Public Policy/Law & Public Policy  
WorldCom Inc  
6312 S Fiddlers Green Circle Ste 600  
Englewood CO 80111  
**Cert. No. 7001 2410 0003 4912 3754**

Vice President & Chief Technology Counsel  
Technology Law Group/Law & Public Policy  
WorldCom Inc  
1133 19<sup>th</sup> St NW  
Washington D C 20036  
**Cert. No. 7001 2410 0003 4912 3778**

Joseph B McNeal  
WaveSent LLC  
Page Data  
P O Box 15509  
Boise ID 83715  
**Cert. No. 7001 2410 0003 4912 3792**

Vice President  
Global Carrier Management  
WorldCom Inc  
707 17<sup>th</sup> St  
Denver CO 80202  
**Cert. No. 7001 24510 0003 4912 3747**

Director  
West Public Policy/Law & Public Policy  
WorldCom Inc  
707 17<sup>th</sup> St  
Denver CO 80202  
**Cert. No. 7001 2410 0003 4912 3761**

Karen Johnson  
Integra Telecom Inc  
19545 NW Von Neumann Dr Ste 200  
Beaverton OR 97006  
**Cert. No. 7001 2410 0003 4912 3785**

Alex Valencia  
Preferred Carrier Services Inc  
14681 Midway Rd Ste 105  
Addison TX 75001  
**Cert. No. 7001 2410 0003 4912 3808**

**Sharon Helbling** further deposes and says that on the **15th day of August, 2003**, 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.

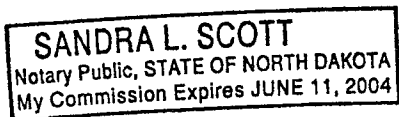
Scott Macintosh  
Qwest Corporation  
P O Box 5508  
Bismarck ND 58502-5508

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 **15th day of August, 2003**.

SEAL



*Sharon Helbling*  
\_\_\_\_\_  
*Sandra L. Scott*  
\_\_\_\_\_  
Notary Public

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

<b>MCImetro Access Transmission Services LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2800-03-368</b>
<b>Integra Telecom of North Dakota, Inc./Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2463-03-393</b>
<b>WaveSent LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2823-03-400</b>
<b>Joseph B. McNeal d/b/a Page Data/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2822-03-401</b>
<b>Preferred Carrier Services, Inc./Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2482-03-439</b>
<b>MCImetro Access Transmission Services LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2800-03-451</b>

**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 **15th day of August, 2003**, 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 **15th day of August, 2003.**

*Sharon Hedberg*

*Sandra L Scott*

Notary Public

SEAL



mariep@telcogroupinc.com  
Marie Pierre-Paul

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William Brudvik

donlee@martin-associates.com  
Don Lee

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Hubbard OR 97032

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Jerry Chapman  
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Minneapolis MN 55403-0343

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Janet Browne  
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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

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Jerome Tishmack  
BEK Communications I Inc  
PO Box 230  
Steele ND 58482-0230

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

sheba.chacko@btna.com  
Sheba Chacko  
Concert Communications Sales LLC  
11440 Commerce Park Dr  
Reston VA 20191

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

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L Dan Wilhelmson  
Consolidated Telcom  
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Dickinson ND 58601-1077

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DCI Group

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Darren Moser  
Dickey Rural Telephone Cooperative  
PO Box 69  
Ellendale ND 58436-0069

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1600 Viceroy Dr  
Dallas TX 75235

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

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

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

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

rmerbeth@ionex.com  
Russell C Merbeth  
Ionex Communications North Inc  
15305 Dallas Pkwy Ste 1500  
Addison TX 75001

susan.a.travis@wcom.com  
Susan Travis  
MCI Worldcom  
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**Helbling, Sharon D.**

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**From:** Helbling, Sharon D.  
**Sent:** Friday, August 15, 2003 7:57 AM  
**To:** ndna (E-mail)  
**Subject:** Attached Notice of Opportunity to File Written Comments

**Colleen Park  
North Dakota Newspaper Association**

**Colleen:**

**Attached is a Notice of Opportunity to File Written Comments which we would like published as a legal publication in the next issue of the ten North Dakota daily newspapers. Also run it as a "News Item" only article.**

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

**If you have any questions, give me a call at 328-4076.**

**Thank you.**

**Sharon Helbling  
Public Utilities Division**

8/15/2003

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**PU-2823-03-400**

Pages: 1

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

08/15/2003

CC: Comm Legal Ilona Jerry .

