

DIVIDER

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

DESCRIPTION

PU-04-107
Comtech 21, LLC
Local Exchange
Public Convenience & Nece
Filed 3/9/2004 **Closed 5/26/2004**

04

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

(case title and number)

Comtek 21, LLC
PU-04-107

PROTECTIVE AGREEMENT

I understand that the Commission has granted Trade Secret protection to certain information filed by Comtek 21, LLC in the captioned matter. I agree to keep the designated information confidential and to be bound by the terms of this agreement, North Dakota Administrative Code chapter 69-02-09, and any Commission order regarding trade secret protection issued in this case.

I intend to review the following trade secret information:

Financial Statements

Dated: 3-10-04

Walter Kaul
(signature of person reviewing information)

WARNING: A violation of this agreement may subject the violator to civil and criminal liability.

cgclprotagmt



Public Service Commission
Receipt of Payment

Receipt# 6108

Received 1/5/2005 Check# 14178 for \$141 88
Subject Utility Valuation

Docket # PU-04-107

Comtech 21, LLC
One Barnes Park South
Wallingford CT 06492

APPROVED

DATE: 12-1-04
KMF

MOTION

December 1, 2004

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

I move the Commission bill Comtech 21, LLC for costs incurred to date in Case No PU-04-107, Comtech 21, LLC, Local Exchange, Public Convenience and Necessity.



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E Wefald
Kevin Cramer

Executive Secretary
Ilona A Jeffcoat-Sacco

600 E Boulevard Ave Dept 408
Bismarck, North Dakota 58505-0480
web www.psc.state.nd.us
e-mail ndpsc@state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

December 1, 2004

Lance J M Steinhart
1720 Windward Concourse Ste 250
Alpharetta GA 30005

RE: Case No. PU-04-107
Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Enclosed is a copy of the statement approved at the December 1, 2004 Public Service Commission meeting for the expenses incurred to date in Case No. PU-04-107.

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 black ink, appearing to read "Gloria Geiger".

Gloria Geiger
Admin Staff Officer
701-328-2401

Enc.

Billing Statement

December 1, 2004

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

Bill To:

Comtech 21, LLC\$141.88

Expenses Incurred to Date:

Advertising Costs\$141.88

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



Public Service Commission

State of North Dakota

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
e-mail ndpsc@psc.state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

May 27, 2004

Lance J M Steinhart
1720 Windward Concourse Ste 150
Alpharetta GA 30005

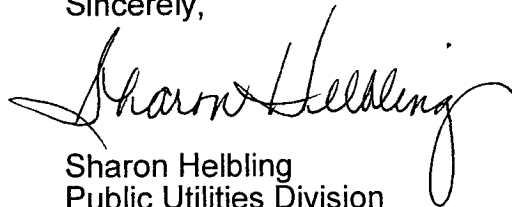
Dear Mr Steinhart:

On May 26, 2004, the Commission issued Certificate of Public Convenience and Necessity Nos 5099 through 5124 to Comtech 21, LLC to provide local exchange telecommunications services inside the exchanges currently served by Qwest Corporation

The original certificates are enclosed for your files

If you have any questions, please call me at 701-328-4076.

Sincerely,



Sharon Helbling
Public Utilities Division

sdh

Enclosures

42 PU-04-107

Pages 1

Letter re approval

by Public Service Commission

05/27/2004

CC Comm Legal Ilona Jerry Mike

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

AFFIDAVIT OF SERVICE BY CERTIFIED 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 **27th day of May, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

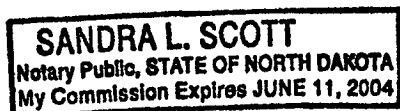
Order

The envelope was addressed as follows:

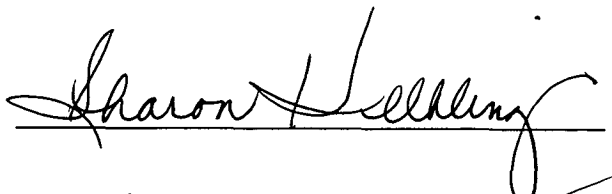
Lance J M Steinhart
1720 Windward Concourse Ste 250
Alpharetta GA 30005
Cert. No. 7002 2410 0003 4912 5819

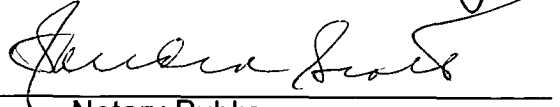
Each address shown is the respective addressee's last reasonably ascertainable post office address

Subscribed and sworn to before me
this **27th day of May, 2004**



SEAL





Notary Public

41

PU-04-107

Pages 2

Affidavit of Service

by Public Service Commission

05/27/2004

CC Comm Legal Ilona Jerry Mike

APPROVED

MOTION

DATE: 5-26-04
KME

May 26, 2004

**Comtech 21, LLC
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-107

I move the Commission adopt the Order and issue certificates of public convenience and necessity to Comtech 21, LLC to provide facilities based competitive local exchange telecommunication services in North Dakota.

JRL/sdh

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

ORDER

May 26, 2004

On March 9, 2004, Comtech 21, LLC (COMTECH) of Wallingford, CT filed an application for certificates of public convenience and necessity to provide facilities based competitive local exchange telecommunication services in all North Dakota exchanges currently served by Qwest Corporation.

On March 17, 2004 the Commission issued a Notice of Opportunity for Hearing, which provided until April 20, 2004 for receiving comments or hearing requests. No comments or requests for hearing were received. In accordance with North Dakota Century Code chapter 49-03.1 and North Dakota Administrative Code section 69-09-05-11(3), the Commission's notice identified the following issues to be considered in this matter:

1. Fitness and ability of the applicant to provide service.
2. Adequacy of the proposed service.
3. Technical, financial and managerial ability of the applicant to provide service.

On April 7, 2004, the Public Service Commission's Director of Accounting filed a memorandum indicating that Comtech has the financial ability to provide service.

On May 12, 2004, the Commission discussed the issues in this matter with the applicant and Commission staff at an informal hearing.

Comtech is a Delaware Limited Liability Company with authority to provide interexchange telecommunications services throughout the United States. Comtech is in the process of applying for authority to provide competitive local exchange services throughout the United States. Comtech has been registered as a reseller of interexchange service in North Dakota since September 20, 2000 and as a reseller of competitive local exchange services since March 17, 2004. At the time of the application, Comtech had obtained authority to provide resold and UNE-P services in nine states, had not been denied authority in any state and had no enforcement actions taken against it.

Comtech proposes to provide a full range of CLEC services using unbundled network elements and resale of incumbent services. Comtech states it has no current plans to install facilities in North Dakota. An interconnection agreement negotiated with Qwest was filed in Case No. PU-04-179.

Comtech reports a highly qualified management team with a wide range of telecommunications experience. Exhibit 6 to the application includes biographical information for its Chairman/CEO and Executive Vice President of Operations.

Comtech will maintain a customer service department with a toll-free number for customer inquiries available 24 hours per day, 7 days per week.

The Commission finds Comtech proposed service adequate.

The Commission finds Comtech is fit, able, and has the technical, financial and managerial ability to provide service.

Order

The Commission Orders the application of Comtech 21, LLC for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunications services in all North Dakota exchanges currently served by Qwest Corporation is GRANTED.

PUBLIC SERVICE COMMISSION

| | | |
|---|---|---|
|  |  |  |
| Susan E. Wefald Commissioner | Tony Clark President | Kevin Cramer Commissioner |

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5099

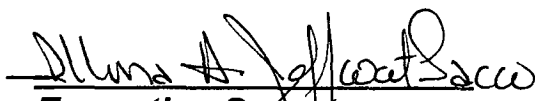
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Belfield, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5100

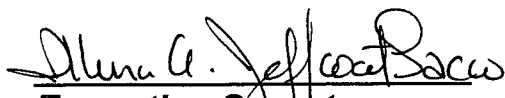
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Bismarck, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5101

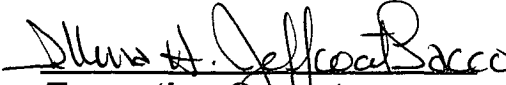
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Casselton, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5102


This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Dickinson, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5103


This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Emerado, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5104

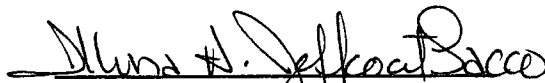
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Fargo, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5105


This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Gardner, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5106

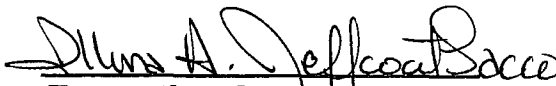
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Grafton, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5107


This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Grand Forks, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5108


This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Hatton, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5109

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Hillsboro, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5110

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Jamestown, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5111

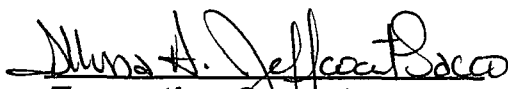
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Kindred, North Dakota local exchange area.


