

# DIVIDER

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

## DESCRIPTION

**PU-04-138**  
Red River Telecom, Inc. et al.  
Number Portability  
Compliance  
Filed 3/24/2004

Closed 6/14/2004

04

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Red River Telecom, Inc., et al.  
Number Portability  
Compliance

Case No. PU-04-138

AFFIDAVIT OF SERVICE BY CERTIFIED AND ORDINARY MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sharon Helbling** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **15th day of April, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of

**Order Dismissing Petition**

The envelopes were addressed as follows:

Don Negaard  
Pringle & Herigstad  
P O Box 1000  
Minot ND 58702-1000  
**Cert. No. 7002 2410 0003 4911 4950**

A W Stokes  
Stokes Law Office  
P O Box 1266  
Wahpeton ND 58074-1266  
**Cert. No. 7002 2410 0003 4911 4967**

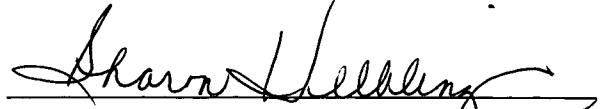
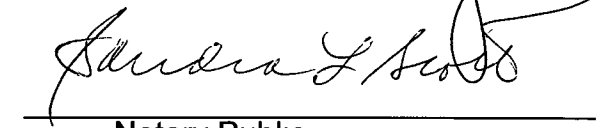
**Sharon Helbling** further deposes and says that on the **15th day of April, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Jeffrey J Olson  
Red River Telecom Inc  
Red River Telephone Association  
P O Box 136  
Abercrombie ND 58001

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

Subscribed and sworn to before me  
this **15th day of April, 2004.**

SEAL

  
  
Notary Public

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

**MOTION**

**APPROVED**

DATE: 4-14-04  
KMF

**April 14, 2004**

**Red River Telecom, Inc., et al  
Number Portability  
Compliance**

**Case No. PU-04-138**

I move the Commission adopt the Order Dismissing Petition in Red River  
Telecom, Inc., et al's Number Portability Compliance proceeding, Case No. PU-04-138.

WWB/sdh

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Red River Telecom, Inc., et al.  
Number Portability  
Compliance

Case No. PU-04-138

ORDER DISMISSING PETITION

Preliminary Statement

On March 4, 2004, Red River Rural Telephone Association and Red River Telecom, Inc (Red River) filed a request for suspension or modification of Section 251(b)(2) of the Telecommunication Act (Act) Section 251(b)(2) requires all local exchange carriers to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the FCC

Section 251(f)(2) provides in pertinent part that "[a] local exchange carrier with fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nation-wide may petition a State commission for a suspension or modification of the application of a requirement or requirements of subsection (b) or (c) to telephone exchange services specified in such petition."

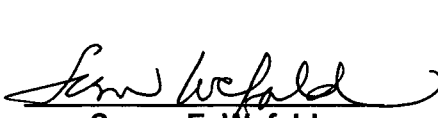
The Legislature has limited the Commission's authority under N D C C § 49-21-01 7(11) to "[d]etermine whether to terminate a rural telephone company's exemption under section 251(f) of the federal act " The authority under the Act to grant a rural telephone company's rural exemption is found in Section 251(f)(1) The Legislature has been meticulous in limiting Commission authority over telecommunications companies The Legislature has not given the Commission authority to grant a "suspension or modification" for a rural carrier under section 251(f)(2) of the Act The Commission has only such powers in the regulation of public utilities as have been conferred upon it by the Legislature *Williams Electric Coop. v. Montana-Dakota Utilities Co* , 79 N W 508, 516 (N D 1956)

The Commission finds that its authority under N D C C § 49-21-01 7(11) is limited to granting requests for "exemptions" for rural carriers and does not extend to "suspensions and modifications "

Order

The Commission orders the Petition of Red River Rural Telephone Association Inc and Red River Telecom, Inc dismissed for lack of Commission jurisdiction

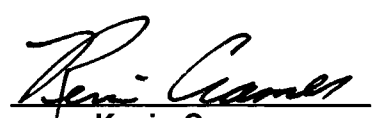
PUBLIC SERVICE COMMISSION



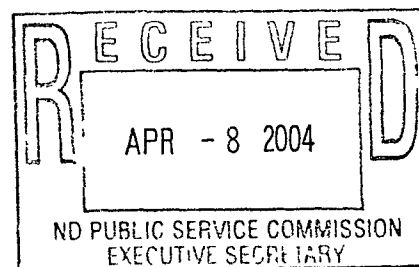
Susan E. Wefald  
Commissioner



Tony Clark  
President



Kevin Cramer  
Commissioner



To: Bill Binek & Illona Jeffcoat-Sacco

Re: Red River Rural Telephone Association  
Application for suspension of LNP

April 8, 2004

We have reviewed the Memorandum concerning the North Dakota Public Service Commission's ( the Commission) ability to grant a suspension of Red River Rural Telephone Association's (Red River) duty of providing Line Number Portability (LNP) as required by the Federal Communications Commission (FCC).

While we respect the opinion that granting a suspension is not one of the specifically enumerated powers of the Commission, Section 49-21-02 of the North Dakota Century Code does state that telecommunications carriers are affected with the public interest and are subject to general supervision by the Commission. That statute then goes on to state that the purposes to be served by the supervision are "[availability] of modern and efficient ...services at the most reasonable economic and reasonable cost" and "to allow the development of competitive markets".

While we appreciate the respect and deference shown to the legislature with respect to enumerated authorizations we respectfully submit that the application of Red River to seek a suspension of its duties (while Red River analyzes the most efficient switch needed for its service to North Dakota residents) is within the legislative intent of 49-21-02. This grant of authority should be used in this instance to suspend the FCC's mandates and allow the Congressional intent of 251(f) of the Federal Act to be met. Section 251(f)(2) of the Federal Act is specific statement of Congressional intent that state commissions have the authority to grant suspensions and modifications to small companies when it is necessary to avoid imposing a requirement that is unduly economically burdensome and is consistent with public need and necessity.

Red River is considering the installation of a new switch at this point. If it is required to implement LNP in the current switch and it does decide to install a new switch it will be faced with a stranded investment in software that will not be compatible with a new switch. It merely seeks suspension of the LNP requirement until it has a chance to determine what its needs are and what software should be loaded into the switch. Requiring the installation of software in an old switch that would be obsolete in a new switch is certainly an unduly economically burdensome requirement and would not be in the public interest.

We would suggest that if the Commission had the authority to implement Triennial Review without a specific authorization in 49-21-01.7 it surely has the authority in this instance as well. We request the Commission act favorably on Red River's request.



LAW OFFICES OF

PRINGLE & HERIGSTAD, P.C.