**APPROVED**

DATE: 8-13-03  
KMF

**MOTION**

August 13, 2003

<b>MCImetro Access Transmission Services LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2800-03-368</b>
<b>Integra Telecom of North Dakota, Inc./Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2463-03-393</b>
<b>WaveSent LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2823-03-400</b>
<b>Joseph B. McNeal d/b/a Page Data/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2822-03-401</b>
<b>Preferred Carrier Services, Inc./Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2482-03-439</b>
<b>MCImetro Access Transmission Services LLC/Qwest Corporation Interconnection Agreement Amendment Application</b>	<b>Case No. PU-2800-03-451</b>

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**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-368**

**Integra Telecom of North Dakota, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2463-03-393**

**WaveSent LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2823-03-400**

**Joseph B. McNeal d/b/a Page Data/Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2822-03-401**

**Preferred Carrier Services, Inc./Qwest  
Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2482-03-439**

**MCImetro Access Transmission Services  
LLC/Qwest Corporation  
Interconnection Agreement Amendment  
Application** **Case No. PU-2800-03-451**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**

**August 13, 2003**

On June 26, 2003, Qwest Corporation (Qwest) filed an application for approval of an amendment negotiated to its interconnection agreement with MCImetro Transmission Services, LLC of Vienna, VA, Case No. PU-2800-03-368. This amendment adopts intercarrier compensation arrangements for exchange of local/EAS and internet-bound traffic.

On July 9, 2003 Qwest filed for approval of an amendment negotiated to its interconnection agreement with Integra Telecom of North Dakota, Inc. of Beaverton, OR, Case No. PU-2463-03-393. This amendment adds rates, terms and conditions for CLEC-to-CLEC Cross Connections.

On July 11, 2003, Qwest filed for approval of an amendment to its paging interconnection agreement with WaveSent LLC, Caase No. PU-2823-03-400. On July

14, 2003 Qwest filed for approval of an amendment negotiated to its paging interconnection agreement with Page Data, Case No. PU-2822-03-401. These amendments add terms and conditions for Single Point of Presence in the LATA.

On July 28, 2003, Qwest filed for approval of an amendment negotiated to its interconnection agreement with Preferred Carrier Services, Inc. of Irving, TX, Case No. PU-2482-03-439. This amendment adds terms and conditions for Qwest's Performance Assurance Plan with Performance Indicator Definitions.

On August 4, 2003, Qwest filed for approval of an amendment negotiated to its interconnection agreement with MCImetro Access Transmission Service LLC, Case No. PU-2800-03-451. This amendment adds rates, terms and conditions for Collocation Available Inventory.

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 September 16, 2003.**

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**

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner

ZUGER KIRMIS & SMITH

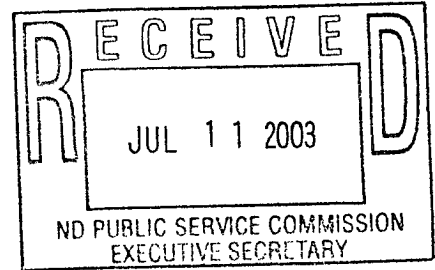
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July 11, 2003



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

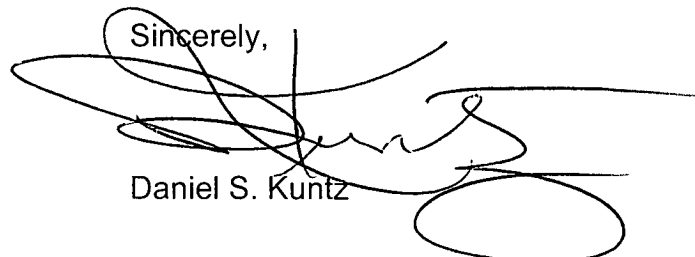
**Re: Amendment to Paging Interconnection Agreement Between WaveSent LLC and Qwest Corporation**

Dear Mr. Mielke:

Enclosed for filing are the original and seven copies of an Amendment to the Paging Interconnection Agreement between WaveSent LLC and Qwest Corporation. The document amends an Interconnection Agreement that was approved by the Commission on April 9, 2003 in Case No. PU-2823-03-70. The Amendment adds terms and conditions for Single Point of Presence. Contact information for WaveSent LLC should be directed to Joseph B. McNeal, WaveSent LLC, P.O. Box 15509, Boise, ID 83715. Mr. McNeal's telephone number for is 208-375-9844.

