



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

[Empty rectangular box]

**DESCRIPTION**

PU-04-465  
VCI Company  
Local Exchange/Interexchange  
Public Convenience & Nece  
Filed 9/3/2004                      Closed 11/19/2004                      04



Public Service Commission  
Receipt of Payment

Receipt# 6078

Received 12/21/2004 Check# 3381 for \$140 76  
Subject Utility Valuation

**Docket # PU-04-465**

VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood WA 98499

**APPROVED**

MOTION

DATE. 12-1-04  
KMF

December 1, 2004

VCI Company  
Local Exchange/Interexchange  
Public Convenience and Necessity

Case No PU-04-465

I move the Commission bill VCI Company for costs incurred to date in  
Case No. PU-04-465, VCI Company, Local Exchange/Interexchange, Public  
Convenience and Necessity



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Tony Clark, President  
Susan E. Wefald  
Kevin Cramer

Executive Secretary  
Illona 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

Stacey A. Klinzman  
Miller Isar Inc  
7901 Skansie Ave Ste 240  
Gig Harbor WA 98335

RE: Case No. PU-04-465  
VCI Company  
Local Exchange/Interexchange  
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-04-465.

Under N.D.C.C. 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the telecommunications company involved.

Please make your check payable to the *Public Service Commission*.

Sincerely,

Gloria Geiger  
Admin Staff Officer  
701-328-2401

Enc

# Billing Statement

December 1, 2004

VCI Company  
Local Exchange/Interexchange  
Public Convenience and Necessity

Case No. PU-04-465

**Bill To:**

VCI Company..... \$140.76

**Expenses Incurred to Date:**

Advertising Costs \$140.76

**Send Payment and a Copy of this Statement To:**

Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480

**Federal Tax ID 45-0309764**

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

VCI Company  
Local Exchange/Interexchange  
Public Convenience and Necessity

Case No. PU-04-465

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 **19th day of November, 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

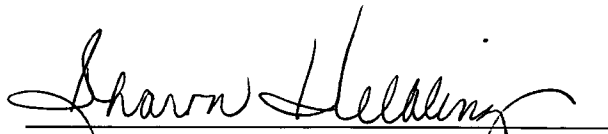
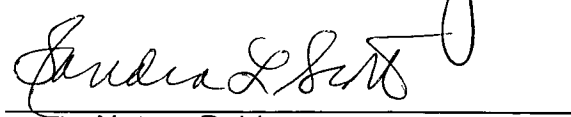
The envelope was addressed as follows

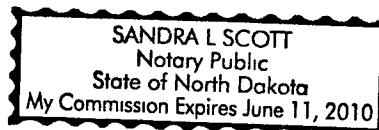
Stacey A Klinzman  
Miller Isar Inc  
7901 Skansie Ave Ste 240  
Gig Harbor WA 98335  
Cert. No. 7003 2260 0001 3517 1354

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

Subscribed and sworn to before me  
this **19th day of November, 2004**

SEAL

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public





# 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

November 19, 2004

Stacey A Klinzman  
Miller Isar Inc  
7901 Skansie Ave Ste 240  
Gig Harbor WA 98335

Dear Ms Klinzman:

On November 18, 2004, the Commission issued Certificate of Public Convenience and Necessity Nos. 5150 and 5151 to VCI Company to provide local exchange and interexchange telecommunications services, with facilities, throughout North Dakota, Case No. PU-04-465.

The original certificates are enclosed for your files

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

Sincerely,

A handwritten signature in black ink that reads "Sharon Helbling".

Sharon Helbling  
Public Utilities Division

sdh

Enclosures

16 PU-04-465

Pages 1

Letter re approval

by Public Service Commission

11/19/04

CC Comm Legal Ilona Jerry Mike

**MOTION**

**APPROVED**

**November 18, 2004**

DATE: 11-18-04  
KMF

**VCI Company  
Local Exchange/Interexchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

I move the Commission adopt the Order granting the captioned application of VCI Company for certificates of public convenience and necessity to provide telecommunication services in North Dakota.

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**VCI Company  
Local Exchange/Interexchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

**ORDER**

**November 18, 2004**

On September 3, 2004, VCI Company (VCI) of Lakewood, WA filed an application for certificates of public convenience and necessity to provide facilities-based competitive local exchange and interexchange telecommunication services throughout North Dakota.

On September 22, 2004, the Commission issued a Notice of Opportunity for Hearing that provided until October 25, 2004 for receiving comments or hearing requests. 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 October 25, 2004, the Rural Telephone Company Group (RTCG) filed comments requesting limitations to preserve the rural exemption under 47 U.S.C. 251 (f). The RTCG stated that it did not oppose the application and was not requesting a hearing

Also on October 25, 2004, the Public Service Commission's Director of Accounting filed a memorandum indicating that VCI has the financial ability to provide service

On November 3, 2004, the Commission discussed the issues in this matter with the applicant and Commission staff at an informal hearing.

VCI was incorporated as a privately held Washington Corporation on November 23, 2003. Prior to incorporation the company operated as a sole-proprietorship under the name of its current secretary/treasurer, Stanley Efferding d/b/a Vilaire or Vilaire Communications. VCI holds authority to provide resold and facilities-based local and toll services in Montana and Oregon while Vilaire holds authority in Washington and Wyoming. VCI further reported applications pending in California, Idaho, South Dakota and Colorado. VCI was registered in North Dakota to resell interexchange and local services on September 22, 2004 in Case No. PU-04-464

VCI initially intends to provide local and toll services primarily to residential and low-income customers, but may serve commercial customers in the future. VCI plans to

offer a full range of services using combinations of resale and UNE-P type products purchased from incumbents.

Exhibit C to the application provides biographical information indicating that VCI's senior management have the technical and managerial ability to provide service.

The Commission finds VCI's proposed service adequate

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


In this Case, as in other cases in which statewide authority was requested, the Commission will adhere to the precedent established in the AT&T certificate case, Case No. PU-453-96-83. In AT&T, the Commission held that its determination of the public interest with regard to the service territories of rural telephone companies is subject to any future proceedings under Section 251(f)(1) or (2) of the Telecommunications Act of 1996 (47 U.S.C. §251(f)(1) or (2)). The Commission also held that granting the certificate on a statewide basis is not a ruling that affects the rights of specific rural telephone companies under 47 U.S.C. §251(f).