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ROGER O. HERIGSTAD
(1919-2003)

FAX Transmission Sheet

Date: 4-8-04

To: NDPSC

Company:

Fax Number: 701-328-2410

FROM: PRINGLE & HERIGSTAD, P.C.
Don Negaard

Fax Number: 701-857-1361

Confirmation Number: 701-852-0381

You should receive 3 page(s) including this cover sheet
IF YOU DO NOT RECEIVE ALL STATED PAGES, PLEASE CALL IMMEDIATELY

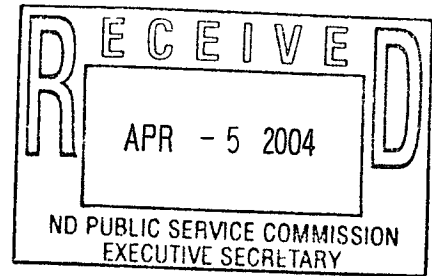
Can you please see Mr. Bink, Ms. Jefferson & Sonnet
The Commission have this for the 1:00pm meeting
today.
Thanks.
D

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MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY
DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED.
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[checked] NOT SENT
[ ] MAILED
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MEMORANDUM

TO: Commissioners Clark, Wefald and Cramer  
Illona Jeffcoat-Sacco  
PUD  
Legal



FROM: Bill Binek

DATE: April 5, 2004

RE: Red River Telecom Waiver of Number Portability, PU-04-138

On March 4, 2004, Red River Rural Telephone Association and Red River Telecom, Inc. (Red River) filed a request for suspension or modification of Section 251(b)(2) of the Telecommunication Act (Act). Section 251(b)(2) requires all local exchange carriers to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the FCC.

Red River argues that the Act Public Service Commission (Commission) has authority under Section 251(f)(2) to grant the relief requested. Section 251(f)(2) provides in pertinent part that “[a] local exchange carrier with fewer than 2 percent of the Nation’s subscriber lines installed in the aggregate nation-wide may petition a State commission for a suspension or modification of the application of the application of a requirement of requirements of subsection (b) or (c) to telephone exchange services specified in such petition.”

Red River is correct in its argument to the extent that Section 252(f)(2) of the Act gives the Commission authority to grant the relief requested. The problem is that state law does not give the Commission the authority to grant the relief Red River is requesting. The Legislature has limited the Commission’s authority under N.D.C.C. § 49-21-01.7(11) to “[d]etermine whether to terminate a rural telephone company’s **exemption** under section 251(f) of the federal act.” (Emphasis supplied). The authority under the Act to grant a rural telephone company’s rural exemption is found in Section 251(f)(1). The Legislature has not given the Commission authority to grant **“Suspensions and Modifications for Rural Carriers.”** (Emphasis supplied). The Commission’s authority under N.D.C.C. § 49-21-01.7(11) clearly is limited to granting requests for “exemptions” for rural carriers and does not extend to “suspensions and modifications.”

The Legislature has been meticulous in limiting Commission authority over telecommunications companies, and the Supreme Court has specifically ruled that the Commission has only such powers in the regulation of public utilities as have been conferred upon it by the Legislature. *Williams Electric Coop. V. Montana-Dakota Utilities Co.*, 79 N.W. 508, 516 (N.D. 1956).

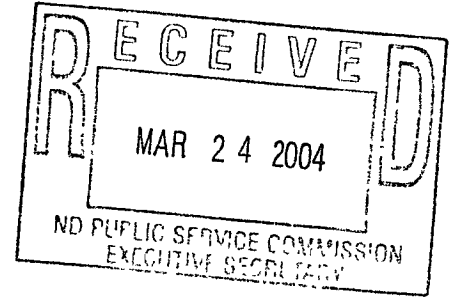
**STOKES LAW OFFICE**  
**Attorney & Counselor at Law**  
702 2nd Ave North  
P.O. Box 1266  
Wahpeton, North Dakota 58074-1266  
Telephone: 701-642-8813

A. W. Stokes  
Attorney

Fax: 701-642-4500

March 24, 2004

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



Re: Red River Rural Telephone Association & Red River Telecom, Inc.

Dear Jon:

Enclosed for filing on behalf of the above named is an original and seven (7) copies of a Petition requesting that the Public Service Commission grant a suspension or modification of Section 251(b)(2) of the Act regarding intermodal number portability. A copy of the petition and this letter was also faxed to your office on this date.

Petitioner also is requesting that the commission grant an immediate suspension of Section 251(b)(2) pending their determination of the request as more fully set forth in the petition.

If anything further is needed, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. W. Stokes".

A. W. Stokes

enc. Petitions

2

FU-04-138

Page 1

Cover letter re: con. public filing

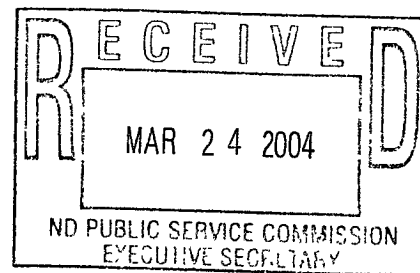
by Red River Telecom, Inc. et al

03/24/2004

CC Comm Legal PUD, 01

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**IN THE MATTER OF THE PETITION OF )  
RED RIVER RURAL TELEPHONE ASSOCIATION )  
INC. AND RED RIVER TELECOM, INC. )  
FOR SUSPENSION OF § 251(b)(2) OF THE )  
THE COMMUNICATIONS ACT OF 1934 )  
AS AMENDED (INTERMODAL LOCAL )  
NUMBER PORTABILITY OBLIGATIONS) )**



**Docket No. \_\_\_\_\_**

**I. INTRODUCTION**

Pursuant to Section 251(f)(2) of the Communications Act of 1934, as amended (the Act), Red River Rural Telephone Association, Inc. (RRRTA) and Red River Telecom, Inc (RRT) referred to collectively as "Petitioner" hereby respectfully requests that the Public Utilities Commission of the State of North Dakota (Commission) grant a suspension or modification of Section 251(b)(2) of the Act regarding intermodal (wireline to wireless) number portability. The Petitioner also requests an immediate suspension of Section 251(b)(2) pending this Commission's consideration of the suspension request until six (6) months following the Commission's decision.