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

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

Sincerely,  
  
Daniel S. Kuntz

Enclosures

c: Scott Macintosh w/enc.  
Joseph B. McNeal wo/enc.

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PU-2823-03-400

Pages: 6

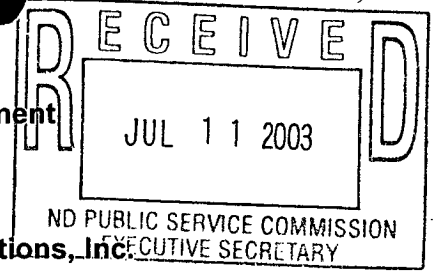
Interconnection Agreement Amendment  
filing  
by WaveSent LLC/Qwest Corporation

07/11/2003

CC: Comm Legal Ilona Jerry.

( )

**Amendment To Paging Connection Agreement  
Between  
WaveSent LLC  
And  
Qwest Corporation, f/k/a U S WEST Communications, Inc.  
For The State of North Dakota**



This Amendment is entered into by and between WaveSent LLC ("WaveSent") and Qwest Corporation f/k/a U S WEST Communications, Inc. ("Qwest").

**RECITALS**

WaveSent and Qwest entered into a Paging Connection Agreement for service in the State of North Dakota that was executed on January 2, 2003 ("Agreement"); and

WaveSent and Qwest hereby amend the Underlying Agreement 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:

**Amendment Terms**

The Underlying Agreement is hereby amended to include the addition of Single Point of Presence (SPOP) in the LATA language, as set forth in Attachment 1 and Exhibit A to this Amendment, attached hereto and incorporated herein by this reference.

**Effective Date**

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

**Amendments; Waivers**

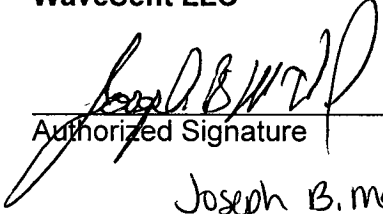
The provisions of this Amendment, including the provisions of this sentence, may not be amended, modified or supplemented, and waivers or consents to departures from the provisions of this Amendment may not be given without the written consent thereto by both Parties' authorized representative. No waiver 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.

**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 and which together shall constitute one and the same instrument.

**WaveSent LLC**

  
\_\_\_\_\_  
Authorized Signature  
Joseph B. McKeal  
Printed Name  
Manager  
Title  
6/24/03  
Date

**Qwest Corporation**

  
\_\_\_\_\_  
Authorized Signature  
L.T. Christensen  
Printed Name  
Director – Business Policy  
Title  
6/27/03  
Date

## ATTACHMENT 1 TO AMENDMENT

### Single Point of Presence (SPOP) in the LATA

#### 1.0 Definitions

- 1.1 Entrance Facility (EF)/Channel Facility. Interconnection may be accomplished through the provision of a DS1 or DS3 entrance facility at rates provided in the underlying agreement. An entrance facility extends from the Qwest Serving Wire Center to Paging Provider's terminal or POI. Entrance facilities may not extend beyond the area served by the Qwest Serving Wire Center. Entrance Facilities may not be used for interconnection with unbundled network elements.
- 1.2 Direct Trunked Transport (DTT)/Dedicated Transport is available between the Serving Wire Center of the POI and Qwest's tandems or end office switches. When DTT is provided to a local or access tandem for Exchange Service EAS/Local Traffic, or to an access tandem for Exchange Access (IntraLATA Toll), or Jointly Provided Switched Access traffic, the applicable DTT rate elements apply between the Serving Wire Center and the tandem. Dedicated transport will be provided at rates and on conditions provided in the Underlying Agreement, subject to the provisions of Section 2.3 below.