This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5112

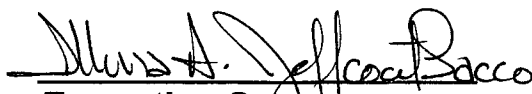
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Larimore, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5113

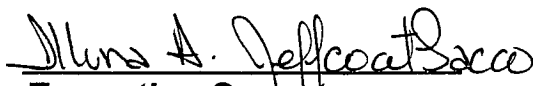
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Leonard, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5114

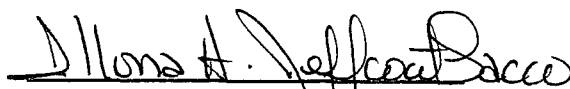
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Mandan, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5115

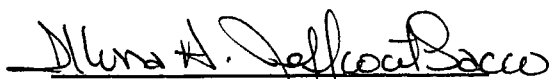
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Manvel, North Dakota local exchange area.


This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5116

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Mayville, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5117

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Minto, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5118

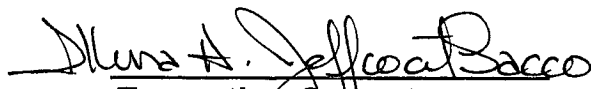
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Northwood, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5119

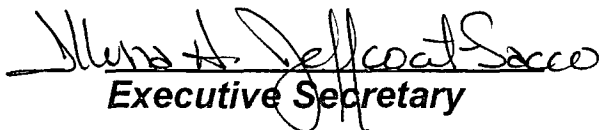
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Reynolds, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5120

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Thompson, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5121

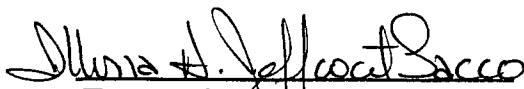
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Valley City, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5122

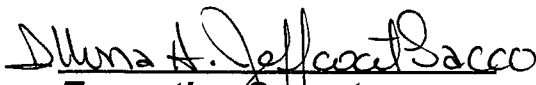
This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the Wahpeton, North Dakota local exchange area.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5123

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the suburban territory near Fairview, Montana, part of the Fairview local exchange area, but located in North Dakota and served from the Fairview, Montana local central office.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

Public Service Commission
STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5124

This is to certify that public convenience and necessity require, and permission is granted for Comtech 21, LLC, a telecommunications public utility, to provide local exchange telecommunications services inside the rural territory near Sidney, Montana, part of the Sidney local exchange area, but located in North Dakota and served from the Sidney, Montana local central office.

This certificate is issued in Case No. PU-04-107 and is conditioned upon Comtech 21, LLC securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.

Bismarck, North Dakota, May 26, 2004.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

INFORMAL AGENDA

| Number | Case Number | Title or Subject Matter |
|--------|-------------|---|
| I-TC4 | PU-04-107 | Comtech 21, LLC Local Exchange Public Convenience & Necessity |

| | |
|-------|---|
| I-SW1 | 1:15 - 3 p.m. Meeting with Representatives from Midwest Standalone Transmission Companies |
|-------|---|

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

AFFIDAVIT OF SERVICE BY 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 **7th day of April, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with first class postage, fully prepaid, securely sealed and each containing a photocopy of.

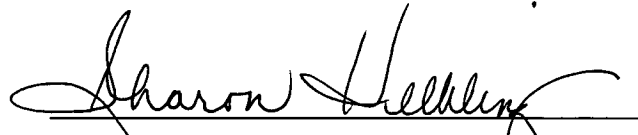
Staff Financial Memorandum


The envelope was addressed as follows:

Lance J M Steinhart
1720 Windward Concourse Ste 250
Alpharetta GA 30005

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

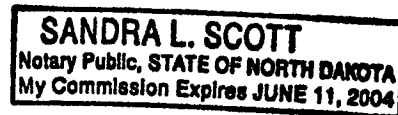
Subscribed and sworn to before me
this **7th day of April, 2004**.





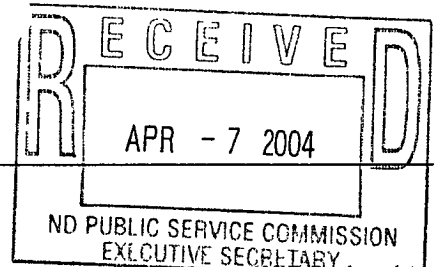
Notary Public

SEAL





Public Service Commission
State of North Dakota



600 E. Boulevard Ave Dept 408
Bismarck, North Dakota 58505-0480
web www.psc.state.nd.us
e-mail ndpsc@psc.state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

COMMISSIONERS

Tony Clark, President
Susan E. Wefald
Kevin Cramer

Executive Secretary
Illona A. Jeffcoat-Sacco

Memorandum

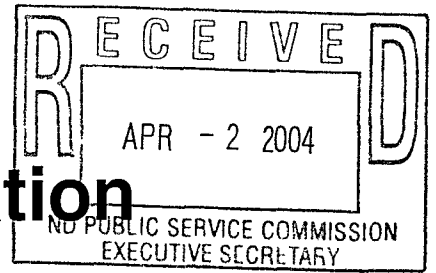
To: Illona Jeffcoat-Sacco
From: Mike Diller *Mike Diller*
Date: April 7, 2004
Re: Comtech 21, LLC
Local Exchange PC&N
Case No. PU-04-107

The following is written to provide the commission with a very limited review of this case regarding the applicant's financial ability to provide service.

The applicant is a limited liability company. According to its application, the parent company reported shareholder equity of approximately \$1.8 million for the period ending September 30, 2003.

The commission has used stockholder equity as a litmus test for showing financial ability to provide service in North Dakota. Based on its review, staff concludes that the applicant has access to sufficient equity to provide service in North Dakota.

Staff sees no reason to deny this application and will provide this document to the applicant.



Affidavit of Publication

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, SW Bell & Comtech 21, 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.

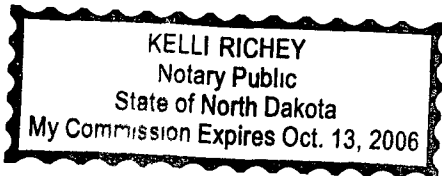
Signed: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 30th day of March 2004.

Kelli Richey

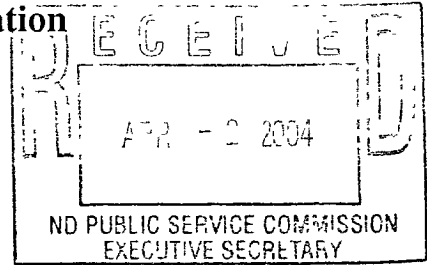


| | | |
|-----|---|--------------------------------|
| 6 | PU-04-83 | Pages 1 |
| | Affidavit of Publication | |
| | by North Dakota Advertising Service Inc | |
| | 04/02/04 | CC Comm Legal Ilona Jerry Mike |
| 11 | PU-04-98 | Pages 1 |
| | Affidavit of Publication | |
| | by North Dakota Advertising Service Inc | |
| | 04/02/04 | CC Comm Legal Ilona Jerry Mike |
| ✓ 2 | PU-04-117 | Pages 1 |
| | Affidavit of Publication | |
| | by North Dakota Advertising Service Inc | |
| | 04/02/04 | CC Comm Legal Ilona Jerry Mike |



North Dakota Newspaper Association

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



INVOICE

Order **18841-04035PP0**

Invoice # **34908**

April 1, 2004

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

Voice 701-328-4076

Advertiser **Public Service Commission**

P O #

Amount Due **\$425.66**

Amount Paid

Please detach and return this portion with your payment

Public Service Commission Invoice # 18841-04035PP0-34908

| Ad Size | Rate Type | Rate | Total | Discount (%) | Caption | Page | Run Date |
|---|-----------|------|-------|--------------|----------------------|------|----------|
| Bismarck Tribune (Bismarck ND) | | | | | | | |
| 67 00 | SPR2 | 0 64 | 42 88 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Devils Lake Daily Journal (Devils Lake ND) | | | | | | | |
| 69 00 | SPR2 | 0 63 | 43 47 | 0 00 | SW Bell - Comtech 21 | | 03/26/04 |
| Dickinson Press (Dickinson ND) | | | | | | | |
| 73 00 | SPR2 | 0 57 | 41 61 | 0 00 | SW Bell - Comtech 21 | | 03/26/04 |
| Fargo, The Forum (Fargo ND) | | | | | | | |
| 61 00 | SPR2 | 0 71 | 43 31 | 0 00 | SW Bell - Comtech 21 | | 03/29/04 |
| Grand Forks Herald (Grand Forks ND) | | | | | | | |
| 64 00 | SPR2 | 0 69 | 44 16 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Jamestown Sun (Jamestown ND) | | | | | | | |
| 75 00 | SPR2 | 0 54 | 40 50 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Minot Daily News (Minot ND) | | | | | | | |
| 77 00 | SPR2 | 0 54 | 41 58 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Valley City Times-Record (Valley City ND) | | | | | | | |
| 67 00 | SPR2 | 0 61 | 40 87 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Wahpeton Daily News (Wahpeton ND) | | | | | | | |
| 91 00 | SPR2 | 0 51 | 46 41 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |
| Williston Herald (Williston ND) | | | | | | | |
| 67.00 | SPR2 | 0 61 | 40 87 | 0 00 | SW Bell - Comtech 21 | | 03/23/04 |

| | | | | | |
|-------------------|--------|--------------|--------|--------------|--------|
| Gross Advertising | 425 66 | Total Misc | 0 00 | Amount Paid | 0 00 |
| Agency Discount | | Tax | 0 00 | Adjustments | 0 00 |
| Other Discount | 0 00 | Total Billed | 425 66 | Payment Date | |
| Service Charge | 0 00 | Unbilled | 0 00 | Balance Due | 425 66 |