Section 251(b)(2) states that all local exchange carriers (LECs) have "[t]he duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission."<sup>1</sup> The Federal Communications Commission (FCC) established rules to implement local number portability (LNP) by wireline carriers.<sup>2</sup> Pursuant to those rules, portability between wireline carriers was limited to the LEC rate center. In a Memorandum Opinion and Order and Further Notice of Proposed Rulemaking released on November 10, 2003,<sup>3</sup> the FCC clarified the LECs' obligations to provide LNP to wireless carriers and found

<sup>1</sup> 47 U.S.C. §251(b)(2)

<sup>2</sup> 47 C.F.R. §§23-52.29 and 52.32-52.33

<sup>3</sup> Telephone Number Portability, *Memorandum Opinion and Order and* CC Docket No. 95-116, FCC 03-284 (rel. November 10, 2003) (Order)

that LECs must implement LNP to allow porting to wireless carriers even when the wireless carrier does not have a point of interconnection or telephone numbers in the LEC's affected rate center. The FCC did not require porting from a wireless carrier to a wireline carrier, however, when there is a "mismatch" in rate centers. Rather, the FCC instituted a rulemaking to examine how such porting can be accomplished.

Petitioner requests the Commission grant a suspension of the Petitioner's individual obligations to provide "number portability," as that term is defined by applicable law.<sup>4</sup> As demonstrated herein, the statutory criteria for suspension are met. A grant of this Petition will permit the Commission to ensure that the public interest, convenience and necessity are not undermined in the provision of number portability<sup>5</sup>. Further, grant of the Petition will allow clarification or resolution of the significant issues raised by intermodal portability before LECs are forced to expend considerable resources in an attempt to adhere to vague portability rules<sup>6</sup>.

## II. PETITION OVERVIEW AND FILING REQUIREMENTS

The following information is provided as an overview of the Petition.

(1) The applicants are Red River Rural Telephone Association, Inc., 506 Broadway, Abercrombie, ND 58001, (701) 553-8309 and Red River Telecom, Inc. 506 Broadway, Abercrombie, ND 58001, (701) 553-8309. The designated contacts are:

Jeffery Olson, General Manager

and

A. W. "Warren" Stokes

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<sup>4</sup> The Communications Act of 1934, as amended (the "Act") defines number portability as "the ability of users of telecommunication services to retain, *at the same location*, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another" 47 U.S.C. § 153 (30) (emphasis added). See also 47 C.F.R. § 52.21(p) (defining "service provider portability" identically to "number portability")

<sup>5</sup> The Petitioner utilizes the terms "wireline-to-wireless portability" and "intermodal portability" synonymously

<sup>6</sup> The Petitioner is a cooperative telephone company with a core belief that all telecommunications investments made by the cooperative should demonstrate value for its members. As described in this petition, the high cost of intermodal LNP does not provide a benefit for its members since the subscribers that choose to have their numbers ported to a wireless carrier leave the cooperative. As such, the Petitioner is of the opinion that the national intermodal objectives of the Federal Communications Commission (FCC) likely do not meet the public interest objectives of the Commission in the unique and sparsely populated rural telecommunications environment of Minnesota.

Stokes Law offices  
702 2<sup>nd</sup> Avenue  
Wahpeton, ND 58075  
(701) 642-8813  
(701) 642-4500 - Fax

(2) As of 2003, Petitioner had 4,913 subscriber lines in North Dakota, Minnesota, and South Dakota.

(3) Petitioner seeks to suspend the local number portability obligations in 47 U.S.C. §251(b)(2) of the Act.

(4) Petitioner requests suspension of the LNP requirement until there is evidence of demand for LNP and the per line cost of LNP is reduced. At a minimum, Petitioner requests suspension until six (6) months following the FCC's full and final disposition of the issues associated with the routing of calls between wireline and wireless providers in the Sprint Petition<sup>7</sup> and the porting interval and wireless to wireline porting in its pending FNPRM, at which time Petitioner may need to seek further Section 251(f)(2) relief based upon the economic impact of these decisions.

Petitioner also requests immediate temporary suspension of the 251(b)(2) requirements pending this Commission's consideration of this request until six (6) months following this Commission's final decision.

(5) Petitioner requests that the suspension of Section 251(b)(2) be effective no later than May 24, 2004. Petitioner requests that the temporary suspension of Section 251(b)(2) be effective immediately and in any event, no later than March 24, 2004.

(6) The information supporting this petition is contained in Sections III through Section VII of this Petition.

(7) Petitioner requests that the Commission grant a temporary stay or suspension of the local number portability requirements in Section 251(b)(2) of the Act.

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<sup>7</sup> *In the Matter of Sprint Corp. Petition for Declaratory Ruling Regarding the Routing and Rating of traffic by ILECs*, CC-Docket 01-92, Petition of Sprint, May 9, 2002 ("Sprint Petition")

### **III. SUMMARY**

This Petition requests that the Commission exercise its authority to address the effect of LNP on RRRTA's cooperative members. As a cooperative telecommunications company, any negative financial impacts from porting obligations flow directly back to its members. Commission action also is necessary to ensure that the members of the Petitioner are not forced to bear unnecessary and potentially wasted costs of implementing LNP to CMRS providers. Similarly, RRT's subscribers will be negatively impacted as a direct result of the increase in service costs attributable to LNP incurred by RRRTA. As demonstrated herein and in Exhibits 1 and 2 (incorporated herein by reference), the Petitioner will experience substantial costs to equip its switches with porting capability. Thereafter, there are significant ongoing administrative costs. Further, as demonstrated herein, installation of LNP does not resolve the problems that will be encountered by the Petitioner if it is required to implement intermodal LNP where the wireless carrier does not have a point of interconnection or numbers in the affected rate center. Unresolved implementation problems render the provision of LNP unduly economically burdensome and technically infeasible. It also will have a significant adverse economic impact on users of the Petitioner's telecommunications services. Accordingly, for the reasons provided herein, the Petitioner respectfully requests that the Commission grant it the suspension of any obligation to provide LNP.

### **IV. BACKGROUND**

#### **A. The Petitioner is Eligible to Seek this Relief**

The Petitioner is a rural telephone company as defined by the Act and provides telecommunications services within North Dakota. Petitioner provides local exchange, exchange access and other telecommunications services to 3,750 access lines within its North Dakota service area. This service area encompasses sparsely populated localities, with only 3.19 access

lines per square mile. A list of the petitioner's switches for which a suspension of intermodal LNP is requested is attached as Exhibit 3 (incorporated herein by reference).

The Petitioner satisfies the criteria set forth in Section 251(f)(2), which provides in pertinent part, that "a local exchange carrier with fewer than two percent of the Nation's subscriber lines installed in the aggregate nationwide may petition a state commission for a suspension or modification"<sup>8</sup> of the number portability requirements. Pursuant to Section 251(f)(2), the Commission shall grant a petition for suspension or modification to the extent that, and for such duration as, the Commission determines that such suspension or modification:

(A) is necessary –

- (i) to avoid a significant adverse economic impact on users of telecommunications services generally;
- (ii) to avoid imposing a requirement that is unduly economically burdensome; or
- (iii) to avoid imposing a requirement that is technically infeasible; and

(B) is consistent with the public interest, convenience, and necessity.<sup>9</sup>

Section 251(f)(2) of the Act requires the Commission to act on this application within 180 days after receipt. Pending such action, the Commission "may suspend enforcement of the requirement or requirements to which the petition applies with respect to the petitioning carrier or carriers." 47 U.S.C. § 251(f)(2).