### Order

The Commission Orders the application of VCI Company for certificates of public convenience and necessity to provide facilities-based competitive local exchange and interexchange telecommunications services throughout North Dakota 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 5150**

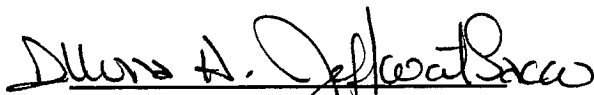
*This is to certify that public convenience and necessity require, and permission is granted for VCI Company, a telecommunications public utility, to provide statewide interexchange (toll) telecommunications services, with facilities, in North Dakota.*

*This certificate is issued in Case No. PU-04-465 and is conditioned upon VCI Company securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, November 18, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

**Public Service Commission**  
**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**Certificate Number 5151**

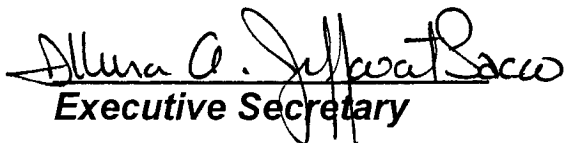
*This is to certify that public convenience and necessity require, and permission is granted for VCI Company, a telecommunications public utility, to provide statewide local exchange telecommunications services, with facilities, in North Dakota.*

*This certificate is issued in Case No. PU-04-465 and is conditioned upon VCI Company securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, November 18, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

**North Dakota Public Service Commission**  
**INFORMAL HEARING**  
**November 3, 2004**

**VCI Company**  
**Local Exchange / Interexchange**  
**Public Convenience & Necessity**

**PU-04-465**  
**Filed: 9/3/04**

**Summary of Proposal:** VCI Company (VCI) of Lakewood, WA has filed an application for certificates of public convenience and necessity to provide competitive local exchange and interexchange services throughout North Dakota.

**Procedural History:** On September 22, 2004, the Commission issued a Notice of Opportunity for Hearing that provided until October 25, 2004 for receiving comments or hearing requests. One response was received on October 15<sup>th</sup> from the Rural Telephone Company Group requesting limitations to preserve the rural exemption under 47 U.S.C. 251(f).

**Discussion:** VCI was incorporated a privately held Washington corporation on November 23, 2003. Prior to incorporation the company operated as a sole-proprietorship under the name of its current secretary/treasurer, Stanley Efferding d/b/a Vilaire or Vilaire Communications.

VCI was registered in North Dakota to resell interexchange and local services on September 22, 2004 in Case No. PU-04-464. At the time of its application, VCI reported authority to provide resold and facilities-based local and toll services in Montana and Oregon while Vilaire still held authority in Washington and Wyoming. VCI reported applications pending in California, Idaho, South Dakota and Colorado. VCI disclosed that a Vilaire application filed June 3, 2003 in Iowa was rejected for administrative reasons when consultant difficulties caused staff data requests to go unanswered. VCI stated no other applications have been rejected and no regulatory or other enforcement action has been taken against it.

VCI intends to initially operate in Qwest exchanges, but may later expand into other areas approved for competition. VCI plans to provide local and toll services primarily to residential and low-income customers, but may serve commercial customers in the future. VCI plans to offer a full range of services using combinations of resale and UNE-P type products purchased from incumbents. Exhibit D to the application provides an illustrative local exchange service tariff. VCI states it will file an actual tariff upon approval of its application.

Exhibit C to the application provides biographical information indicating that VCI's principle officers and directors have the technical and managerial ability to provide service.

A limited staff financial review (see staff memo dated October 25<sup>th</sup>) indicated that VCI has the financial ability to provide service.

**Recommendation:** I recommend approval.

**Prepared by:** Jerry Lein

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

VCI Company  
Local Exchange  
Public Convenience and Necessity

Case No. PU-04-465

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 **25th day of October, 2004**, she deposited in the United States Mail, Bismarck, North Dakota, one envelope with first class postage, fully prepaid, securely sealed and containing a photocopy of

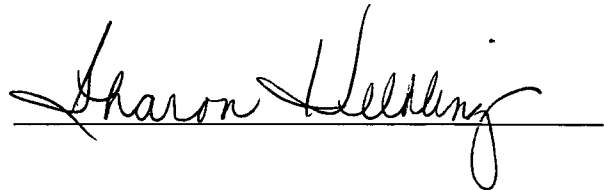
**Staff Financial Memo**

The envelope was addressed as follows

Stacey A Klinzman  
Miller Isar Inc  
7901 Skansie Ave Ste 240  
Gig Harbor WA 98335

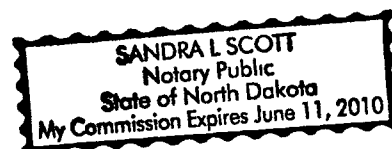
Each address shown is the respective addressee's last reasonably ascertainable post office address

Subscribed and sworn to before me  
this **25th day of October, 2004**.



Notary Public

SEAL





Public Service Commission  
State of North Dakota

COMMISSIONERS

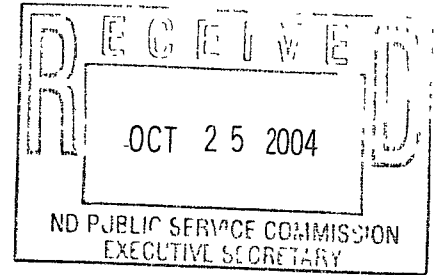
Tony Clark, President  
Susan E Wefald  
Kevin Cramer

Executive Secretary  
Illona 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

**Memorandum**

**To:** Illona Jeffcoat-Sacco, Executive Secretary  
**From:** Mike Diller, Director of Accounting *MJD*  
**Date:** October 25, 2004  
**Re:** **VCI Company**  
**Local Exchange PC&N**  
**Case No. PU-04-465**



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

Staff reviewed the financial information filed by the applicant for the period ending June 15, 2004, noting stockholder equity of \$749,000.

Based on its review, staff concludes that the applicant has access to sufficient capital to provide service in North Dakota.

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

DONALD A. NEGAARD  
JAMES E. NOSTDAHL  
CAROL K. LARSON  
DAVID J. HOGUE  
REED A. SODERSTROM  
BRENT M. OLSON  
DEBRA L. HOFFARTH  
SCOTT M. KNUDSVIG  
ERIKA L. SLEGER  
RYAN D. SANDBERG

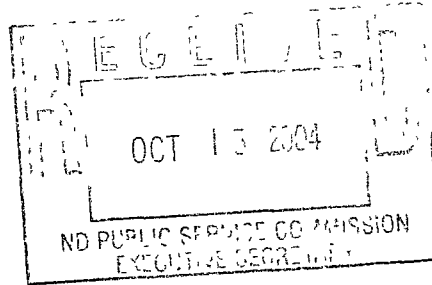
**PH**  
LAW OFFICES OF  
**PRINGLE & HERIGSTAD, P.C.**  
2525 ELK DRIVE  
POST OFFICE BOX 1000  
MINOT, NORTH DAKOTA 58702  
(701) 852-0381  
FAX (701) 857-1361  
E-mail: pringle@srt.com

OF COUNSEL  
HERBERT L. MESCHKE

RETIRED  
THOMAS A. WENTZ  
MARK F. PURDY  
JAN M. SEBBY

KENNETH G. PRINGLE  
(1914-1983)  
ROGER O. HERIGSTAD  
(1919-2003)

October 14, 2004




Ms. Illona Jeffcoat-Sacco  
Executive Secretary  
PUBLIC SERVICE COMMISSION  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

**XO COMMUNICATIONS SERVICES, INC., LOCAL EXCHANGE PUBLIC CONVENIENCE AND NECESSITY  
CASE NO. PU-04-454**

**VCI COMPANY LOCAL EXCHANGE PUBLIC CONVENIENCE AND NECESSITY  
CASE NO. PU-04-465**

Enclosed herewith for filing in each of the above matters are an original and seven copies of the Comments of the Rural Telephone Company Group on the Applications for Certificate of Public Convenience and Necessity of XO Communications Services, Inc., Case No. PU-04-454, and VCI Company, Case No. PU-04-465