6 PU-04-83 ,Pages 1
11 PU-04-98 Pages 1
9 PU-04-107 Pages 1

Affidavit of Publication

by North Dakota Advertising Service, Inc

04/02/2004

CC Comm Legal Ilona Jerry Mike

State Of North Dakota
Public Service Commission
Notice Of Opportunity For Hearing
March 17, 2004

| | |
|-------------|------|
| Bismarck | 3-23 |
| Devils Lake | 3-23 |
| Dickinson | 3-26 |
| Fargo | 3-29 |
| Jamestown | 3-23 |
| Minot | 3-23 |
| Valley City | 3-23 |
| Wahpeton | 3-23 |

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Southwestern Bell Communications Services,
Inc.
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-83

**ACN Communication Services, Inc.
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-98

**Comtech 21, LLC
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-107

AFFIDAVIT OF SERVICE BY CERTIFIED 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 **18th day of March, 2004**, 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 for Hearing

The envelope was addressed as follows

Andrew O Isar
Miller Isar Inc
7901 Skansie Ave Ste 240
Gig Harbor WA 98335
Cert. No. 7002 2410 0003 4911 4806

Monique Byrnes
Technologies Management Inc
P O Drawer 200
Winter Park FL 32790-0200
Cert. No. 7002 2410 0003 4911 4813

Lance J M Steinhart
1720 Windward Concourse Ste 250
Alpharetta GA 30005
Cert. No. 7002 2410 0003 4911 4820

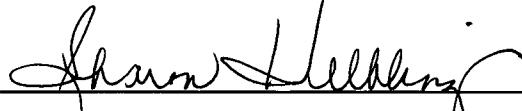

Sharon Helbling further deposes and says that on the **18th day of March, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same

Norman W Descoteaux
Southwestern Bell Communications Services
Inc
5850 W Las Positas Blvd NE137
Pleasanton CA 94588

John di Bene
Southwestern Bell Communications Services
Inc
5850 W Las Positas Blvd
Pleasanton CA 94588

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

Subscribed and sworn to before me
this **18th day of March, 2004**

Notary Public

SEAL

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

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Southwestern Bell Communications Services,
Inc.
Local Exchange
Public Convenience and Necessity

Case No. PU-04-83

ACN Communication Services, Inc.
Local Exchange
Public Convenience and Necessity

Case No. PU-04-98

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

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 **18th day of March, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and e-mailed, each containing a photocopy of

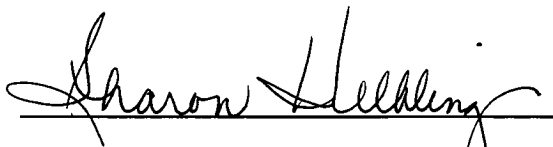
Notice of Opportunity for Hearing

The envelopes were addressed as follows

See Attached List

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

Subscribed and sworn to before me
this **18th day of March, 2004**



Notary Public

SEAL

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

mariep@telcogroupinc.com
Marie Pierre-Paul

wbrudvik@ohustadlaw.com
William Brudvik

dennis.kelley@reconex.com
Dennis Kelley
1-800-Reconex Inc
2500 Industrial Ave
Hubbard OR 97032

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

janetkeller@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

pbannack@windfallintl.com
Paulette Bannack
Computer Network Technology
Corporation
6000 Nathan Lane
Minneapolis MN 55442

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

bryan@consolidatedtelcom.com
Bryan W Personne
Consolidated Telcom

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

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

mjrasher@msn.com
Mary Jane Rasher
DCI Group

drtc@drtel.net
Mark Scallon
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

meredith.gifford@ge.com
Meredith Gifford
GE Business Productivity Solutions Inc
3225 Cumberland Blvd Ste 700
Atlanta GA 30339

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

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

susan.p.green@lmco.com
Susan Green
Lockheed Martin Global Telecomm
12506 Lake Underhill Rd MP 836
Orlando FL 32825

knations@mmfn.com
Karen Nations
Metromedia Fiber Network Services Inc
360 Hamilton Ave
White Plains NY 10601

rostberg@nemontel.net
Ron Ostberg
Missouri Valley Communications Inc
P O Box 600
Scobey MT 59263-0600

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

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

kander@ictc.com
Keith Anderson
Inter-Community Telephone Company LLC
PO Box 8
Nome ND 58062-0008

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

gerrya@midrivers.com
Gerry Anderson
Mid-Rivers Telephone Coop Inc
PO Box 280
Circle MT 59215-0280

sbunn@mlgc.com
Shelie Bunn
Moore & Liberty Telephone Co
Enderlin ND 58027

dhill@ndarec.com
Dennis Hill
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

jsilveira@netlojix.com
Janet Medeiros-Silveira
NetLogix Telecom Inc
501 Bath St
Santa Barbara CA 93101

gregory.diamond@nextelpartners.com
Greg Diamond
Nextel Partners
4500 Carillon Point
Kirkland WA 98033

rer@norlight.com
Robert E Rogers
NorLight Inc
275 N Corporate Dr
Brookfield WI 53045

pat@ndta.net
Patricia Gisinger
North Dakota Telephone Assoc
PO Box 2614
Bismarck ND 58502-2614

ddunning@polarcomm.com
David Dunning
Polar Commun Mut Aid Corp
PO Box 270
Park River ND 58270-0270

ddunning@polarcomm.com
David Dunning
Polar Telecommunications Inc
PO Box T
Park River ND 58270

sschwan@qwest.com
Suzy Schwandt
Qwest Corporation

pschaner@ndarec.com
Patti Schaner
ND Assn Rural Electric Coops
PO Box 727
Mandan ND 58554-0727

info@newaccess.cc
Steven C Clay
New Access Communications LLC
801 Nicollet Ave Ste 350
Minneapolis MN 55402-2519

lclemens@nft.net
Larry Clemens
Noonan Farmers Tele Co
Noonan ND 58765

laurie.willman@nbne.info
Laurie Willman
North By NortheastCom LLC

dwights@nccray.com
Dwight Schmitt
Northwest Communications Coop
PO Box 38
Ray ND 58849-0038

ddunning@polarcomm.com
David Dunning
Polar Telcom Inc
PO Box 270
Park River ND 58270-0270

donn@srt.com
Don Negaard
Pringle and Herigstad P C
PO Box 1000
Minot ND 58702-1000

kblicke@qwest.com
Kent Blickensderfer
Qwest Corporation
PO Box 5508
Bismarck ND 58502-5508

mkambei@qwest.com
Mel Kambeitz
Qwest Corporation
220 N 5th St
Bismarck ND 58501

smacint@qwest.com
Scott Macintosh
Qwest Corporation
PO Box 5508
Bismarck ND 58502-5508

maneill@qwest.com
Mary Ann Neill
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1801 California St Rm 4700
Denver CO 80202

saberry@qwest.com
Sharon Berry
Qwest Corporation
409 1st Ave N
Fargo ND 58102-4802

wbauza@telfile.com
Ayanery Reyes
QX Telecom LLC
230 5th Ave Ste 800
New York NY 10001

pam@tnics.com
Pamela Harrington
RC Communications Inc
PO Box 197
New Effington SD 57255-0197

jeffolson@rrt.net
Jeff Olson
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PO Box 136
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PO Box 136
Abercrombie ND 58001-0136

royce@restel.net
Royce Aslakson
Reservation Telephone Cooperative
Parshall ND 58770

mbrestel@ndak.net
Marcia Burckhard
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shaneh@restel.net
Shane Hart
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pam@tnics.com
Pamela Harrington
Roberts Cty Tele Coop Assoc
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Sue Hamilton
SRT Communications Inc
P O Box 2027
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Steve Lysne
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Chris Morsefield
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janehp@srttel.com
Jane Petersen
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John Reiser
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Minot ND 58702-2027

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Marcy Dickerson
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State Capitol
Bismarck ND 58505