The Petitioner received requests for LNP from Western Wireless Corporation (Western Wireless). In addition, the Petitioner is aware that other wireless operators offer services in portions of their service area. The petitioner has included the potential interconnection requirements for these carriers in its cost estimates.

Petitioner does not have existing direct points of connection with wireless carriers at any of its North Dakota exchanges. If there are no common facilities or interexchange agreements, only conventional, switched toll routes remain; but no translating, routing, or rating rules have

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<sup>8</sup> 47 U.S.C. § 251(f)(2)

<sup>9</sup> 47 U.S.C. § 251(f)(2)

been established for this scenario. Some of the questions that need to be addressed in order to evaluate the cost and impact on consumers of LNP include: (1) where and how should the Petitioner interconnect with the wireless carriers, (2) is the point of interconnection within the LATA, and (3) how will the Petitioner be able to maintain the original rate center designation and rating when the number is ported to a point of interconnection that is located outside the original rate center. The uncertainty surrounding these and other questions are likely to cause significant customer confusion, resulting in increased costs for addressing customer service inquiries which adds to the overall cost impact of LNP implementation.

**B. Transporting to Outside Carrier Networks Should Not Be Compelled (Without Compensation)**

One of the significant operational challenges to the *Order* is what appears to be an obligation on local exchange carriers to port a wireline number to a wireless carrier that allows the mobile subscriber to use the number outside the boundaries of the original rate center.

Section 251(2)(b) of the Act requires all LECs to “provide to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission”<sup>10</sup> The Act defines number portability as “the ability of users of telecommunication services to retain, *at the same location*, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another”<sup>11</sup> In promulgating its number portability rules, the FCC cited this definition and determined that the Act requires *service provider portability but not location portability*.<sup>12</sup> The FCC defined “service provider portability” as “the ability of end users to retain the same telephone numbers (that is, the same NPA and NXX codes and the same line numbers) when changing from one service provider to another.”<sup>13</sup> In contrast, “location portability” is “the

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<sup>10</sup> 47 U.S.C. § 251(b)(2)

<sup>11</sup> 47 U.S.C. § 153(30) (emphasis added)

<sup>12</sup> See *In the Matter of Telephone Number Portability, First Report and Order and Further Notice of Proposed Rulemaking*, in CC Docket No. 95-116 (rel. July 2, 1996) 11 FCC Rcd 8352, 8447 (Number Portability Decision)

<sup>13</sup> *In the Matter of Telephone Number Portability, Notice of Proposed Rulemaking*, 10 FCC Rcd 12350, 12355 (1995)

ability of end users to retain the same telephone numbers *when moving* from one location to another, either within the area served by the same central office or between areas served by central offices.”<sup>14</sup>

In its *Number Portability Decision*, the FCC determined that mandating carriers to implement geographic **location portability was not in the public interest**<sup>15</sup>. As part of this decision, the FCC noted its concerns regarding the significant implementation issues arising from location portability. Specifically, the FCC found that, among other reasons, imposing location portability at this time would cause consumer confusion by the loss of the geographic identity of the telephone number. As a result, members would not know whether they were making a call to a nearby location or to a distant location, and may not know whether the call would be subjected to toll charges. With the change in location, LECs’ service offerings, switching, and routing or originating calls to the ported number would need to be changed. The FCC also noted that commenting parties observed that location portability would create unnecessary and burdensome costs on carriers and on directory assistance, operator, and emergency services providers<sup>16</sup>. None of these public interest considerations have changed since the FCC’s *Number Portability Decision, supra*. Moreover, many, if not most, of these same concerns arise in connection with intermodal LNP when the wireless carrier does not have interconnection or numbers in the LEC rate center.

Further, the FCC’s *Order* is the subject of legal challenges. Until the uncertainty surrounding this *Order* is resolved, the obligations of LECs are unclear, which leaves the LECs subject to potential FCC enforcement of different interpretations of the LEC’s obligation to implement number portability.

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<sup>14</sup> *Id* at 12356 (emphasis added)

<sup>15</sup> *Number Portability Decision*, 11 FCC Rcd at 8449. The FCC also determined that it may decide to mandate implementation of geographic location portability in the future “if it would be in the public interest” and noted that carriers may provide geographic location portability “consistent with this Order” if they so choose. *Id* at 8447. The FCC has not done so and the Petitioner is not aware of any LEC that has purposefully implemented ubiquitous geographic location portability.

<sup>16</sup> *Id* at 8444-8445

The Commission should grant this Petition to ensure that the Petitioner's end user members do not pay for unnecessary and undesired costs associated with implementation and enforcement of uncertain requirements. It is prudent and in the public interest for the Commission to wait for the FCC and courts to resolve the outstanding issues by granting the Petitioner a suspension of the intermodal LNP requirements.

**C. The Order Creates an Unfair Competitive Advantage for Wireless Carriers**

Under the conditions of the *Order*, LNP will happen in only one direction (to the wireless provider). Wireless service areas often cover many ILEC rate centers, allowing wireless carriers the possibility of a port-in of any landline subscriber where they have wireless coverage. However, wireline carriers can only port-in wireless subscribers when the rate centers align, which is seldom the case in rural North Dakota.

**V. ARGUMENT**

The Act empowered the Commission with authority to balance any requests for number portability which may have potential harmful public interest consequences. While the Act imposes on all LECs obligations of interconnection, number portability, dialing parity, access to rights of way and reciprocal compensation,<sup>17</sup> Congress wisely invested the Commission with the authority to suspend or modify these obligations for LECs like the Petitioner.

As demonstrated in Section II.A, *supra*, the Petitioner is eligible to seek the relief requested herein from the Commission. Similarly, the Commission is authorized to grant such relief. As demonstrated below, the necessary criteria are satisfied for a Commission finding that granting this Petition is warranted.

**A. Criteria in Section 251(f)(2) for Granting the Relief Are Met**

**1. Section 251(f)(2)(A)(i) Criteria is Met**

**(Avoid Significant Adverse Economic Impact of Users of  
Telecommunications Services Generally)**

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<sup>17</sup> See generally 47 U.S.C. § 251(b)

A grant of this Petition will avoid a significant adverse economic impact on Petitioner's members and users of telecommunications services generally in North Dakota. As demonstrated herein and in Exhibits 1 and 2, the costs of implementing number portability as requested by the wireless carrier, are significant, not only with respect to the deployment of the software necessary to achieve porting capability, but also with respect to ongoing data costs and administration processes, and the establishment of the proper arrangements among the affected carriers.

