

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-2967-03-666

NOTICE OF RESCHEDULED HEARING

May 24, 2006

On August 24, 2005 the Commission received a Second Petition for Reconsideration from BEK Communications Cooperative, Consolidated Telecom, Dakota Central Telecommunications Cooperative, Dickey Rural Telephone Cooperative, Griggs County Telephone Company, Inter-Community Telephone Company, LLC, Missouri Valley Communications, Inc., Moore and Liberty Telephone Company, Nemont Telephone Cooperative, Inc., North Dakota Telephone Company, Northwest Communications Cooperative, Polar Communications Mutual Aid Corporation, and Reservation Telephone Cooperative (Complainants).

On September 21, 2005 the Commission granted Complainants' second petition for reconsideration to the extent that the Commission would schedule and notice a further hearing at a future date. In its decision, the Commission found the record is lacking information to determine whether SmartNET, Inc. (SmartNET) is using Complainants' facilities, and therefore to determine whether SmartNET is liable to Complainants for compensation, and therefore to determine the types of compensation due the Complainants. A public hearing was scheduled beginning January 13, 2006.

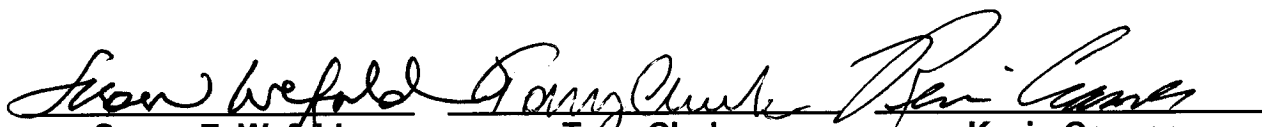
On December 8, 2005 the Commission was advised that the parties were engaged in discussions to reach an agreement and the parties requested that the hearing be postponed to allow time for negotiations.

On December 14, 2005 the Commission postponed indefinitely the January 13, 2006 hearing.

A public hearing on this matter will be held beginning July 19, 2006 at 9 a.m. CDT in the Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota 58505.

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 Illona A. Jeffcoat-Sacco, Executive Secretary at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



Susan E. Wefald **Tony Clark** **Kevin Cramer**
Commissioner **President** **Commissioner**