  
Don Negaard

jt

Enclosures

8 **PU-04-454**

Pages 1

Cover letter re Comments

by Rural Telephone Company Group by Don Negaard  
10/15/2004 CC Comm Legal Illona Jerry Mike

8

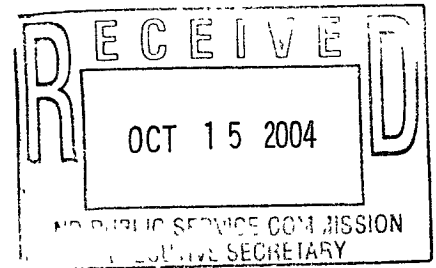
**PU-04-465**

Pages 1

Cover letter re Comments

by Rural Telephone Company Group by Don Negaard  
10/15/2004 CC Comm Legal Illona Jerry Mike

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**



**VCI Company  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

**COMMENTS OF THE RURAL TELEPHONE COMPANY GROUP ("RTCG")  
ON THE APPLICATION FOR CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY  
OF VCI COMPANY ("VCI")**

The Rural Telephone Company Group (RTCG) is a group of telecommunications carriers, each of which is an "incumbent local exchange carrier" and a "rural telephone company" under the federal Telecommunications Act of 1996 (the Act) and each has legal interests in this case under the Act

The RTCG includes

BEK Communications Cooperative  
Consolidated Telcom  
Dakota Central Telecommunications Cooperative and Dakota Central Telecom I  
Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc , and  
Dickey Rural Access, Inc  
Griggs County Telephone Company and Moore & Liberty Telephone Company  
Inter-Community Telephone Company, L L C  
Midstate Telephone Company and Midstate Communications, Inc  
Nemont Telephone Company and Missouri Valley Communications, Inc  
North Dakota Telephone Company  
Northwest Communications Cooperative  
Polar Communications Mutual Aid Corporation and Polar Telecommunications, Inc  
Red River Rural Telephone Association and Red River Telecom, Inc  
Reservation Telephone Cooperative  
SRT Communications, Inc  
United Telephone Mutual Aid Corporation and Turtle Mountain Communications  
West River Telecommunications Cooperative

In PSC Case No PU-453-96-83, AT&T applied for and was granted a Certificate of Public Convenience and Necessity to provide local telecommunications service throughout the state of North Dakota, subject to limitations in the Commission's Order

"8 Public convenience and necessity requires the granting of a statewide certificate to AT&T to provide local service. However, the Commission's determination of the public interest with regard to the service territories of rural telephone companies is subject to any future proceedings under §251(f)(1) or (2) of the Act

9 Granting AT&T's application for a statewide certificate is not a ruling that affects the rights of specific rural telephone company pursuant to 47 U S C §251(f) "

In PSC Case No PU-987-96-390, Sprint applied for and was granted a Certificate of Public Convenience and Necessity to provide local telecommunications service throughout the state of North Dakota, subject to limitations based on the precedent established in the AT&T case

"One issue which has been addressed in other Certificate of Public Convenience and Necessity cases was raised by the intervener, NDATEC. This issue concerns rural telephone companies and what effect the grant of a certificate would have on them. NDATEC identified its interest in this proceeding, and the interests of its members, as a concern that the grant of a certificate of public convenience and necessity not defeat the rural protections provided by the Telecommunications Act of 1996

The Commission agrees with NDATEC that the question is important and must be addressed. This issue will apply to all certificate requests affecting any service area of any rural telephone company in North Dakota. It is the opinion of the Commission that in all such cases, any determination of public interest is subject to future proceedings regarding rural protections or exemptions

In the instant case the Commission will adhere to the precedent established in the AT&T certificate case, Docket No PU-453-96-83, on this issue. In AT&T, the Commission held that its determination of the public interest with regard to the service territories of rural telephone companies is subject to any future proceedings under Section 251(f)(1) or (2) of the Telecommunications Act of 1996 (47 U S C §251(f)(1) or (2)). The Commission also held that granting the certificate on a statewide basis is not a ruling that affects the rights of specific rural telephone companies under 47 U S C §251(f). Both Sprint and NDATEC agree that the qualifications expressed in the AT&T case appropriately apply to Sprint's request for a statewide certificate of public convenience and necessity. The inclusion of these conditions satisfies NDATEC's concerns, and is not objectionable to Sprint "

The AT&T precedent has been cited at least one time following the Sprint case, in Case No PU-1693-97-269, where a statewide certificate was granted to Eclipse Communications Corp (a subsidiary of Western Wireless Corporation), subject to the rights of rural telephone companies under 47 U.S.C. 251(f)

In reliance on the precedent established by the Commission in the AT&T, Sprint, and Eclipse/Western Wireless cases, the RTCG does not request intervention and does not request a hearing on the pending application. The RTCG does request that any order issued to grant the pending application should include limitations substantially the same as those in the AT&T, Sprint, and Eclipse/Western Wireless cases, to preserve the "rural safeguard" rights of rural telephone companies under 47 U.S.C. 251(f)

By the comments contained herein, none of the above-named companies shall be deemed to have waived its rights to claim that VCI Company or its parent company are prohibited from competing with the RTCG or their subsidiaries

Dated at Minot, North Dakota, this 14th day of October, 2004

  
PRINGLE & HERIGSTAD, P C

---

By Don Negaard, ND Bar ID #03598  
Attorneys for RTCG  
2525 Elk Drive  
P O Box 1000  
Minot, ND 58702-1000  
(701) 852-3081



# 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, New Access - VCI Co, 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.

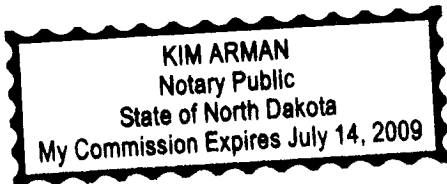
Signed: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 5 day of October 2004.