As indicated in Exhibit 3, the Petitioner serves subscribers primarily in the State of North Dakota and the State of Minnesota. The Petitioner also serves a small number of subscribers in the State of South Dakota. In addition to this petition, the Petitioner has sought relief from the Minnesota Public Utilities Commission from the implementation of intermodal number portability requirements utilizing the same rationale as contained in this petition. Depending upon the outcome of that proceeding, the costs to implement Number Portability for the North Dakota subscribers could vary. Exhibit 1 shows the estimated known costs to implement LNP at this time for all of the Petitioner's subscribers (North Dakota, Minnesota, and South Dakota) to support intermodal LNP in accordance with the FCC's May 24, 2004 deadline. This exhibit includes the costs to upgrade the North Dakota switches that serve Minnesota subscribers. Exhibit 2 shows the estimated known costs to implement LNP at this time for the Petitioner's North Dakota exchanges only to support intermodal LNP in accordance with the FCC's May 24, 2004 deadline. This exhibit excludes the costs to upgrade the North Dakota switches that serve Minnesota subscribers.

Pursuant to the FCC's rules, certain direct costs of LNP can be recovered from end users through a monthly surcharge over a five-year period.<sup>18</sup> All remaining costs must be recovered, if at all, through the carrier's general rates and charges. It should be noted that although some of the listed costs are fairly firm, such as Service Order Administration cost, other costs, such as

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<sup>18</sup> 47 C.F.R. § 52.33

port test and verification costs, are dependent on unknown factors, for example, the number of customers who ultimately port their number.

Potentially, the Petitioner can expect to receive requests for Interconnection from five (5) wireless carriers (Verizon, Western Wireless, Sprint PCS, Nextel, and Northern Wireless). All of these carriers have their wireless switching equipment in separate locations. In order to provide interconnection to these carriers, the Petitioner is including transport cost estimates from each of Petitioner's switches that serve North Dakota subscribers to these five (5) wireless carriers. Thus, Exhibits 1 and 2 also contain estimates for the recurring and non-recurring cost of transport, which essentially is the cost of installing direct connections to the wireless carriers. The Petitioner has estimated these transport costs based on the existing network architecture configuration of the wireless carriers detailed above. Based on the existing configuration for these carriers, a dedicated facility is required from each of the Petitioner's switches to the wireless carrier. This configuration is required to resolve the transport and routing issues caused by the implementation of LNP when the wireless carrier does not have a point of interconnection or numbers in the LEC's rate centers.

In its Order, the FCC acknowledged that LNP raised certain routing issues for rural carriers where no direct connection exists. The FCC, however, found that these issues did not need to be resolved in the LNP proceeding. Rather, the FCC indicated that they would be addressed in a pending Petition for Declaratory Ruling filed by Sprint Corporation.<sup>19</sup> This creates a difficult dilemma for LECs, like the Petitioner, and this Commission with respect to the "public interest." Simply stated, installing direct connections will increase significantly the cost of LNP. However, without direct connections, subscribers who call a number that has been ported to a wireless carrier will incur a toll charge for that call, even though such calls previously were rated as local. This will occur because the wireless carriers' points of interconnection are outside of the Petitioner's service territory. Therefore, calls to these carriers are routed to the

subscriber's preferred interexchange carrier, unless the customer has included such calls in an optional extended area service (EAS) arrangement. Calls that are part of an optional EAS arrangement are routed through the appropriate EAS trunk.

With regard to the direct connections to the wireless carriers described in the preceding section, the Petitioner does not believe that the construction of these facilities is cost-justified based on the potential traffic between the Petitioner and the wireless carrier and the potential for ported subscribers. If the facilities were feasible, it is likely that the wireless carriers would have implemented them already as they have in other areas of the country. Based on the projected traffic levels, it appears that the direct facilities between the Petitioner and the wireless carriers required for LNP would be highly under-utilized and very inefficient.

It should be noted that Western Wireless has filed a petition at the FCC arguing that rate-of-return regulation should be eliminated for rural carriers like the Petitioner, in part, because they are inefficient.<sup>20</sup> It would be ironic if the Petitioner is forced to prop-up Western Wireless and other wireless carriers by subsidizing facilities that these carriers have refused to pay for themselves.

The Petitioner estimates that in order to implement LNP it will have recurring and non-recurring costs as set forth in Exhibits 1 and 2 attached hereto and incorporated herein by reference. As noted, certain direct recurring and non-recurring costs of LNP can be recovered from end users through a monthly surcharge over a period of five years and the remaining costs must be recovered, if at all, through the carrier's general rates and charges. In an attempt to approximate the difference in charges to end-users during the five-year period and beyond, the Petitioner's per-line cost estimate is based on recovering all non-recurring costs over five years. This may not reflect the actual LNP surcharge allowed by the FCC, however, because some of the non-recurring costs may not be recoverable through the surcharge. With this caveat in mind,

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<sup>19</sup> *In the Matter of Sprint Corp Petition for Declaratory Ruling Regarding the Routing and Rating of traffic by ILECs*, CC-Docket 01-92, Petition of Sprint, May 9, 2002 ("Sprint Petition")

the Petitioner estimates that the cost of LNP for its North Dakota subscribers, including the estimated direct transport charges to all five (5) projected wireless service providers would increase line charges by \$10.00 per line per month for five years and \$9.00 per line per month thereafter. If the Minnesota switches are excluded from this analysis, the Petitioner estimates that the cost of LNP for its North Dakota exchanges, including the estimated direct transport charges to all five (5) projected wireless service providers would increase line charges by \$10.00 per line per month for five years and \$9.00 per line per month thereafter

As demonstrated, the cost of transport adds significantly to the cost of LNP. Therefore, the transport issue must be resolved to determine the full cost of LNP and the full adverse economic impact on users of telecommunications in terms of unexpected toll charges. As stated, the FCC has indicated that it will address this issue when it considers the routing of calls between wireline and wireless carriers in the *Sprint Petition* proceeding. Therefore, at a minimum, Petitioner should not be required to provide LNP until six months after the FCC releases its decision on the *Sprint Petition*. This would allow Petitioner to assess the cost impact of LNP in light of the FCC's decision and either implement LNP or petition this Commission for a further suspension or modification of the LNP requirement.

#### **Additional Unknown Costs of LNP Could Increase the Burden**

The implementation costs in Exhibits 1 and 2 could increase significantly depending on the resolution of a number of issues at the FCC. For example, the FCC is examining whether the current four-day porting interval for wireline carriers should be shortened, perhaps to match the wireless porting interval of 2.5 hours. A shorter porting interval will significantly increase the cost of LNP because more systems would have to be automated and more personnel would have to be hired to take and implement porting requests.

