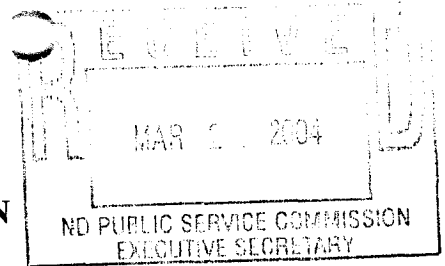


STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION



BEK Communications Cooperative, et al vs.
SmartNET, Inc.
Complaint

Case No. PU-2967-03-666

ORDER FOR INDEFINITE CONTINUANCE
March 23, 2004

On March 18, 2004, BEK Communications Cooperative ("BEK") filed a Motion for Production, Sanctions, or Rescheduled Hearing, with a supporting brief and attachments. BEK requested that the March 30, 2004, hearing be rescheduled for a date after April 16, 2004. In partial response, SmartNET, Inc. ("SmartNET") has indicated that it may file its own motion for production. SmartNET has also asked for a continuance to "sort out these discovery issues" and to "give the FCC time to address this exact issue." The Commission and Commission staff have indicated they are not opposed to a continuance. Accordingly, the hearing on this matter scheduled for March 30, 2004, is **continued indefinitely**. The Commission will at its next opportunity reschedule the hearing for a later date, likely in May 2004.

Further, pending possible informal resolution of discovery issues or FCC action in regard to issues, the ALJ will not now rule on BEK's Motion for Production and Sanctions. If BEK wishes to renew that motion, it should state its renewal, briefly, in writing, and SmartNET should respond in writing. Of course, any motion for production by SmartNET should be made in writing and BEK should respond in writing.

PUBLIC SERVICE COMMISSION

Susan E. Wefald
Commissioner

Tony Clark
President

Kevin Cramer
Commissioner

By: Allen C. Hoberg
Administrative Law Judge
Hearing Officer
Office of Administrative Hearings
1707 North 9th Street
Bismarck, ND 58501

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BEK Communications Cooperative, et al vs.
SmartNET, Inc.
Complaint

Case No. PU-2967-03-666

CERTIFICATE OF SERVICE
OAH File 20040052

The undersigned certifies that the original copy of the **ORDER FOR INDEFINITE CONTINUANCE** was served, inside mail, at the State Capitol, on the 22 day of March, 2004, to:

Ms. Illona Jeffcoat-Sacco
Executive Secretary
Public Service Commission
600 E. Boulevard Avenue
Bismarck, ND 58505

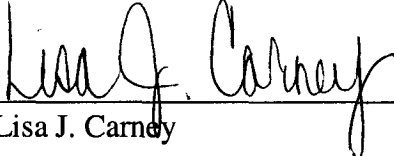
and that true and correct copies of the above documents were mailed, regular mail, on the 23 day of March, 2004, to:

Mr. Don Negaard
Pringle & Herigstad
P.O. Box 1000
Minot, ND 58702-1000

Mr. Bruce A. Selinger
Kubik, Bogner, Ridl & Selinger
P.O. Box 1173
Dickinson, ND 58602-1173

Mr. Bruce Burke
SmartNET, Inc.
649 4th Avenue SW
Dickinson, ND 58601

OFFICE OF ADMINISTRATIVE HEARINGS
Allen C. Hoberg, Administrative Law Judge



Lisa J. Carney