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Lenora Hall
U S Geological Survey

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Jennifer Arnold
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P O Box 327
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Paul Ihland
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Wolverton MN 56594

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Kim Weydahl
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Sharon Thomas
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Michael Spead
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mickg@westriv.com
Mick Grosz
West River Telecommunications Coop
PO Box 467
Hazen ND 58545-0467

Carolyn Fodor
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21290 Melrose Ave
Southfield MI 48075-7901

Patrick Summers
360networks (USA) inc
867 Coal Creek Cir Ste 160
Louisville CO 80027-4670

ACN Communications Services Inc
32991 Hamilton Ct
Farmington Hills MI 48334

Arch Paging
11437 Valley View Rd
Eden Prairie MN 55344

Jack Medaris
Atlas Communications LTD
P O Box 807
Conshohocken PA 19428-0807

Jennifer Whitley
Business Discount Plan Inc
1 World Trade Ctr Ste 800
Long Beach CA 90831-0800

Scott Geston
Cable One of Fargo
P O Box 10624
Fargo ND 58106-0624

Robert Fallan
Coast International
14303 W 95th St
Lenexa KS 66215-5210

Murray Barr
Competitive Strategies Group Inc
164 N Euclid Ave
Oak Park IL 60302-2106

Consolidated Communications Networks
Inc
507 S Main
Dickinson ND 58601

Jennifer Sikes
1-800 Reconex
2500 Industrial Ave
Hubbard OR 97032

Ann Faught
Absaraka Co-op Tele Co
Absaraka ND 58002

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

Kimberly Nielsen
AT&T Wireless
7277 164th Ave NE RTC-1
Redmond WA 98052

John Broten
Bell Atlantic Communications Inc
1320 N Court House Rd 9th Fl
Arlington VA 22201

C12 Inc
200 Galleria Pkwy Ste 1200
Atlanta GA 30339

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

Beth Choroser
Comcast Business Communications Inc
1500 Market St
Philadelphia PA 19102

Computer Integrated Communications Inc
8502 Bells Mill Rd
Potomac MD 20854-4071

Consolidated Telcom
PO Box 1077
Dickinson ND 58601-1077

Contact Communications
937 W Main St
Riverton WY 82501

Covista Inc
1 Mack Ctr Dr
Paramus NJ 07652-3908

D D D Calling Inc
6300 Richmond Ave Ste 304
Houston TX 77057

Keith Larson
Dakota Central Tele Coop
PO Box 299
Carrington ND 58421-0299

Keith Larson
Dakota Central Telecom I
PO Box 299
Carrington ND 58421-0299

William Jackson
Dakota Justice
38 8th Ave W
Dickinson ND 58601

Dave Dircks
DCN LLC
P O Box 180
Devils Lake ND 58301-0180

Dickey Rural Communications Inc
PO Box 69
Ellendale ND 58436-0069

Dickey Rural Services Inc
P O Box 69
Ellendale ND 58436

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

DSLnet Communications LLC
545 Long Wharf Dr
New Haven CT 06511

Easton Telecom Services Inc
3046 Brecksville Rd #A
Richfield OH 44286-9399

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

Evercom Systems Inc
8201 Tristar Dr
Irving TX 75063-2824

Chere Heintzmann
Extend America Inc
1101 E Front Ave
Bismarck ND 58504-5654

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

Lawrence Freedman
Fleischman & Walsh
1400 16th ST NW
Washington DC 20036

France Telecom Corporate Solutions LLC
2300 Corporate Park Dr Mailstop SPO606
Herndon VA 20171

Ronald Rodemerk
Frontier Comm International
180 S Clinton Ave
Rochester NY 14646-0500

Global Tel*Link Corporation
2609 Cameron St
Mobile AL 36607-3104

GLOBCOM INCORPORATED
2100 Sanders Rd Ste 150
Northbrook IL 60062

Lucille Nilson
Griggs County Telephone Co
Cooperstown ND 58425

Houlton Enterprises Inc
2201 W Bdwy Ste 1
Council Bluffs IA 51501

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

Ken Hanks
International Telcom Ltd
417 2nd Ave W
Seattle WA 98119

David A. Huberman
Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

Larry Barnes
IXC/SSC-Regulatory Affairs
1122 S Capital of TX Hwy
Austin TX 78746-6426

Katherine E Ford
U S WEST
1801 California St Ste 5100
Denver CO 80202

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

Thomas K Crowe
Law Offices of Thomas K Crowe PC
1250 24th St NW Ste 300
Washington DC 20037

Granite Telecommunications LLC
234 Copeland St
Quincy MA 02169

Group Long Distance Inc
9500 Toledo Way
Irvine CA 92618-1806

HTC Services Inc
P O Box 55
Halstad MN 56548

Robert K Johnson
IdeaOne Telecom Group LLC
3239 39th St SW
Fargo ND 58104

Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

Nanette Edwards
ITC DELTACOM INC
4092 Memorial Pkwy SW
Huntsville AL 35802-1382

James Valley Coop Telephone Co
235 E 1st Ave
Groton SD 57445

KMAV AM/FM RADIO
PO Box 216
Mayville ND 58257-0216

Myer Shark
Knollwood Place Apts #221
3630 Phillips Pkwy
St Louis Park MN 55426

Level 3 Communications LLC
3555 Farnam St
Omaha NE 68131

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

McKenzie Consolidated Telecom LLC
P O Box 1408
Dickinson ND 58602-1408

Midcontinent Communications
410 South Phillips Ave
Sioux Falls SD 57104

Mark Wilhelmi
Midstate Telephone Co
PO Box 400
Stanley ND 58784-0400

Mike Strand
MITS
PO Box 5237
Helena MT 59604-5237

Dave Crothers
NDATC
Box 1144
Mandan ND 58554-1144

New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661

Carmine Russo
North Dakota Big Sky Telecom
374 Ansin Blvd
Hallandale FL 33009

Jan Lowe
Long Dist Consolidated Billing Co
145 S Livernois Rd #199
Rochester MI 48307-1837

Marilyn Foss
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

MCImetro Access Transmission Services
707 17th ST Ste 3600
Denver CO 80202

McLeodUSA
P O Box 3177
Cedar Rapids IA 52406-3177

Gordon Wilhelmi
Midstate Communications Inc
PO Box 400
Stanley ND 58784-0400

Minnesota Independent Equal Access
Corp
c/o Onvoy Inc
300 S Hwy 169
Minneapolis MN 55426
National Multi Housing Council
1850 M St NW Ste 540
Washington DC 20036

Richard Thronson
Nemont Telephone Cooperative Inc
Scobey MT 59263

Bob Edgerly
Nextel West Corp
2001 Edmund Halley Dr
Reston VA 20191

Dave Dircks
North Dakota Long Distance Inc
P O Box 180
Devils Lake ND 58301-0180

Steven Lysne
North Dakota Network Co
P O Box 2027
Minot ND 58702-2027

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

Holly Sasscer
Operator Communications Inc
3530 Forest Ln Ste 200
Dallas TX 75234-7910

Jeff Walker
Preferred Carrier Services Inc
14681 Midway Rd Ste 105
Dallas TX 75001

Primus Telecommunications Inc
1700 Old Meadow Rd 3rd Fl
McLean VA 22102

Public Communications Services Inc
11859 Wilshire Blvd Ste 600
Los Angeles CA 90025

Qwest Interprise America Inc
1801 California St 49th Fl
Denver CO 80202

Reliant Communications Inc
801 International Pkwy 5th Fl
Lake Mary FL 32746

Sandra Adams
NewPath Holdings Inc
4364 114th St
Des Moines IA 50322
Lisa Dabkowski
SNET America Inc
310 Orange St
North Haven CT 06510-1719

Dave Dircks
North Dakota Telephone Company
PO Box 180
Devils Lake ND 58301-0180

Mary Buley
Onvoy Inc
300 South Highway 169
Minneapolis MN 55426

Brad Van Leur
OrbitCom Inc
1701 N Louise Ave
Sioux Falls SD 57107

Premiere Network Services Inc
1510 N Hampton Rd Ste 120
DeSoto TX 75115

Scott Lee
Protel Advantage Inc
1308 Medora Rd
St. Paul MN 55118-1734

QuantumShift Communications Inc
88 Rowland Way Ste 200
Novato CA 94945-5000

Dean Polkow
RCC Network Inc
PO Box 2000
Alexandria MN 56308-2000

Kimberly Nielson
RTC-1
Legal & External Affairs
7277 164th Ave NE
Redmond WA 98052

ServiSense.com Inc
115 Shawmut Rd
Canton MA 02021-1438

Andrew Jones
Sprint
6391 Sprint Pkwy
Overland Park KS 66251-6100

SRT Communications Inc
P O Box 2027
Minot ND 58702-2027

Harris Saele
T P C Inc
PO Box 180
Devils Lake ND 58301-0180

Jack Medaris
Telco Partners Inc
P O Box 807
Conshohocken PA 19428-0807

Al Bosch
Tele-Beep Company
PO Box 7072
Bismarck ND 58502-7072

Jonathan Marashlian
The Helein Law Group P C
8180 Greensboro Dr Ste 700
McLean VA 22102