#### 2.0 Terms and Conditions

- 2.1 SPOP is only provided in conjunction with Type 2 connection service.
- 2.2 By utilizing SPOP in the LATA, Paging Provider can receive Exchange Access (IntraLATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic and Exchange Service EAS/Local traffic from Qwest's Access Tandem Switches. The SPOP is defined as the Paging Provider's physical point of presence.
- 2.3 SPOP in the LATA includes an Entrance Facility (EF) and DTT/Dedicated Transport options at both a DS1 and DS3 capacity, but not below a DS1 capacity. Entrance Facilities, DTT /Dedicated Transport used to deliver Qwest originated Intra-LATA traffic are provided to Paging Providers at no charge, except for the portion of the facility used to carry Third Party Traffic. Therefore, Qwest shall determine all aspects and elements of the Paging Connection Service facilities that it provides itself, including, but not limited to, design, location, quantities, and distance, pursuant to the Delivery of Paging Traffic provisions of the Underlying Agreement.
- 2.4 Where there is a Qwest local tandem serving a rate center to which Paging Provider has assigned a full NXX code, local one way trunking must be requested from that Qwest local tandem by Paging Provider. These trunks will carry Exchange Service EAS/Local traffic only. A separate trunk group from the Qwest access tandem is required for the exchange of Exchange Access (IntraLATA Toll Non-IXC) traffic and jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic.

- 2.5 Where there is no Qwest local tandem serving a Qwest end office, Qwest will provision service by means of a one-way Type 2 trunk group from the Qwest access tandem for Paging Provider traffic from or through the Qwest network that combines Exchange Service EAS/Local, Exchange Access (Intra LATA Toll Non-IXC) and Jointly Provided Switched Access (InterLATA and IntraLATA IXC) traffic.
- 2.6 If there is more than one Qwest access tandem within the LATA boundary, Paging Provider may request SPOP and Qwest will route its traffic over Type 2 trunking from each Qwest access tandem to the Paging Provider's terminal or POI in a way that avoids call blocking unless Paging Provider signs a Single Point of Presence Waiver as found in Exhibit A of this amendment. Paging Provider will request trunking from each local tandem serving the rate center it has designated for its NXX codes as listed in the LERG. When there is a DS1 of traffic (512 CCS/Centum Call Second) between a Qwest end office and a Qwest tandem, Qwest may establish a direct trunk group, except for the portion of the facilities used to carry Third Party Traffic, between the Qwest end office and Paging Provider's POI.
- 2.7 Where (Paging Provider) requests trunking for SPOP in the LATA that exceeds fifty (50) miles, Qwest reserves the right to request negotiation of a mid-build meet point.
- 2.8 SPOP in the LATA cannot be used in conjunction with existing Paging Provider Type 2 trunking that connects to Qwest's end office switches with tandem functionality. Where such trunking exists and Paging Provider requests SPOP, the Parties will deactivate the original trunks.
- 2.9 The Type 2 SPOP facility cannot be used to access unbundled network elements.
- 2.10 SPOP in a LATA is available only where facilities are available. Qwest is not obligated to construct new facilities to provide SPOP in the LATA.

### **3.0 Ordering**

- 3.1 SPOP in the LATA may be requested based on the standard process for paging. See Qwest Product Catalog for Type 2 service.

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**EXHIBIT A TO AMENDMENT**

**SINGLE POINT OF PRESENCE WAIVER FOR PAGING PROVIDERS**

This Qwest SPOP Waiver only applies to Paging Providers that provide one-way, land-to-mobile service.

Qwest will waive the requirement for Paging Provider to connect to each Qwest Access Tandem in the LATA with this waiver amendment.

Paging Provider certifies that it will not establish any NXX codes in a rate center subtending the Qwest Access Tandems for which Paging Provider seeks a waiver.

Paging Provider will notify Qwest of the Qwest access tandems subject to this waiver at the time of requesting trunks required to implement SPOP in the LATA. Paging Provider will provide thirty (30) days written notice to Qwest requesting any changes in the network configuration of the aforementioned access tandems.

If Paging Provider does not request Qwest to provide trunking to a Qwest Access Tandem in a LATA, calls originated from an end office subtending that tandem will not be delivered to Paging Provider on a local basis, but calls will be delivered to Paging Provider on a 1+ (toll) basis.

Should misrouted traffic occur, Qwest will consider this waiver null and void and all requirements in Attachment 1 or in the Underlying Agreement currently in effect between the Parties will be reinstated.