The LNP costs in Exhibits 1 and 2 also do not include the cost of implementing wireless to wireline porting, which is under consideration by the FCC. In this regard, the FCC has asked

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<sup>20</sup> See, Western Wireless Corporation *Petition for Rulemaking to Eliminate Rate-of-Return Regulation of Incumbent*

for comment on whether wireline carriers should be required to absorb the cost of providing a customer with a ported wireless number with the same local calling area as the customer received from the wireless carrier and whether LECs should be required to provide LNP through foreign exchange (FX) and virtual FX service.<sup>21</sup> These proposals also would increase the cost of LNP; however, it is not clear to what extent.

**2. Section 251(f)(2)(A)(ii) Criteria is Met (Avoid Imposing a Requirement that is Unduly Economically Burdensome)**

Further, a grant of a suspension of the LNP rules would avoid imposing a requirement that is unduly economically burdensome to the Petitioner and its members. As a small telephone company, the Petitioner has a limited customer base over which to spread its costs.<sup>22</sup> As noted in Exhibits 1 and 2, the costs associated with implementing LNP capability and the on-going administrative expenses are significant.

The assessment of a new LNP surcharge on end users or an increase in local rates would make the Petitioner's service offering less competitive with the services provided by other carriers, such as wireless carriers. Wireless carriers already enjoy a number of competitive advantages over wireline carriers. For example, because of their FCC licensed service areas, wireless carriers have larger local calling areas, larger service territories and more potential customers to absorb the cost of LNP. By increasing the cost of service, LNP would make wireline services even less competitive with wireless services.

In addition, if the total cost of LNP is assigned to the Petitioner's subscribers through a surcharge and local rate increases, some segment of the Petitioner's subscribers may discontinue service or decrease the number of lines to which they subscribe. The resulting reduction in line

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*Local Exchange Carriers*, RM 10822, at 18 and 20, filed October 30, 2003

<sup>21</sup> It is not clear what "virtual FX" service would entail as the FCC did not define it and Petitioner offers no such service

<sup>22</sup> See *id.* at 262 (The per line cost of implementing the technology for number pooling, which is the same technology that is used to implement number portability, would "be significantly higher for small and rural carriers operating outside of the largest 100 MSAs than for carriers operating inside urban and metropolitan areas because of these carriers' limited customer bases")

count would increase further the per-subscriber cost of LNP, which, in turn, could lead to more rate increases followed by additional losses in access lines.

Moreover, pursuant to the FCC's Order, although wireline carriers have been ordered to port numbers to wireless carriers when the wireless carrier has no point of interconnection or numbers in the LEC's rate centers, the FCC does not require wireless carriers to port numbers under the same circumstances as wireline carriers, even where the wireline carrier may choose to accept such ports. Thus, the current intermodal porting requirement is a one-way requirement – the Petitioner can lose customers through porting to the wireless carriers, but it cannot gain customers from them.

It also is unduly economically burdensome to require the Petitioner to implement LNP when a number of implementation issues are not resolved. It would be more efficient and less costly to implement LNP only once, after the LNP parameters are more certain, rather than require carriers to implement LNP when important issues are unresolved (such as the specifics of the direct trunk connection required for intermodal porting) or could be changed (such as whether the porting interval will be reduced).

### **3. Section 251(f)(2)(A)(iii) Criteria is Met**

#### **(Avoid Imposing a Requirement that is Technically Infeasible)**

A grant of the Petition with respect to intermodal portability would avoid imposing a requirement that is technically infeasible, at least within the timeframe of the Order. While porting equipment can be installed, implementation of intermodal LNP cannot be achieved absent the establishment of terms and conditions with the CMRS.

### **B. Section 251(f)(2)(B) Criteria is Met**

#### **(Consistent with Public Interest, Convenience, and Necessity)**

Finally, a grant of this Petition will serve the public interest. Section 251(f)(2)(B) provides that the Commission is to determine that the requested suspension “is consistent with

the public interest, convenience and necessity”.<sup>23</sup> As an initial matter, by granting the suspension, the Commission would avoid the potential waste of resources or, at the very least, diminish the waste that would occur in the absence of the resolution of the challenges to, and the further rulemaking proceedings of, the FCC’s *Order* clarifying issues related to the porting interval and wireline-to-wireless number portability. In addition, the standard of public interest, convenience, and necessity consists of an evaluation of the benefit that consumers will receive from LNP compared to the costs of its implementation and use. Central to this evaluation is the level of demand that exists for LNP in the Petitioner’s service area.

The Petitioner believes that the current demand for LNP is very small or non-existent. As of the date of this filing, no RRRTA or RRT customer has ever made an inquiry to the Petitioner regarding LNP or a request for LNP. With respect to wireless LNP, nationwide, to date, the demand for wireless porting has been far less than expected and most ports have been from one wireless carrier to another. Wireline to wireless porting appears to be a small fraction of wireless porting in general.<sup>24</sup> According to NeuStar, 95% of wireless ports have been from one wireless carrier to another and only 5% of wireless ports were between wireline and wireless carriers.<sup>25</sup> With lack of quality and incomplete coverage of the Petitioner’s existing service area by the existing wireless carriers, the Petitioner projects that the percentage would be even smaller than in other parts of the nation. The Petitioner is projecting approximately one (1) intermodal ports per month in all of their exchanges. For the North Dakota exchanges, this equates to approximately nine (9) intermodal ports per year.<sup>26</sup> Based on this small number of ports, percentage of the Petitioner’s access lines requiring a port to a wireless carrier is well under one (1) percent. Accordingly, there appears to be little, if any, demand for LNP and, absent such demand, no public benefit will be derived from LNP.

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<sup>23</sup> 47 U.S.C. § 251(f)(2)(B)

<sup>24</sup> See “Survey Finds Little Impact From LNP”, *RCR Wireless News*, February 9, 2004 ed., reporting that according to a consumer survey report from CFM Direct, very few telecommunications customers have switched their wireline phone numbers to wireless (Attachment 1)

<sup>25</sup> See NARUC Notebook, *Communications Daily*, Vol. 24, No. 46, p. 4 (March 9, 2004)

Even if some level of LNP demand develops in the future, the costs that would be incurred by the Petitioner to implement and maintain LNP, which ultimately would be borne by subscribers, would not be justified to provide the benefit of number portability to a few end users. Nevertheless, all of the subscribers of the Petitioner would be adversely impacted by an increase in rates in order to accommodate any LNP requests the CMRS providers.<sup>27</sup> The Petitioner should not expend its available resources on an investment that has so few, if any, benefits. Such resources are much better spent on the development of broadband or other network improvements that hold real advantages for all of the Petitioner's members and North Dakota as a whole. If the Petitioner is forced to implement LNP, existing capital investments for broadband implementation will be diverted from this deployment to implement LNP.