Kim Arman



6	<b>PU-04-423</b>	Pages 1
	Affidavit of Publication	
	by North Dakota Advertising Service, Inc	
	10/06/2004	CC Comm Legal Illona Jerry Mike
6	<b>PU-04-454</b>	Pages 1
	Affidavit of Publication	
	by North Dakota Advertising Service Inc	
		CC Comm Legal Illona Jerry Mike
6	<b>PU-04-465</b>	Pages 1
	Affidavit of Publication	
	by North Dakota Advertising Service Inc	
	10/06/2004	CC Comm Legal Illona Jerry Mike

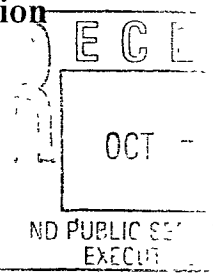
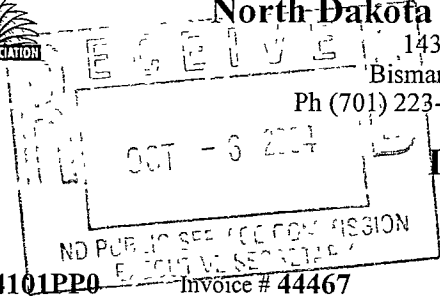


# North Dakota Newspaper Association

1435 Interstate Loop

Bismarck, ND 58503-0567

Ph (701) 223-6397 • Fax (701) 223-8185



## INVOICE

Order 19641-04101PP0

Invoice # 44467

October 5, 2004

Attn: ILLONAA. JEFFCOAT-SACCO  
PUBLIC SERVICE COMMISSION  
600 E. BOULEVARD AVE.  
STATE CAPITOL  
BISMARCK, ND 58505

Advertiser Public Utilities Division

P O # PU-04-423, 454, 465

Amount Due **\$422.26**

Amount Paid

Voice 701-328-4076

Please detach and return this portion with your payment

Public Utilities Division Invoice # 19641-04101PP0-44467 PO# PU-04-423, 454, 465

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
---------	-----------	------	-------	--------------	---------	------	----------

### DAILY

<b>Bismarck Tribune (Bismarck ND)</b>							
65 00	SPR2	0 64	41 60	0 00	New Access - VCI Co		09/29/04
<b>Devils Lake Daily Journal (Devils Lake ND)</b>							
67 00	SPR2	0 63	42 21	0 00	New Access - VCI Co		09/29/04
<b>Dickinson Press (Dickinson ND)</b>							
71 00	SPR2	0 57	40 47	0 00	New Access - VCI Co		09/29/04
<b>Fargo, The Forum (Fargo ND)</b>							
61 00	SPR2	0 71	43 31	0 00	New Access - VCI Co		10/04/04
<b>Grand Forks Herald (Grand Forks ND)</b>							
62 00	SPR2	0 69	42 78	0 00	New Access - VCI Co		09/30/04
<b>Jamestown Sun (Jamestown ND)</b>							
76 00	SPR2	0 54	41 04	0 00	New Access - VCI Co		09/29/04
<b>Minot Daily News (Minot ND)</b>							
77 00	SPR2	0 54	41 58	0 00	New Access - VCI Co		09/29/04
<b>Valley City Times-Record (Valley City ND)</b>							
68 00	SPR2	0 61	41 48	0 00	New Access - VCI Co		09/29/04
<b>Wahpeton Daily News (Wahpeton ND)</b>							
92 00	SPR2	0 51	46 92	0 00	New Access - VCI Co		09/29/04
<b>Williston Herald (Williston ND)</b>							
67 00	SPR2	0 61	40 87	0 00	New Access - VCI Co		09/29/04

Gross Advertising	422 26	Total Misc	0 00	Amount Paid	0 00
Agency Discount		Tax	0 00	Adjustments	0 00
Other Discount	0 00	Total Billed	422 26	Payment Date	
Service Charge	0 00	Unbilled	0 00	Balance Due	422 26

6 PU-04-454 Pages 1

Affidavit of Publication

6 PU-04-423 Pages 1

Affidavit of Publication

6 PU-04-465 Pages 1

Affidavit of Publication

by North Dakota Advertising Service Inc

by North Dakota Advertising Service, Inc

10/06/2004

CC Comm Legal Illona Jerry Mike

10/06/2004

CC Comm Legal Illona Jerry Mike

State Of North Dakota  
Public Service Commission  
Notice Of Opportunity For Hearing  
Case No. PU - 04 - 465  
September 22, 2004

Bismarck	9-29
Devils Lake	9-29
Dickinson	9-29
Fargo	10-4
Grand Forks	9-30
Jamestown	9-29
Minot	9-29
Valley City	9-29
Wahpeton	9-29
Williston	9-29

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**New Access Communications LLC  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-423**

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

**Case No. PU-04-454**

**VCI Company  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

**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 **23rd day of September, 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:

Patrick D Crocker  
Early Lennon Crocker & Bartosiewicz PLC  
900 Comerica Bldg  
Kalamazoo MI 49007

**Cert. No. 7003 2260 0001 3517 0340**

Nicholaus G Leverett  
Melissa Smith Conway  
Kelley Drye & Warren LLP  
1200 123rd St NW Ste 500  
Washington D C 20036

**Cert. No. 7003 2260 0001 3517 0401**

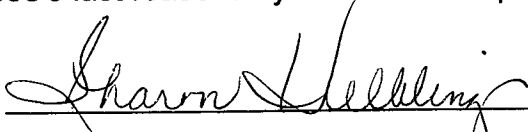

Stacey A Klinzman  
Miller Isar Inc  
7901 Skansie Ave Ste 240  
Gig Harbor WA 98335  
**Cert. No. 7003 2260 0001 3517 0418**

**Sharon Helbling** further deposes and says that on the **23rd day of September, 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.

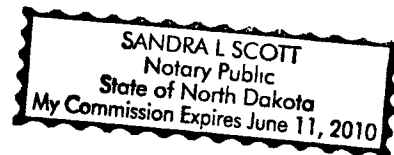
Doug Kinkoph  
XO Communications Inc  
2 Eastern Oval Ste 300  
Columbus OH 43219

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

Subscribed and sworn to before me  
this **23rd day of September, 2004**.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public

SEAL



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

New Access Communications LLC  
Local Exchange  
Public Convenience and Necessity

Case No. PU-04-423

XO Communications Services, Inc.  
Local Exchange  
Public Convenience and Necessity

Case No. PU-04-454

VCI Company  
Local Exchange  
Public Convenience and Necessity

Case No. PU-04-465

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 **23rd day of September, 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.

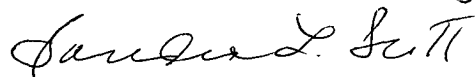
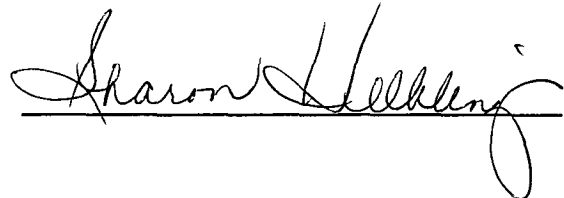
**Notice of Opportunity for Hearing**

The envelopes were addressed as follows

***See Attached List***

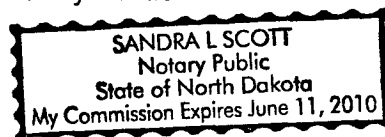
Each address shown is the respective addressee's last reasonably ascertainable post office address

Subscribed and sworn to before me  
this **23rd day of September, 2004**.