Touch America Inc
40 E Bdwy
Butte MT 59701

United Communications HUB Inc
10390 Commerce Ctr Dr Ste 250
Rancho CA 91730-5860

Kenneth Carlson
United Telephone Mut Aid Corp
Langdon ND 58249

Dennis Houston
Universal Network Services of ND
1572 North Batavia St Ste 1A
Orange CA 92867

VarTec Telecom Inc
1600 Viceroy Dr
Dallas TX 75235

Randy Burckhard
SRT Communications Inc
P O Box 2027
Minot ND 58702-2027

Tel Tech Inc
1300 W 57th St Ste G204
Sioux Falls SD 57108-2885

William Staycoff
Telcom Billing Services Inc
2989 Brookdale Dr
Brooklyn Park MN 55444

Telera Communications Inc
910 E Hamilton Ave Ste 200
Campbell CA 95008

T-Netix Inc
P O Box 701028
Dallas TX 75370-1028

Kenneth Carlson
Turtle Mountain Communications
PO Box 729
Langdon ND 58249-0729

Sam Billingsley
United States Advanced Network Inc
3080 Northwoods Cir
Norcross GA 30071-1562

Christina Tygielski
Universal Access Inc
Sears Tower 233 S Wacker Dr Ste 600
Chicago IL 60606-6307

Val-Ed Joint Venture LLP
150 2nd St SW
Perham MN 56573

Randy Houdek
Venture Communications Inc
PO Box 157
Highmore SD 57345-0157

David Armev
Verizon Communications
600 E Hidden Ridge HQE02i33
Irving TX 75038

West River Coop Telephone Co
P O Box 39
Bison SD 57620-0039

Doris Cooper
West River Long Distance Co
PO Box 467
Hazen ND 58545-0467

Western CLEC Corporation
3650 131st Ave SE #400
Bellevue WA 98006

XO Network Services Inc
11111 Sunset Hills Rd
Reston VA 20190

Molli Harper
Verizon Wireless
6350 E Crescent Pkwy Ste 200
Greenwood Village CO 80111

Darrell Henderson
West River Cooperative Telephone
Company
PO Box 39
Bison SD 57620-0039
Mick Grosz
West River Telecomm Coop
PO Box 467
Hazen ND 58545-0467

WTC Competitive Services Inc
P O Box 129
Wolverton MN 56594

Z-Tel Communications Inc
601 S Harbour Island Blvd Ste 220
Tampa FL 33602-5925

Helbling, Sharon D.

From: Helbling, Sharon D
Sent: Thursday, March 18, 2004 9 21 AM
To: ndna (ndna)
Subject: Attached Notice of Opportunity for Hearing

Colleen Park
North Dakota Newspaper Association

Colleen,

Please have the attached Notice of Opportunity for Hearing 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 701-328-4076, or e-mail

Thank you

Sharon Helbling
Public Utilities Division



**1.doc (30
KB)**

7

PU-04-107

Pages 1

Notice mailed to NDNA requesting
publication
by Public Service Commission

03/18/2004

CC: Comm Legal llicha Jerry Mike

APPROVED

MOTION

DATE. 3-17-04
KMF

March 17, 2004

**Southwestern Bell Communications Services, Inc.
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-83

**ACN Communication Services, Inc.
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-98

**Comtech 21, LLC
Local Exchange
Public Convenience and Necessity**

Case No. PU-04-107

I move the Commission issue a Notice of Opportunity for Hearing in the captioned applications for certificates of public convenience and necessity to provide facilities based competitive local exchange telecommunication services in North Dakota.

JRL/sdh

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Southwestern Bell Communications Services, Inc.
Local Exchange
Public Convenience and Necessity

Case No. PU-04-83

ACN Communication Services, Inc.
Local Exchange
Public Convenience and Necessity

Case No. PU-04-98

Comtech 21, LLC
Local Exchange
Public Convenience and Necessity

Case No. PU-04-107

NOTICE OF OPPORTUNITY FOR HEARING

March 17, 2004

On February 25, 2004, Southwestern Bell Communications Services, Inc. of Pleasanton, CA, filed an application for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunication services throughout North Dakota.

On March 4, 2004, ACN Communication Services, Inc. of Farmington Hills, MI, filed application for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunication services throughout North Dakota.

On March 9, 2004, Comtech 21, LLC of Wallingford, CT filed an application for certificates of public convenience and necessity to provide facilities based competitive local exchange telecommunication services in all North Dakota exchanges currently served by Qwest Corporation.

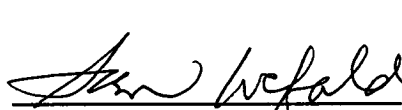
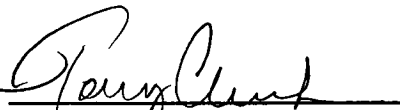
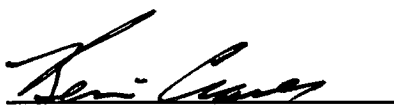
The issues to be considered in these matters are:

1. Fitness and ability of the applicant to provide service.
2. Adequacy of the proposed service.
3. Technical, financial and managerial ability of the applicant to provide service.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **April 20, 2004**. If deemed appropriate, the Commission can determine the matter without a hearing.

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 Ilona Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION

| | | |
|---|--|---|
|  |  |  |
| Susan E. Wefald Commissioner | Tony Clark President | Kevin Cramer Commissioner |



Public Service Commission
State of North Dakota

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
e-mail ndpsc@psc.state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

March 12, 2004

Mr. Lance J.M. Steinhart
Attorney at Law
1720 Windward Concourse, Suite 250
Alpharetta, GA 30005

Re: COMTECH 21, LLC
Case No. PU-04-107

Dear Mr. Steinhart:

As per your request, we are returning the previously filed financial statements marked confidential and proprietary.

If you have any questions, please contact us.

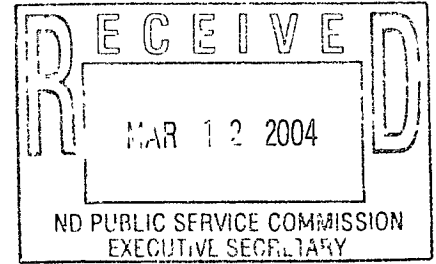
Sincerely,

A handwritten signature in black ink, appearing to read "William W. Binek".

William W. Binek
Chief Counsel

/s/
Enclosure

Lance J.M. Steinhart, P.C.
Attorney At Law
1720 Windward Concourse
Suite 250
Alpharetta, Georgia 30005



Also Admitted in New York
and Maryland

Telephone (770) 232-9200
Facsimile (770) 232-9208
Email lsteinhart@telecomcounsel.com

March 11, 2004

VIA FEDERAL EXPRESS

Mr. Jon Mielke
Executive Secretary
Public Service Commission
State Capitol
600 E Boulevard
Bismarck, ND 58505-0480

Re: COMTECH 21, LLC
Docket No PU-04-107

Dear Mr Mielke:

Enclosed please find for filing an original and seven (7) copies of COMTECH 21, LLC's Financial Statements. The company previously filed financial statements marked confidential and proprietary. Please return the previously filed statements to me. If the enclosed financial statements meet the Commission's requirements, we will not seek trade secret protection for them.

I have enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed preaddressed-postage-prepaid envelope. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lance J.M. Steinhart".