Moreover, the rating and routing issue associated with wireline to wireless portability as currently ordered by the FCC, and the resulting customer confusion, is contrary to the public interest.

Finally, if the Petitioner must implement LNP, all carriers with EAS arrangements with the Petitioner and their customers will be impacted because the other carriers will have to LNP dip all EAS calls. The Petitioner currently has EAS arrangements with Barnesville Telephone Company (Municipal) and Qwest. This would increase the cost of EAS between the Petitioner and these carriers and could result in a loss of EAS options to the customer or an increase in the cost of the optional EAS services.

Accordingly, grant of the requested suspension is consistent with the public interest, convenience and necessity.

**VI. REQUEST FOR IMMEDIATE SUSPENSION PENDING  
CONSIDERATION OF THIS PETITION IS WARRANTED AND NECESSARY TO  
SERVE THE PUBLIC INTEREST**

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<sup>26</sup> While actual industry figures are not available, most wireless carriers are currently experiencing a porting rate of between three percent (3%) and six percent (6%). Of these ports, it is estimated that less than 1% are intermodal

Section 251(f)(2) provides that the Commission is to act on this instant Petition within 180 days.<sup>28</sup> Pending such action, the Commission “may suspend enforcement of the requirement or requirements to which the petition applies with respect to the petitioning carrier or carriers.”<sup>29</sup> The Petitioner requests immediate temporary suspension of the 251(b)(2) requirements pending this Commission’s consideration of this request until six (6) months following this Commission’s decision. Suspension of enforcement would allow rational public policy decision-making without a “rush-to-judgment” based on the impending May 24, 2004, deadline. Moreover, without an immediate suspension, Petitioner may be forced to start expending capital and personnel resources toward meeting the impending May 24, 2004, deadline. All such efforts may ultimately be wasted effort depending on the Commission’s decision. As the May 24, 2004 implementation deadline for intermodal LNP draws near, the Petitioner is already beginning to feel the financial impact of LNP deployment. The resources that the petitioner is expending to plan for the implementation of LNP are being diverted from future broadband implementation capital investments. Such investments in broadband network architecture benefit all of the cooperative members, the economies of the Petitioner’s service area, and North Dakota as a whole. The implementation of LNP does not appear to serve the public interest. In addition, the requirement to implement LNP by May 24, 2004 without addressing the technical and interconnection issues is not a wise use of the Petitioner’s available capital.

## VII. CONCLUSION

As demonstrated, the Petitioner has met the criteria set forth in 47 U.S.C. § 251(f)(2)(A) and the suspension requested in this proceeding is consistent with the public interest, convenience and necessity requirement set forth in 47 U.S.C. § 251(f)(2)(B). Accordingly, the Commission must grant the petition for suspension or modification.

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<sup>27</sup> See also *Number Resource Decision*, 17 FCC Rcd at 262 (Imposing the cost of implementing the technology for number pooling, which is the same technology that is used to implement number portability on smaller and rural carriers, “may delay efforts to bring advanced services to rural subscribers” )

<sup>28</sup> 47 U.S.C. § 251(f)(2)

<sup>29</sup> *Id.*

The Petitioner requests suspension of the LNP requirement until there is evidence of demand for LNP and the per line cost of LNP is reduced. At a minimum, suspension should be granted until six (6) months following the FCC's full and final disposition of the issues associated with the porting interval and wireless to wireline LNP in the Further Notice of Proposed Rulemaking and the routing of calls between wireline and wireless providers in the *Sprint Petition*, at which time the Petitioner may need to seek further Section 251(f)(2) relief based upon the economic impact of these decisions.

The Petitioner also requests an immediate temporary suspension, pending this Commission's consideration of this request, until six (6) months following this Commission's decision, as discussed herein.

WHEREFORE, the Petitioner respectfully requests the Commission to:

(A) Issue an interim order that suspends any obligation that may exist for the Petitioner to provide LNP until six (6) months after entry of a final order herein;

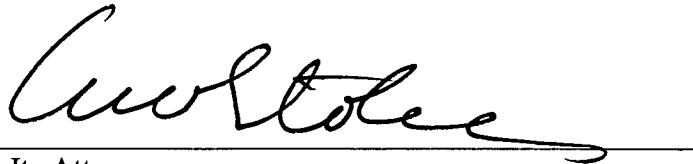
(B) Issue a final order that grants a permanent suspension of the Petitioner's obligation to implement LNP until the conditions are met as described herein; and

(C) Grant the Petitioner such other and further relief that may be proper.

Dated: March 23, 2004.

Accordingly, the Petitioner respectfully requests that the Commission grant this Petition.

RED RIVER RURAL TELEPHONE ASSOCIATION, INC.  
RED RIVER TELECOM, INC.



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**RED RIVER RURAL TELEPHONE ASSOCIATION, INC  
RED RIVER TELECOM, INC**

**ESTIMATED COSTS TO IMPLEMENT INTERMODAL LOCAL NUMBER PORTABILITY  
All Exchanges and Subscribers**

	<u>Non- Recurring</u>	<u>Monthly Recurring</u>	
<b><u>Switch-Related Investment Costs:</u></b>			
LNP Hardware Requirements	\$ -		
LNP Software Features	\$ 26,000		
Additional Software Features	\$ -		
Additional Vendor Fees	\$ 5,000		
Translations	\$ 10,000		Initial LNP Basic Translations Costs
Technical Implementation and Testing	\$ 2,900		
<b>Subtotal</b>	<b>\$ 43,900</b>		
<b><u>NPAC-Related Costs:</u></b>			
Service Order Administration	\$ 1,800	\$ 1,350	
LNP Queries	\$ 500	\$ 570	
Connection Costs w/LNP Database	\$ 150	\$ -	
<b>Subtotals</b>	<b>\$ 2,450</b>	<b>\$ 1,920</b>	
<b><u>Technical/Administrative Costs:</u></b>			
Testing/Verification of Each Ported Dial Number	\$ -	\$ 50	Testing/Verification of Ported Dial Number(s)
Translations	\$ -	\$ 50	Translations Costs - Ported Numbers
Administrative	\$ 8,000	\$ 113	
Regulatory	\$ 15,000	\$ -	
Customer Care	\$ 5,000	\$ 23	
Marketing/Informational Flyer	\$ 10,000	\$ 1,250	
Maintenance	\$ -	\$ 5	
Billing/Customer Care Software Upgrades	\$ 5,000	\$ 23	
<b>Subtotals</b>	<b>\$ 43,000</b>	<b>\$ 1,513</b>	
<b><u>Transport-Related Costs:</u></b>			
Wireless Carriers Point of Interconnection (POI)	\$ 140,000	\$ 40,315	
Mobile Telephone Switching Office POI Connection	\$ 500	\$ 200	Transiting Carrier MTSO POI Connection
Dip (Minimum)	\$ 500	\$ 100	Transiting Carrier Dip Charges (Minimum)
<b>Subtotals</b>	<b>\$ 141,000</b>	<b>\$ 40,615</b>	
<b>Total Estimated Costs Associated with LNP Implementation</b>	<b>\$ 230,350</b>	<b>\$ 44,048</b>	
<b>Current Access Lines</b>	<b>5,000</b>	<b>5,000</b>	
<b>Total Estimated Costs Per Access Line (Rounded)</b>	<b>\$ 47</b>	<b>\$ 9</b>	
<b>Access Line Impact - First 60-Month Period</b>		<b>\$ 10</b>	