Notary Public

SEAL



mariep@telcogroupinc.com  
Marie Pierre-Paul

wbrudvik@ohnstadlaw.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

linda.gilmore@broadwing.com  
Linda Gilmore  
Broadwing Communications LLC  
1122 S Capital of TX Hwy  
Austin TX 78746-6426

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

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

ken@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

lhankins@covad.com  
Lynn Hankins  
DIECA Communications Inc  
7901 Lowry Blvd  
Denver CO 80202

bgipson@vartec.net  
Becky Gipson  
Excel Telecommunications 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

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

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

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

carl.billek@corp.idt.net  
Carl Billek  
IDT America, Corp.  
520 Broad St 7th Fl  
Newark NJ 07102

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

karen.johnson@integratelecom.com  
Karen Johnson  
Integra Telecom of North Dakota Inc  
1201 NE Lloyd Blvd Ste 500  
Portland OR 97232

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

sales@kmavradio.com  
KMAV AM/FM RADIO  
PO Box 216  
Mayville ND 58257-0216

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

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

Michel.singer\_nelson@mci.com  
Michel Singer-Nelson  
MCI WorldCom Inc  
707 17th St Ste 3600  
Denver CO 80202

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

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

collinsk@mdu.mdures.com  
Karen Collins  
Montana-Dakota Utilities Co  
400 N 4th St  
Bismarck ND 58501

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

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

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

prieck@newaccess.cc  
Pam Rieck  
New Access Communications LLC

abussmann@newaccess.cc  
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

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

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

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

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

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

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

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

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

sschwan@qwest.com  
Suzy Schwandt  
Qwest Corporation

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

mkambeiqwest.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

karen.titzer@qwest.com  
Karen Titzer  
Qwest Corporation  
1801 California St Rm 4700  
Denver CO 80202

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  
Red River Rural Tele Assoc  
PO Box 136  
Abercrombie ND 58001-0136

jeffolson@rrt.net  
Jeff Olson  
Red River Telecom Inc  
PO Box 136  
Abercrombie ND 58001-0136

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

mbrestel@ndak.net  
Marcia Burckhard  
Reservation Telephone Cooperative  
Parshall ND 58770

shaneh@restel.net  
Shane Hart  
Reservation Telephone Cooperative  
Parshall ND 58770

pam@tnics.com  
Pamela Harrington  
Roberts Cty Tele Coop Assoc  
New Effington SD 57255

suelh@srttel.com  
Sue Hamilton  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

stevedl@srttel.com  
Steve Lysne  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

christm@srttel.com  
Chris Morsefield  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

janehp@srttel.com  
Jane Petersen  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

kimrw@srttel.com  
Kim Weydahl  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

francie@talk.com  
Francie McComb  
Talk America Inc  
12001 Science Dr Ste 130  
Orlando FL 32826

lahall@usgs.gov  
Lenora Hall  
U S Geological Survey

jennifer.arnold@uslink.com  
Jennifer Arnold  
U S Link Inc  
P O Box 327  
Pequot Lakes MN 56472-0327

kander@ictc.com  
Keith Anderson  
Valley Communications Inc  
P O Box 8  
Nome ND 58062

anthony.gillman@verizon.com  
Anthony Gillman  
Verizon Select Services Inc  
P O Box 110  
Tampa FL 33601-0110

mickg@westriv.com  
Mick Grosz  
West River Telecommunications Coop  
PO Box 467  
Hazen ND 58545-0467

johnar@srttel.com  
John Reiser  
SRT Communications Inc  
P O Box 2027  
Minot ND 58702-2027

mdickerson@state.nd.us  
Marcy Dickerson  
State Tax Department  
State Capitol  
Bismarck ND 58505

lwh@thlglaw.com  
Loubna W Haddad  
The Helein Law Group LLP  
8180 Greensboro Dr Ste 700  
McLean VA 22102

kjvannin@usgs.gov  
K Vannin  
U S Geological Survey

mspead@universalservice.org  
Michael Spead  
USAC  
2120 L St NW Ste 600  
Washington DC 20037

bgipson@vartec.net  
Becky Gipson  
VarTec Solutions Inc  
1600 Viceroy Dr  
Dallas TX 75235

bonniek@westriv.com  
Bonnie Krause  
West River Telecomm Coop  
PO Box 467  
Hazen ND 58545-0467

block@windfallintl.com  
Robert K Lock  
Windfall Resources Iternational LLC  
7144 BN Harlem Ave Ste 323  
Chicago IL 60631

paulihland@wtc-mail.net

Paul Ihland

Wolverton Telephone Company

Wolverton MN 56594

Carolyn Fodor  
Winstar Communications  
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

DSLnet Communications LLC  
545 Long Wharf Dr  
New Haven CT 06511

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

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

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

GLOBCOM INCORPORATED  
2100 Sanders Rd Ste 150  
Northbrook IL 60062

Granite Telecommunications LLC  
234 Copeland St  
Quincy MA 02169

Griggs County Telephone Co  
Cooperstown ND 58425

Group Long Distance Inc  
6600 N Andrews Ave Ste 140  
Ft Lauderdale FL 33309

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

HTC Services Inc  
P O Box 55  
Halstad MN 56548

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

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

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

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

David A. Huberman  
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

KMC Telecom V Inc  
1545 Rt 206  
Bedminster NJ 07921

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

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

Level 3 Communications LLC  
3555 Farnam St  
Omaha NE 68131

Local Telcom Holdings LLC  
485 Madison Ave 15th Fl  
New York NY 10022-5803

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

Steven Katka  
Loretel Systems Inc  
13 E 4th Ave  
Ada MN 56510

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

Michel Murray  
MCI WorldCom Inc  
707 17th St Ste 3600  
Denver CO 80202

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

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

McLeodUSA  
P O Box 3177  
Cedar Rapids IA 52406-3177

Midcontinent Communications  
410 South Phillips Ave  
Sioux Falls SD 57104

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

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

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

Mike Strand  
MITS  
PO Box 5237  
Helena MT 59604-5237

Richard Thronson  
Nemont Telephone Cooperative Inc  
Scobey MT 59263

Dave Crothers  
NDATC  
Box 1144  
Mandan ND 58554-1144

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

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

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

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

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

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

Mary Buley  
Onvoy Inc  
300 South Highway 169  
Minneapolis MN 55426

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

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

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

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

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

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

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

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

Kristin L Smith  
Qwest  
1801 California St Ste 4700  
Denver CO 80202

Melissa Thompson  
Qwest Corporation  
1801 California St 49th Fl  
Denver CO 80202

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

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

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

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

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

ServiSense.com Inc  
60 Glacier Dr #3000  
Westwood MA 02090-1818

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

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

Randy Burckhard  
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

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

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

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

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

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

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

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

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

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

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

Kenneth Carlson  
United Telephone Mut Aid Corp  
Langdon ND 58249

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

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

Val-Ed Joint Venture LLP  
702 Main Ave  
Moorhead MN 56560

VarTec Telecom Inc  
1600 Viceroy Dr  
Dallas TX 75235

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

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

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

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

Darrell Henderson  
West River Coop Telephone Company  
PO Box 39  
Bison SD 57620-0039

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

Mick Grosz  
West River Telecomm Coop  
PO Box 467  
Hazen ND 58545-0467

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

WTC Competitive Services Inc  
P O Box 129  
Wolverton MN 56594

XO Network Services Inc  
11111 Sunset Hills Rd  
Reston VA 20190

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

**Helbling, Sharon D.**

---

**From:** Helbling, Sharon D  
**Sent:** Thursday, September 23, 2004 7 52 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, call me at 328-4076, or e-mail.