Lance J.M. Steinhart
Attorney for COMTECH 21, LLC

Enclosures
cc Sonja Johnson-Byers

Comtech 21
Income Statement
9 months ended 09/30/2003

| | <u>Comtech 21</u> | |
|--|-------------------|------------------|
| Revenues: | | |
| Total Revenues | \$ | 5,906,915 |
| Total Cost Of Goods Sold | | <u>4,403,565</u> |
| Gross (Profit)/ Loss | \$ | 1,503,350 |
| Total General & Administrative Expenses | | 649,941 |
| Operating (Income) / Loss | \$ | 853,409 |
| Total Other Income and Expenses | | <u>91,535</u> |
| Net (Income) / Loss | \$ | <u>761,875</u> |

Comtech 21
Consolidated Balance Sheet
9/30/2003

Statement of Assets

| | <u>9/30/2003</u> |
|-----------------------------|----------------------------|
| | <u>Comtech 21</u> |
| Assets | |
| Cash & Equivalents | \$ 2,662,407 |
| Prepaid Expenses | 5,707 |
| Total Cash / AR And Prepays | 2,668,114 |
| Fixed Assets: | |
| Net Intangibles | 779,395 |
| Net Fixed Assets | 53,095 |
| Other assets | <u>3,788</u> |
| Total Assets | \$ <u>3,504,392</u> |

Statement of Liabilities And Capital

| | <u>09/30/2003</u> |
|---------------------------------------|----------------------------|
| Accounts Payable And Accrued Expenses | \$ 1,658,433 |
| Notes Payable - LT | 83,106 |
| Financed Leases - LT | - |
| Total Stockholder's Equity | <u>1,762,853</u> |
| Total Liabilities & Equity | \$ <u>3,504,392</u> |

Lance J.M. Steinhart, P.C.
Attorney At Law
1720 Windward Concourse
Suite 250
Alpharetta, Georgia 30005

Also Admitted in New York
and Maryland

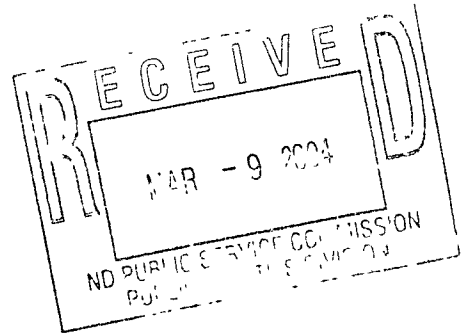
Telephone: (770) 232-9200
Facsimile: (770) 232-9208
Email: lsteinhart@telecomcounsel.com

March 8, 2004

VIA FEDERAL EXPRESS

Mr. Jon Mielke
Executive Secretary
Public Service Commission
State Capitol
600 E. Boulevard
Bismarck, ND 58505-0480

Re: COMTECH 21, LLC



Dear Mr. Mielke:

Enclosed please find for filing an original and seven (7) copies of COMTECH 21, LLC's Application for a Certificate of Public Convenience and Necessity to Provide Telecommunications Services.

APPLICANT HAS ALSO ENCLOSED ONE COPY OF FINANCIAL STATEMENTS IN A SEPARATE ENVELOPE MARKED "CONFIDENTIAL AND PROPRIETARY" AND RESPECTFULLY REQUESTS CONFIDENTIAL TREATMENT OF THE ENCLOSED FINANCIAL INFORMATION. APPLICANT EXPECTS THAT THIS INFORMATION WILL BE RESTRICTED TO COUNSEL, AGENTS AND EMPLOYEES WHO ARE SPECIFICALLY ASSIGNED TO THIS APPLICATION BY THE COMMISSION.

I have enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed preaddressed-postage-prepaid envelope. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,


Lance J.M. Steinhart
Attorney for COMTECH 21, LLC

Enclosures

cc: Sonja Johnson-Byers

1 PU-04-107 Pages 0

Trade Secret Material

by Comtech 21, LLC

03/09/2004

CC: Comm Legal Ilona Jerry Mike

2 PU-04-107 Pages 23

Application for Local Exchange Certificate
of P.C. 211
by Comtech 21, LLC

03/09/2004

CC: Comm Legal Ilona Jerry Mike

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

In the matter of the Application of)
COMTECH 21, LLC)
for a Certificate of)
Public Convenience and Necessity to)
provide Telecommunications Services)

Docket No. _____

The applicant, COMTECH 21, LLC (“Comtech 21”) a Limited Liability Company organized and existing under the laws of the State of Delaware with its principal place of business of One Barnes Park South, Wallingford, Connecticut 06492, does hereby represent and show the Commission as follows:

1. On April 19, 2000, the North Dakota Secretary of State issued to Comtech 21 a Certificate of Authority under the provisions of North Dakota law governing limited liability companies, giving it authority to do business in the State of North Dakota and a copy of such certificate is submitted with this application.

2. Comtech 21 was organized as a Delaware Limited Liability Company to engage in the business of offering telecommunications services, including local exchange and toll telephone service, and intends to offer these services throughout the United States. By this application, Comtech 21 requests a Certificate of Public Convenience and Necessity to provide local exchange along with other telecommunications services at all locations throughout the State of North Dakota that are currently served by Qwest Communications, Inc.

3. Comtech 21 has been granted a Certificate of Registration to resell interexchange services in North Dakota, and has applied for a Certificate of Registration to resell local exchange services in North Dakota.

The following exhibits are attached to this application and incorporated herein by this reference:

Exhibit 1: A copy of the Certificate of Authority of Comtech 21 issued by the State of North Dakota;

Exhibit 2 A certificate of Good Standing from the State of North Dakota,

Exhibit 3: Service Area Map

Exhibit 4. A copy of Comtech 21's Balance Sheets as of December 31, 2001, December 31, 2002 and September 30, 2003; Income Statement for the nine months ended September 30, 2003, Statements of Operations and Member Equity for the years ended December 31, 2001 and December 31, 2002; and Statements of Cash Flows for the years ended December 31, 2001 and December 31, 2002.

Exhibit 5: Affidavit of Marie Marcarelli

Exhibit 6: Biographical Information

3 All correspondence and notices regarding this application should be directed to Lance J.M. Steinhart, of the Law Office of Lance J.M Steinhart, PC, 1720 Windward Concourse, Suite 250, Alpharetta, Georgia 30005, whose telephone and fax numbers are 770-232-9200 and 770-232-9208 respectively.

4. The rate structure for providing local exchange and toll services is intended to be Competitive with the rates charged by the incumbent provider(s).

5. Comtech 21 is fit and has the experience and ability to provide the local exchange and toll services for which authority is sought herein. Comtech 21 intends to provide all forms of intrastate service including:

- A Local Exchange Services that will enable customers to originate and terminate local calls in the local calling area served by other LECs
- B Switched local exchange services; vertical services, Direct Inward and Outward Dialed trunks, carrier access, and any other switched local services that currently exist or will exist in the future.
- C. Non-switched local services (e.g., private line) that currently exist or will exist in the future.
- D. Centrex and/or Centrex-like services that currently exist or will exist in the future.
- E Digital subscriber line, ISDN, frame-relay, and other high capacity line services.
- F. Ancillary Services (911, directory listing, directory assistance, etc)
- G. Interexchange (switched and dedicated services): 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, calling cards, and data services.

6. Comtech 21 has the technical, financial and managerial ability to provide the indicated services.

7 By enacting the Telecommunications Act of 1996, Congress has established a national public policy of opening the local exchange to competition and increasing the level of competition in all other areas of telecommunications services Congress perceived a need for such competition, and Comtech 21 hopes to meet this need to the ultimate benefit of North Dakota consumers

8 Comtech 21 intends to provide local exchange telecommunications services in those geographic areas in North Dakota currently served by Qwest as illustrated in the exchange area maps attached hereto as Exhibit 3.

9 The Public Service Commission ("Commission") for the State of North Dakota has Authority to grant this application under the provision of Chapter 49-03 1 of the North Dakota Century Code and the Commission's Rules of Practice and Procedure.

WHEREFORE, Comtech 21 respectfully requests that a Certificate of Public Convenience and Necessity be issued for the services sought herein following appropriate notice, and further, Comtech 21 respectfully requests that the Certificate of Public Convenience and Necessity be issued without hearing, if appropriate, according to the applicable statutes and the rules and regulations of the Commission.

Dated this 8th of May, 2004.

COMTECH 21, LLC

By: _____

Lance J M. Steinhart

Lance J.M Steinhart, PC

1720 Windward Concourse, Suite 250

Alpharetta, Georgia 30005

Telephone No 770-232-9200

Facsimile No : 770-232-9208

Email lsteinhart@telecomcounsel.com

Attorney for Applicant

Exhibit 1: A copy of the Certificate of Authority of Comtech 21 issued by the State of North Dakota

SALES SUPPORT 4013

State of North Dakota

SECRETARY OF STATE



**CERTIFICATE OF AUTHORITY
OF**

COMTECH 21, LLC

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that an application of

COMTECH 21, LLC

for a Certificate of Authority to transact business in this State, duly signed and executed as required by North Dakota statutes governing a FOREIGN LIMITED LIABILITY COMPANY, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Authority to

COMTECH 21, LLC

to transact business in this State under the name of

COMTECH 21, LLC

Issued: April 19, 2000

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State

Exhibit 2: A certificate of Good Standing from the State of North Dakota

State of North Dakota

SECRETARY OF STATE



CERTIFICATE OF GOOD STANDING OF

COMTECH 21, LLC

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that COMTECH 21, LLC, a FOREIGN LIMITED LIABILITY COMPANY, authorized to transact business in the State of North Dakota on April 19, 2000, and according to the records of this office as of this date, has paid all fees due this office as required by North Dakota statutes governing a FOREIGN LIMITED LIABILITY COMPANY.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Good Standing to