**RED RIVER RURAL TELEPHONE ASSOCIATION, INC  
RED RIVER TELECOM, INC.**

**ESTIMATED COSTS TO IMPLEMENT INTERMODAL LOCAL NUMBER PORTABILITY  
North Dakota Exchanges and Subscribers**

	<u>Non- Recurring</u>	<u>Monthly Recurring</u>	
<b><u>Switch-Related Investment Costs:</u></b>			
LNP Hardware Requirements	\$ -		
LNP Software Features	\$ 19,800		
Additional Software Features	\$ -		
Additional Vendor Fees	\$ 5,000		
Translations	\$ 10,000		Initial LNP Basic Translations Costs
Technical Implementation and Testing	\$ 2,900		
<b>Subtotal</b>	<b>\$ 37,700</b>		
<b><u>NPAC-Related Costs:</u></b>			
Service Order Administration	\$ 1,800	\$ 1,350	
LNP Queries	\$ 500	\$ 430	
Connection Costs w/LNP Database	\$ 150	\$ -	
<b>Subtotals</b>	<b>\$ 2,450</b>	<b>\$ 1,780</b>	
<b><u>Technical/Administrative Costs:</u></b>			
Testing/Verification of Each Ported Dial Number	\$ -	\$ 38	Testing/Verification of Ported Dial Number(s)
Translations	\$ -	\$ 38	Translations Costs - Ported Numbers
Administrative	\$ 8,000	\$ 84	
Regulatory	\$ 15,000	\$ -	
Customer Care	\$ 5,000	\$ 174	
Marketing/Informational Flyer	\$ 7,600	\$ 950	
Maintenance	\$ -	\$ 4	
Billing/Customer Care Software Upgrades	\$ 5,000	\$ -	
<b>Subtotals</b>	<b>\$ 40,600</b>	<b>\$ 1,288</b>	
<b><u>Transport-Related Costs:</u></b>			
Wireless Carriers Point of Interconnection (POI)	\$ 100,000	\$ 28,795	
Mobile Telephone Switching Office POI Connection	\$ 500	\$ 200	Transiting Carrier MTSO POI Connection
Dip (Minimum)	\$ 500	\$ 100	Transiting Carrier Dip Charges (Minimum)
<b>Subtotals</b>	<b>\$ 101,000</b>	<b>\$ 29,095</b>	
<b>Total Estimated Costs Associated with LNP Implementation</b>	<b>\$ 181,750</b>	<b>\$ 32,163</b>	
<b>Current Access Lines</b>	<b>3,800</b>	<b>3,800</b>	
<b>Total Estimated Costs Per Access Line (Rounded)</b>	<b>\$ 48</b>	<b>\$ 9</b>	
<b>Access Line Impact - First 60-Month Period</b>		<b>\$ 10</b>	

**RED RIVER RURAL TELEPHONE ASSOCIATION, INC**  
**SUMMARY OF EXCHANGES, NPA-NXX, AND CLLI CODES**

<b>Rate Center</b>	<b>OCN</b>	<b>STATE</b>	<b>NPA</b>	<b>NXX</b>	<b>SWITCH</b>
ABERCROMBIE	1631	ND	701	553	ABRCNDXADS0
E ABERCROMBIE	1631	MN	218	557	ABRCNDXADS0
COLFAX	1631	ND	701	332	CLFXNDXARS3
GREAT BEND	1631	ND	701	545	GRTBNDXARS5
MOORETON	1631	ND	701	274	MRTNNDXARS2
BARNESVILLE	4300	MN	218	493	BRVIMNXRRS4
ROLLAG	4300	MN	218	937	RLGGMNXRRS9

**RED RIVER TELECOM, INC**  
**SUMMARY OF EXCHANGES, NPA-NXX, AND CLLI CODES**

<b>Rate Center</b>	<b>OCN</b>	<b>STATE</b>	<b>NPA</b>	<b>NXX</b>	<b>SWITCH</b>
FAIRMOUNT	1603	ND	701	474	FAMTNDBCRS4
E FAIRMOUNT	1603	MN	218	479	FAMTNDBCRS4
HANKINSON	1603	ND	701	785	HKSNDXARS2
LIDGERWOOD	1603	ND	701	586	LGWDNDXARS5
S LIDGERWOOD	1603	SD	605	533	LGWDNDXARS5
WYNDMERE	1603	ND	701	826	WYNDNDBARS4

PU-04-138

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits</li> </ul>		<p>A Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>Angela Keller</i></p>	
<p>1 Article Addressed to</p> <p><i>Don Negaard Pringle &amp; Herigstad PO Box 1000 Meritt ND 58702-1000</i></p>		<p>B Received by (Printed Name)</p> <p><i>Angela Keller</i></p>	<p>C Date of Delivery</p>
<p>2 Article Number (Transfer from service label)</p> <p>7002 2410 0003 4911 4950</p>		<p>D Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below</p>	
<p>PS Form 3811, August 2001</p>		<p>Domestic Return Receipt</p>	
		<p>2ACPRI-03-Z-0985</p>	

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<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3 Also complete item 4 if Restricted Delivery is desired</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits</li> </ul>		<p>A Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>A. W. Stokes</i></p>	
<p>1 Article Addressed to</p> <p><i>A. W. Stokes Stokes Law Office PO Box 1266 Wahpeton ND 58074-1266</i></p>		<p>B Received by (Printed Name)</p>	<p>C Date of Delivery</p> <p><i>4-19-04</i></p>
<p>2 Article Number (Transfer from service label)</p> <p>7002 2410 0003 4911 4967</p>		<p>D Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below</p>	
<p>PS Form 3811, August 2001</p>		<p>Domestic Return Receipt</p>	
		<p>2ACPRI-03-Z-0985</p>	