Thank you.

Sharon Helbling  
Public Utilities Division



**1.doc (39  
KB)**

**APPROVED**

**MOTION**

DATE: 9-22-04  
KMF

**September 22, 2004**

**New Access Communications LLC  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-423**

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

**Case No. PU-04-454**

**VCI Company  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

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

JRL/sdh

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**New Access Communications LLC  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-423**

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

**Case No. PU-04-454**

**VCI Company  
Local Exchange  
Public Convenience and Necessity**

**Case No. PU-04-465**

**NOTICE OF OPPORTUNITY FOR HEARING**

**September 22, 2004**

On August 19, 2004, New Access Communications LLC. of Minneapolis, MN 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 September 1, 2004, XO Communications Services, Inc. of Reston, VA filed an application for a certificate of public convenience and necessity to provide facilities-based competitive local exchange telecommunication services throughout North Dakota.

On September 3, 2004, VCI Company of Lakewood, WA filed an application for certificates of public convenience and necessity to provide facilities-based competitive local exchange and interexchange telecommunication services throughout North Dakota.

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 **October 25, 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

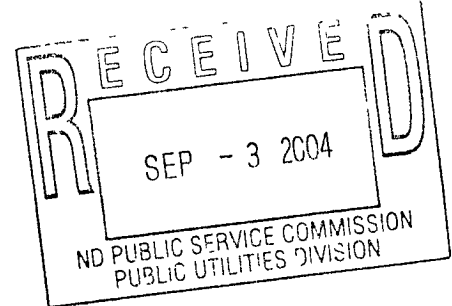
  
\_\_\_\_\_  
Tony Clark  
President

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

**MILLER  
ISAR** INC  
REGULATORY CONSULTANTS

STACEY A KLINZMAN

7901 SKANSIE AVENUE,  
SUITE 240  
GIG HARBOR, WA 98335  
TELEPHONE 253 851 6700  
FACSIMILE 253 851 6474  
HTTP /WWW.MILLERISAR.COM



Via Overnight Delivery  
September 2, 2004

Illona Jeffcoat-Sacco, Executive Secretary  
Public Service Commission of North Dakota  
600 E. Boulevard Ave , Dept. 408  
Bismarck, North Dakota 58505-0480

Re VCI Company – Application for Authority to Provide Facilities-Based Local Exchange,  
IntraLATA Toll and Exchange Access Services throughout North Dakota

Dear Ms Jeffcoat-Sacco

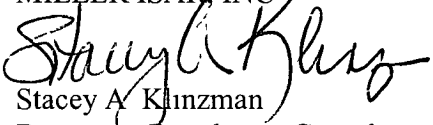
Enclosed please find an original and six (6) copies of VCI Company's ("VCI") Application for Authority to Provide Facilities-Based Local Exchange, IntraLATA Toll and Exchange Access Services With this application, VCI requests authority to provide facilities-based local exchange services, including intraLATA toll services, throughout the State of North Dakota and exchange access services to interconnecting carriers Included as attachments to the application are a copy of VCI's Certificate of Authority to transact business in North Dakota and original Certificate of Good Standing from the North Dakota Secretary of State. VCI has filed an Application for Certificate of Registration to provide resold local exchange and intraLATA toll services in North Dakota under separate cover

Please acknowledge receipt of this filing by date-stamping and returning the additional copy of this transmittal letter in the self-addressed, postage-paid envelope provided for this purpose.

Questions regarding this filing may be directed to me

Sincerely,

MILLER ISAR, INC

  
Stacey A. Klinzman  
Director – Regulatory Compliance  
Enclosures

cc Stanley Johnson, President, VCI Company

BEFORE THE PUBLIC SERVICE COMMISSION  
IN AND FOR THE STATE OF NORTH DAKOTA

In Re The Application Of )  
VCI Company, For a ) Docket No. \_\_\_\_\_  
Certificate Of Public Convenience and )  
Necessity To Provide Competitive )  
Facilities Based Local Exchange, )  
IntraLATA Toll and Exchange Access )  
Telecommunications Services )  
Within The State Of North Dakota )  
\_\_\_\_\_ )

**APPLICATION AND RECITALS**

COMES NOW Applicant VCI Company, (henceforth “VCI” or “Applicant”), pursuant to ND Cent. Code §§49-03.1-03 and 49-03.1-04, to respectfully request the Public Service Commission of the State of North Dakota (henceforth “Commission”) to grant its application for a certificate of public convenience and necessity to provide facilities-based local exchange and intraLATA toll services as well as exchange access telecommunications services within and for the State of North Dakota (“Application”). In addition, Applicant respectfully requests, pursuant to ND Cent. Code §49-03.1-05, that if no request for hearing on this Application is received within the specified time, the Commission exercise its discretionary authority to grant the requested certification without such a hearing.

Applicant proposes to offer facilities-based local exchange and intraLATA toll services primarily to residential customers, within the State of North Dakota utilizing combinations of unbundled network elements platform (UNE-P) and resale products purchased from the incumbent local exchange carrier (ILEC). Applicant reserves the right to expand its facilities based operation to include its own constructed equipment and network elements, though no plan exists to do so at this time. Applicant also intends to provide exchange access services to interconnecting carriers.

Applicant will focus on providing local exchange and intraLATA toll telecommunications services primarily to residential and low-income customers in the State of North Dakota, but may expand its operations to provide service to commercial customers in the future. Applicant's goal is to bring residential consumers within the State of North Dakota a full range of telecommunication service choices at competitive pricing.

In support of this application, Applicant provides the following information:

**I**  
**THE APPLICANT**

A. Business Entity Information:

- (1.) Applicant is a privately held corporation organized under the laws of the State of Washington on November 24, 2003. Applicant's principle place of business is located at:

VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 253-973-2476  
Facsimile: 253-475-6328  
Email: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

A true and correct copy of Applicant's Articles of Incorporation is attached hereto as **Exhibit A**.

**I**  
**THE APPLICANT, Continued**

A. Business Entity Information, Continued:

(2.) Applicant has obtained authority from the North Dakota Secretary of State to conduct and transact business within the State of North Dakota as a foreign corporation. Attached hereto as **Exhibit B** is VCI's certificate of authority from the North Dakota Secretary of State. Also attached is an original certificate of good standing.

(3.) Applicant's registered agent in the State of North Dakota for service of process is:

National Registered Agents, Inc.  
220 North Fourth Street  
Bismarck, ND 58501

(4.) Any and all questions the Commission may have regarding the Applicant's operations in and for the State of North Dakota may be directed to:

Stanley Efferding, Secretary/Treasurer  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 206-419-5948  
Facsimile: 253-475-6328  
E-mail: Vilaire@comcast.net

**I**  
**THE APPLICANT, Continued**

B. Officers and Directors

(1.) The following is a list of Applicant's officers and directors:

Stanley Johnson, President/Director  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 253-973-2476  
Facsimile: 253-475-6328  
Email: [stanj@vilaire.com](mailto:stanj@vilaire.com)

Stanley Efferding, Secretary/Treasurer  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 206-419-5948  
Facsimile: 253-475-6328  
E-mail: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

Biographical information for Messrs. Efferding and Johnson is contained in Applicant's Senior Management Biographies, attached hereto as **Exhibit C**.