COMTECH 21, LLC

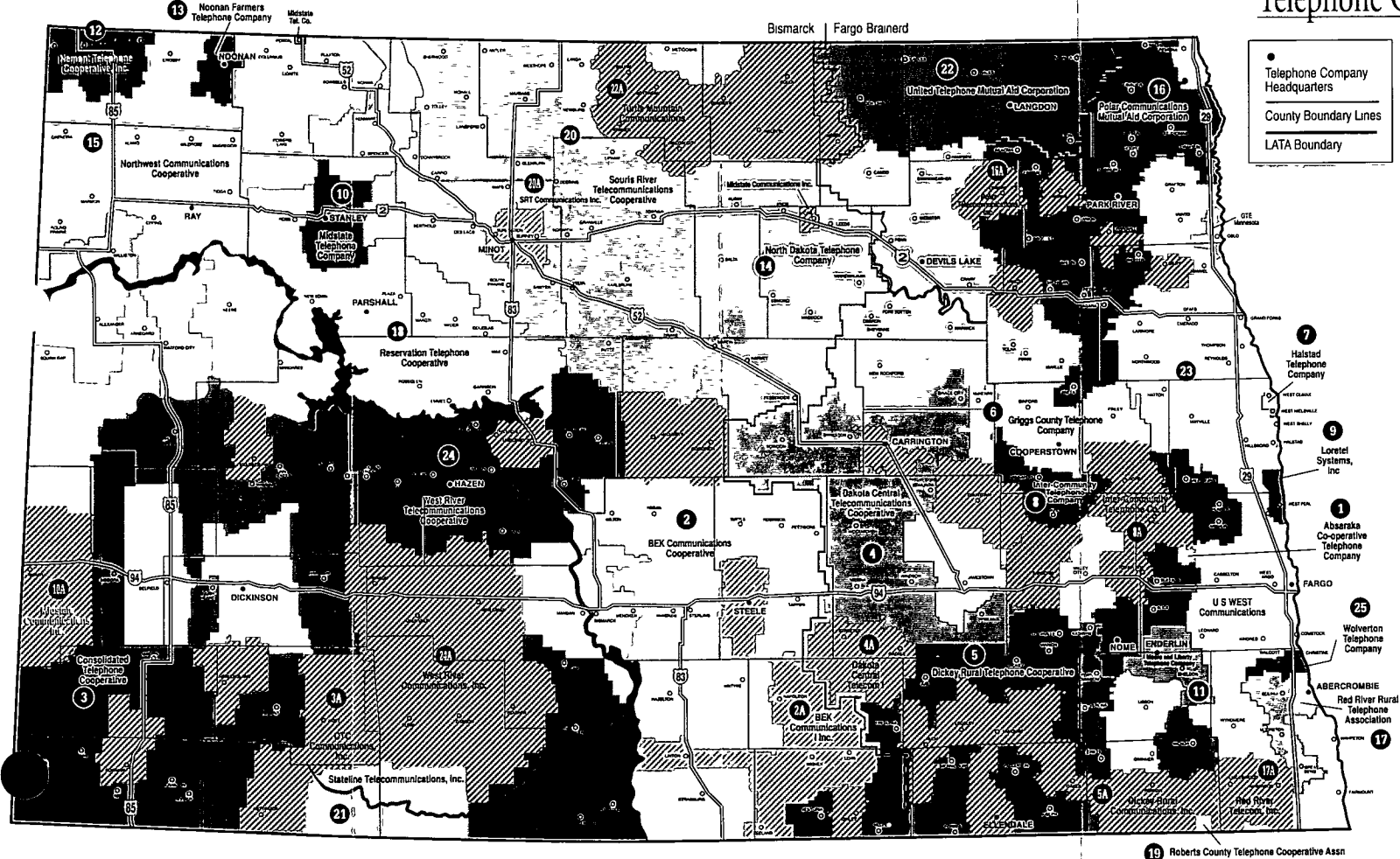
Issued: February 25, 2004

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State

Exhibit 3: Service Area Map

Telephone Companies Service Area



Local Exchange Companies

| | | |
|-----|---|----------------|
| 1 | Absaraka Co-operative Telephone Company | (701) 896-3404 |
| 2 | BEK Communications Cooperative | (701) 475-2361 |
| 2A | BEK Communications I Inc | |
| 3 | Consolidated Telephone Cooperative | (701) 225-6061 |
| 3A | CTC Communications, Inc | |
| 4 | Dakota Central Telecommunications Cooperative | (701) 652 3184 |
| 4A | Dakota Central Telecom I | |
| 5 | Dickey Rural Telephone Cooperative | (701) 349 3687 |
| 5A | Dickey Rural Communications, Inc | |
| 6 | Griggs County Telephone Company | (701) 797 3301 |
| 7 | Halstad Telephone Company | (218) 456-2125 |
| 8 | Inter-Community Telephone Company | (701) 924-8815 |
| 8A | Inter-Community Telephone Co II | |
| 9 | Loretel Systems, Inc | (218) 794 7171 |
| 10 | Midstate Telephone Company | (701) 628 2522 |
| 10A | Midstate Communications Inc | |
| 11 | Moore and Liberty Telephone Company | (701) 437 3300 |
| 12 | Nemont Telephone Cooperative, Inc | (406) 783-5654 |
| 13 | Noonan Farmers Telephone Company | (701) 925-5717 |
| 14 | North Dakota Telephone Company | (701) 662 1700 |
| 15 | Northwest Communications Cooperative | (701) 568-3331 |
| 16 | Polar Communications Mutual Aid Corporation | (701) 284 7221 |
| 16A | Polar Telecommunications, Inc | |
| 17 | Red River Rural Telephone Association | (701) 553-8309 |
| 17A | Red River Telecom, Inc | |
| 18 | Reservation Telephone Cooperative | (701) 862 3115 |
| 19 | Roberts County Telephone Cooperative Assn | (605) 637 5211 |
| 20 | Sours River Telecommunications Cooperative | (701) 858 1200 |
| 20A | SRT Communications Inc | |
| 21 | StateLine Telecommunications, Inc | (605) 244 5236 |
| 22 | United Telephone Mutual Aid Corporation | (701) 256-5156 |
| 22A | Turtle Mountain Communications | |
| 23 | U S WEST Communications | (701) 241 3491 |
| 24 | West River Telecommunications Cooperative | (701) 748-2211 |
| 24A | West River Communications, Inc | |
| 25 | Wolverton Telephone Company | (218) 995-2900 |

Exhibit 4: A copy of Comtech 21's Balance Sheets as of December 31, 2001, December 31, 2002 and September 30, 2003; Income Statement for the nine months ended September 30, 2003; Statements of Operations and Member Equity for the years ended December 31, 2001 and December 31, 2002; and Statements of Cash Flows for the years ended December 31, 2001 and December 31, 2002

Exhibit 5: Affidavit of Marie Marcarelli

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

In the matter of the Application of)
COMTECH 21, LLC)
for a Certificate of)
Public Convenience and Necessity to)
provide Telecommunications Services)

Docket No _____

AFFIDAVIT OF MARIE MARCARELLI

INTRODUCTION

My name is Marie Marcarelli. My business address is One Barnes Park South, Wallingford, Connecticut 06492. I am the Executive Vice-President of COMTECH 21, LLC (“Comtech 21”). I am responsible for all regulatory matters.

The purpose of my affidavit is to demonstrate the fitness of the applicant Comtech 21 to operate as a facilities-based CLEC in the areas of North Dakota currently served by Qwest Communications, Inc. (“Qwest”). As described in Comtech 21’s Application, Comtech 21’s proposes to provide a range of facilities-based, basic and high capacity local exchange services, including but not limited to: local dial tone, calling features such as call waiting, data services, switched and dedicated trunks, digital subscriber line, and exchange access services. Comtech 21 may also offer local services by utilizing the switching and transport capacity of other existing telecommunications providers pursuant to negotiated or tariffed arrangements

Comtech 21 will provide services by purchasing unbundled network elements, utilizing ILEC facilities. The company has no current plans to install facilities in the State of North Dakota. If Comtech 21 installs facilities in North Dakota, it will probably use the following or a similar configuration of equipment. Comtech 21 will provide voice and high speed data services through a

combination of the latest technology switching and transport media comprised of the Lucent Technology 5 ESS Generic 13 switch module, ADSL/SDSL transport and Internet service equipment and the latest Optical multiplexer DAC's configurations. The switching system consists of a central processing and control complex capable of interconnection as a peer to the incumbent as well as competitive local exchange companies. The hub portion of the switch will interconnect with the public switched network on Signaling System 7 ("SS7") or Feature Group D ("FGD") facilities. The system's remote module capability will allow properties to be served in a manner that provides the exchange of appropriate signaling, control and calling/caller information to the network in accordance with network standards and specifications. Additionally, these services will be delivered over a combination of delivery mechanisms through incumbent local carriers' unbundled loop network, both copper and fiber and transport networks, as well as via Comtech 21 constructed facilities. Comtech 21 has commenced interconnection negotiations with Qwest, and will obtain Commission approval of any agreement negotiated.

DESCRIPTION AND QUALIFICATIONS OF Comtech 21

Comtech 21 is a Limited Liability Company organized under the laws of the State of Delaware. Comtech 21 is qualified to conduct business within the State of North Dakota as a foreign business entity. Applicant is currently authorized to provide and is providing resold interexchange services throughout the United States.

Applicant is currently authorized to provide, and is providing, resold interexchange services throughout the United States. Applicant is in the process of applying for authorization to provide competitive local exchange services throughout the United States. Applicant is currently authorized to provide resold and facilities-based/UNE-P local exchange service in Colorado, Connecticut, Massachusetts, Montana, New York, Pennsylvania, Rhode Island, Vermont and Wisconsin. Applicant has not been denied authority for any of the services for which it seeks authority in this Application. Comtech 21 is well qualified, managerially, technically and financially to provide the competitive local exchange services for which authority is requested in its Application.

The senior management of Comtech 21 has great depth in the telecommunications industry and offer extensive telecommunications business technical and managerial expertise. Biographical information on key members of Comtech 21's management team is attached to the application as Exhibit 6.

Comtech 21 has sufficient financial capability to provide the requested telecommunications services in North Dakota and the financial capability to maintain those services. Applicant's proposed competitive local exchange service is economically feasible and in the public interest.

Comtech 21's management team will adhere to a strict and high standard of service policies and procedures which will ensure continued quality service. As a new entrant in the North Dakota telecommunications market, Comtech 21 will be able to win over a keep customers only through consistent application of those policies and procedures. Additionally, Comtech 21 will maintain a customer service department. Customer service representatives will be trained in all areas of customer complaints and services and will be held to the highest standards of accountability and ethics. Customers will be able to reach Comtech 21 customer service via a local or toll-free number 24 hours a day, seven days a week.

PUBLIC CONVENIENCE AND NECESSITY

A decision by the Commission to grant Comtech 21 authority to provide competitive local exchange telecommunications services is in the public interest. Comtech 21 is well qualified to operate as such a service provider in North Dakota. Consumers of telecommunications services in North Dakota will receive the benefits of downward pressure on prices, increased choice, improved quality of service and customer responsiveness, innovative service offerings, and access to increasingly advanced telecommunications technology. The market incentives for new and existing providers of telecommunications services will be improved through an increase in the diversity of suppliers and competition within the local exchange telecommunications market. Granting Comtech 21's Application would enhance this development of competition in the local exchange market and provide the consumers of North Dakota with all of the benefits described above.

The grant of Comtech 21's application will preserve and advance universal service, safeguard the rights of consumers, protect the public health, safety and welfare, and promote the

The grant of Comtech21's application will preserve and advance universal service, safeguard the rights of consumers, protect the public health, safety and welfare, and promote the public interest. Comtech21 is an alternative, competitive carrier which intends to provide telecommunications services targeted toward small and medium size businesses. Comtech21 will thus give these customers in North Dakota a real choice for their telecommunications needs.

CONCLUSION

Comtech21's Application and my Affidavit in support thereof demonstrate that Comtech21 possesses all the requisite qualifications to be a competitive local exchange service provider in North Dakota, and that the grant of this request is in the public interest.

COMTECH 21, LLC



Marie Marcarelli

Its: Executive Vice-President

VERIFICATION

State of Connecticut)

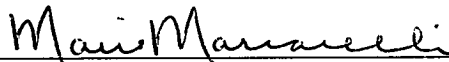
)

County of New Haven)

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Case No. PU-_____

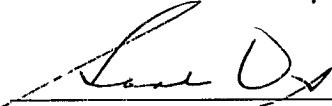
I, Marie Marcarelli, do on oath depose and state that the facts contained in the foregoing statement are true and correct to the best of my knowledge and belief.



Marie Marcarelli

Its: Executive Vice-President

Subscribed and sworn to me
this 2nd day of February, 2004.



Notary Public

My Com. Exp. 2/28/08

Exhibit 6: Biographical Information

PRINCIPLE OFFICERS OF COMTECH21, LLC

The Company's management team is comprised of key individuals with a wide range of telecommunications, public reporting and business experience from large carriers and entrepreneurial reseller firms. The team is highly qualified with solid backgrounds and extensive experience with Local Telephone Service, Long Distance Telephone Service, Data Services, Enhanced Services and Wireless Communication Services.

Richard Minervino Sr., Chairman and Chief Executive Officer
One Barnes Park South, Wallingford, CT 06492

Minervino is a 50 year industry veteran and the Company's founder. An insightful strategist who understands his customers needs, Minervino started his career at Southern New England Telephone in 1952 where over twelve years he held a variety of technical positions and was promoted to marketing manager specializing in telecommunications needs for the insurance industry.

Sensing opportunity, Minervino left the Bell System in 1964, traveling the world as a telecommunications consultant, one of the first in the industry. His client list reads like a Who's Who in American business. Aetna Insurance Company, Amerada Hess, Commonwealth Oil, Cerro Corporation, Colt Industries, Harvey Aluminum, R.J. Reynolds, ITT-Virgin Islands Telephone, Kidder Peabody, BBDO, Grey Advertising, Ogilvy & Mather, Inter Public, Needham Harper & Steers, J. Walter Thompson, Yale University, Emery, Purolator, IBM and his old company, Southern New England Telephone, to name just a few. Minervino also established a telecommunications consulting practice for Booz-Allen & Hamilton where he served as senior officer in charge. Mr. Minervino is an avid inventor and innovator, holding numerous copyrights and patents. Throughout his many years of experience in a broad range of business telecommunications situations, one shortcoming stood out repeatedly: there existed no highly reliable and accurate system to provide management information of a company's entire telephone system, so in 1970 Minervino began to develop just such a system, and established the first hardware-software forerunner of what eventually resulted in the Awareness@ Service.

The first such system went into operation on a test basis in 1972 in conjunction with Phoenix Mutual, and after twelve months, the results were clear and dramatic; telephone expense, which had been skyrocketing in previous years, was reduced by over 30 percent. Results in hand, Minervino installed similar systems at a number of his clients' facilities - - Aetna, Connecticut Mutual, New England Mutual Life, Paul Revere and others, and began to further refine the systems design and output. Proving that his new telecommunications management information systems were effective, and viable as a product, Minervino has continually developed new and useful services which continue to reduce client's telecommunications expenses substantially. Billing has always been fundamental to Minervino, touting his philosophy that reliable and accurate internal billing procedures will trim usage costs by prudently restraining overuse, misuse and abuse; he created the first customized Virtual Network Billing ("V-NET billing") package in 1984, to service the billing needs of Emery Worldwide, taking the departmental, divisional and location based cost allocation systems to the next level. This combined nucleus of unique capabilities provided the groundwork for Minervino Companies long distance reseller billing services and the cellular and beeper service billing environments, as well as University and Student billing. Harvard University is one of the many university billing clients throughout the country.

Today, the system has grown from a simple elemental billing system to an operation and support system ("OSS") covering more than 25 telecommunication services. Always focused on customer cost savings, Minervino recently developed the unique Prescient service which provides bill

simplification, verification, and improved productivity while reducing overhead for hospitals and other billing intensive businesses.

**Marie Marcarelli, Executive Vice President – Operations
One Barnes Park South, Wallingford, CT 06492**

Marcarelli began her career in telecommunications in 1973 at Southern New England Telephone Company (SNET) in New Haven, Connecticut where she held positions in engineering, regulatory matters, secretary and treasury, and SNET Systems. Working under the president of the SNET Diversified Group, which managed the unregulated entities of SNET such as SNET-Cellular, SNET Systems and Lightnet.

In 1989 Marcarelli was engaged by MIC, a Minervino company, as director of administration and shortly thereafter was promoted to vice president where in 1990, she was responsible for development of the operations organization supporting the call accounting Awareness® service and the network optimization services "Precision".

In recent years Marie has successfully created a back office company supporting customers of Profitec Billing Services, Inc. another Minervino Company.

Marcarelli is also responsible for creating and developing the back office operations of Prescient. The newest of the Minervino Companies. Prescient provides telecommunications billing verification and validation services to the government and major corporations.

Marcarelli has moved to the position of Executive Vice President of Operations overseeing ComTech21, a telecommunications provider.

PM-94-197

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
Lance J M Steinhart
1720 Windward Concourse
Ste 250
Alpharetta Ga 30005

2 Article Number
 (Transfer from service label)

7002 2410 0003 4911 4820

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

COMPLETE THIS SECTION ON DELIVERY

A Signature Agent Addressee
X [Signature]

B Received by (Printed Name) C Date of Delivery
 [Blank] *3/23/04*

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

PM-04-107

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
Lance J M Steinhart
1720 Windward Concourse
Ste 150
Alpharetta Ga 30005

2 Article Number
 (Transfer from service label)

7002 2410 0003 4912 5819

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-0985

COMPLETE THIS SECTION ON DELIVERY

A Signature Agent Addressee
X [Signature]

B Received by (Printed Name) C Date of Delivery
 [Blank] [Blank]

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