**II**  
**DESIGNATED CONTACTS**

A. Regulatory Contact: Applicant's authorized and designated contact for all issues regarding regulatory compliance is

Stanley Efferding, Secretary/Treasurer  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 206-419-5948  
Facsimile: 253-475-6328  
E-mail: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

**II**  
**DESIGNATED CONTACTS, Continued**

- B. Consumer Contact: Applicant's authorized and designated contact for all issues regarding consumer or customer service and complaints is

Stanley Efferding, Secretary/Treasurer  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
Telephone: 206-419-5948  
Facsimile: 253-475-6328  
E-mail: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

- C. Application Contact: Applicant's authorized and designated contact for all issues regarding this application is

Ms. Stacey A. Klinzman  
Director—Regulatory Compliance  
Miller Isar, Inc.  
7901 Skansie Avenue, Suite 240  
Gig Harbor, WA 98335  
Telephone: (253) 851-6700  
Facsimile: (253) 851-6474  
Email: [sklinzman@millerisar.com](mailto:sklinzman@millerisar.com)

**III  
DESCRIPTION OF BUSINESS AND AUTHORITY REQUESTED**

A Applicant's Business Plan In North Dakota: Applicant intends to operate as a provider of facilities-based local exchange and intraLATA toll telecommunications services, primarily to residential and low-income customers in the State of North Dakota, in the service area currently served by Qwest Corporation ("Qwest"). Applicant also intends to provide exchange access services to interconnecting carriers.

B Applicant's Certification Status In Other Jurisdictions: Applicant or its affiliate company<sup>1</sup> has obtained authority, or has authority to provide resold and facilities-based local exchange and intraLATA toll service pending, in the following states

State	Name of Company	Authorization/Certification	Status
Montana	VCI Company	Registration	Registration confirmed May 20, 2004
Oregon	VCI Company d/b/a Vilaire	Competitive telecommunications Provider for intraexchange service	Approved. CP 1143/Mar 19, 2003
Washington	Stan Efferding d/b/a Vilaire	Registration as a Competitive Telecommunications Company	Registration approved, UT-021524, December 18, 2002
Wyoming	Stan Efferding d/b/a Vilaire Communications	Certificate of Public Convenience and Necessity to provide local exchange telecommunications services	Approved. DOCKET NO. 70104-TA-03-1/ July 21, 2003

<sup>1</sup>Prior to its incorporation in November 2003, Applicant was a sole-proprietorship that made application for certification in several states under the name Stanley Efferding d/b/a Vilaire or Vilaire Communications. Since incorporation, Applicant has been filing applications for telecommunications authority under the name VCI Company. Where VCI Company is not available as a corporate name, Applicant has added a fictitious name as permitted or required in state law and regulations. Stanley Efferding is a principal of the sole proprietorship and the corporation.

State	Name of Company	Authorization/Certification	Status
California	VCI Company d/b/a Vilaire	Application for Certificate of Public And Necessity to provide Resale and Facilities-Based Local Exchange and IntraLATA Toll Services	Pending, Filed April 28, 2004, Application No. 04-04-038
Idaho	VCI Company f/k/a Stan Efferding d/b/a Vilaire	Application for Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange and IntraLATA toll Services	Pending, Filed June 3, 2003, amended July 14, 2004, Case No. GNR-T-03-21.
South Dakota	VCI Company	Application for Certificate of Authority to Provide Resold and Facilities-Based Local Exchange, IntraLATA Toll and Exchange Access Telecommunications Services.	Pending. Filed August 10, 2004
Colorado	VCI Company	Certificate of Public Convenience and Necessity to Provide Local Exchange Telecommunications Services and a Letter of Registration to Provide Emerging Competitive Telecommunications Services	Pending. Filed August 6, 2004, Docket No. 04A-414T.  Applicant was previously certificated in Colorado under the name Stan Efferding d/b/a Vilaire Communications. Upon the advice of staff, the certificate was voluntarily withdrawn and a new application under the incorporated name, VCI Company, was filed and is currently under consideration by the Commission.

On June 3, 2003, an application for local service authority was filed with the Iowa Utilities Board (“Board”) under the name Stanley Efferding d/b/a Vilaire Communications, TCU-03-8 (TF-03-179, WRU-03-29-3715). Because of difficulties working with consultants hired at that time, Vilaire did not respond to staff’s requests for additional information. As Vilaire had determined not to enter the Iowa market at that time, the company permitted the

application to be rejected by the Board for administrative reasons. In no other instance has an application by VCI Company or an affiliate been rejected by a Commission. No application filed by VCI Company or an affiliate to provide telecommunications services has been denied. No regulatory or other legal enforcement action been taken against the Applicant, including revocation of a certificate of authority.

C. Applicant's Request For Authority: By this Application, Applicant seeks authority from the Commission to provide a full range of facilities-based local exchange telecommunications services. Applicant plans initially to market its services, primarily through television advertisement and customer initiated subscription via company's 800 number, to residential and residential low-income customers, but may provide service to commercial customers in the future. Applicant does not currently plan to engage in multi-level marketing. Applicant will not maintain or employ any staff within the State of North Dakota.

D Applicant's Area Of Authority: With respect to scope of operation, Applicant seeks authority from the Commission to operate in those areas of the State of North Dakota previously approved by the Commission for provision of competitive local exchange services, but initially will operate in the service area currently served by Qwest Communications Corporation. The Applicant respectfully requests permission to concur in Qwest's service area maps, already on file with the Commission. Applicant has not yet filed a request for interconnection with Qwest in North Dakota, but is operating under Qwest's interconnection agreements in Oregon, Washington and Wyoming. Applicant will submit a copy of its interconnection agreement and access services tariff once these documents become available, said submission pursuant to Commission rule.

**IV**  
**DESCRIPTION AND FITNESS OF COMPANY**

Applicant is a privately held corporation organized under the laws of the State of Washington on November 24, 2003. Applicant's senior management, Stanley Efferding and Stanley Johnson, have substantial experience in the successful development and operations of a telecommunications business. As Applicant will not own, operate or manage a network, Applicant is dependent on the technical capabilities of its underlying carrier, Qwest. Details of the senior management's business and operational experience are contained in Exhibit C, attached hereto. Please also refer to the Affidavit of Stanley Johnson for further affirmations of competency. Also, attached as Exhibit E are Applicant's most recent, unaudited financial statements, demonstrating financial fitness to provide continuous, quality telecommunications services in the State of North Dakota.

**V**  
**PROPOSED TARIFF**

All of the Applicant's proposed local exchange services in the State of North Dakota will be provided pursuant to the terms and conditions set forth in the Applicant's illustrative local exchange service tariff, attached hereto as **Exhibit D**. Applicant's local exchange tariff, including services and rates, will be filed upon approval of this Application.

**VI**  
**BILLING**

Applicant will bill all of its customers directly. All invoices for service fees and charges shall bear the name and address of the Applicant, as well as bear a toll-free telephone number for customer inquiries and complaints.

## VII CUSTOMER SERVICE

A. Individual Customer Inquiries: Applicant's Customer Service personnel are available Monday – Friday 9am to 5pm PST to respond to Customer complaints and inquiries. Customer complaints and inquiries may be addressed to Applicant at its toll free telephone number: 800-923-8375. Applicant is committed to providing quality customer service.

B. Individual Customer Complaint Resolution: The customer's first point of contact for billing or service complaints is Applicant's Customer Service Department's trained representatives. If, after contacting Applicant's customer service representative, the customer remains dissatisfied, the customer may be connected with Applicant's Customer Service Manager, Stanley Efferding. Customers will be advised that they may contact the Commission at any time for assistance in the resolution of any issue concerning the Applicant's telecommunications service.

C. Written Complaints: Written inquiries and complaints, whether from a regulatory body or other entity or person, will be handled by Applicant's management. Written complaints will be promptly reviewed, researched, and responded to within a reasonable time.

## VIII STATEMENT OF COMPLIANCE

Applicant agrees and affirms to abide by all applicable statutes, orders, rules and regulations entered and adopted by the Commission for competitive local carriers in the State of North Dakota. The Applicant will allow its local exchange customers to obtain interLATA and intraLATA interexchange service from other toll carriers as well as local operator and directory services from other providers on a non-discriminatory basis and manner. Where the Applicant offers a service in a particular exchange, the Applicant will offer that same service on a non-discriminatory basis to all customers in that exchange. The Applicant will provide its local

**VIII**  
**STATEMENT OF COMPLIANCE, Continued**

customers with a local calling area that is at least as large in scope as the calling area of the incumbent local exchange carrier in the area

**IX**  
**PUBLIC INTEREST CONSIDERATIONS**

The Commission's approval of this application will serve the public interest and result in direct benefits to local customers in the State of North Dakota. The Applicant will excel in outstanding customer service and provide services that are affordable to consumers.

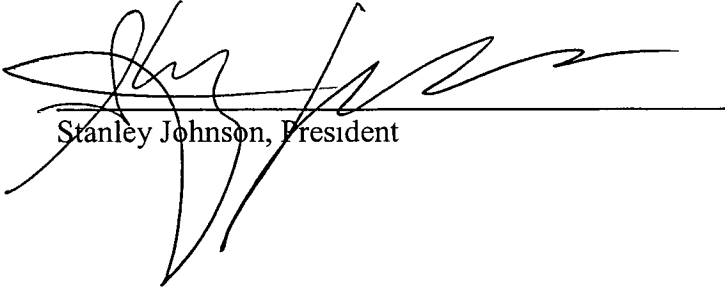
**X**  
**CONCLUSION**

WHEREFORE, Applicant VCI Company, respectfully petitions the North Dakota Public Service Commission for a Certificate of Public Convenience and Necessity to provide competitive facilities-based local exchange and intraLATA toll telecommunications services in and to the State of North Dakota.

[SIGNATURE NEXT PAGE]

DATED THIS 30 day of August, 2004.

VCI COMPANY



Stanley Johnson, President

BEFORE THE PUBLIC SERVICE COMMISSION  
IN AND FOR THE STATE OF NORTH DAKOTA

In Re The Application Of )  
VCI Company, For a ) Docket No. \_\_\_\_\_  
Certificate Of Public Convenience and )  
Necessity To Provide Competitive ) AFFIDAVIT OF  
Facilities Based Local Exchange, ) STANLEY JOHNSON  
IntraLATA Toll and Exchange Access )  
Telecommunications Services )  
Within The State Of North Dakota )  
\_\_\_\_\_ )

STATE OF WASHINGTON )  
County of Pierce ) ss. Lakewood  
)

STANLEY JOHNSON duly sworn upon oath, deposes and declares:

(1.) I am a President of VCI Company, am over the age of eighteen (18) years, have personal knowledge of the matters contained herein, and am competent to testify thereto;

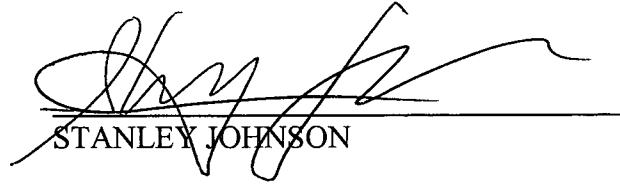
(2.) I have reviewed the application of VCI Company, and believe that the statements and exhibits attached thereto are true and correct to the best of my knowledge, information and belief;

(3.) VCI Company is a cash –flow positive business, capable of maintaining long-term financial viability;

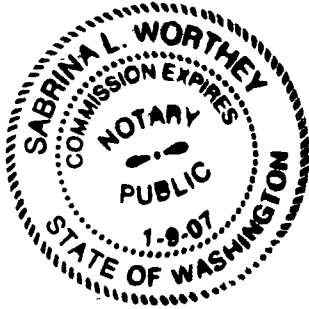
(4.) Affiant makes this affidavit to meet the requirements of the Public Service Commission of the State of North Dakota regarding the financial viability of Applicant VCI Company.

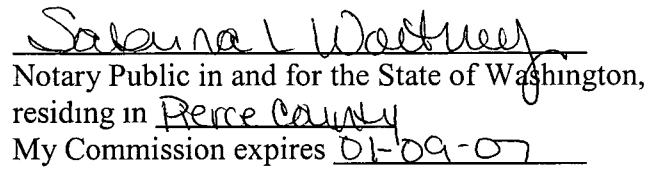
FURTHER AFFIANT SAYETH NAUGHT.

(SIGNATURE ON NEXT PAGE)

  
STANLEY JOHNSON

SWORN AND SUBSCRIBED TO before me this 30 day of August, 2004.



  
Notary Public in and for the State of Washington,  
residing in Perce County  
My Commission expires 01-09-07

**EXHIBIT A**

**ARTICLES OF INCORPORATION**  
(Attached)

**EXHIBIT B**

**CERTIFICATE OF AUTHORITY  
CERTIFICATE OF GOOD STANDING**  
(Attached)

329-1697.0  
2003



# APPLICATION TO FORM A PROFIT CORPORATION

(Per Chapter 23B 02 RCW)

FEE: \$175

- Please PRINT or TYPE in black ink
- Sign, date and return original AND ONE COPY to

CORPORATIONS DIVISION  
801 CAPITOL WAY SOUTH • PO BOX 40234  
OLYMPIA, WA 98504-0234

- BE SURE TO INCLUDE FILING FEE Checks should be made payable to "Secretary of State"

FILED  
SECRETARY OF STATE  
NOV 24 2003  
STATE OF WASHINGTON  
OFFICE USE ONLY

FILED	1	1	UBI	600-344-481
CORPORATION NUMBER				

IMPORTANT! Person to contact about this filing <i>Stanley Johnson</i>	Daytime Phone Number (with area code) (253) 933-2476
--	---

## ARTICLES OF INCORPORATION

NAME OF CORPORATION (Must contain the word "Corporation" "Incorporated" or "Limited" or the abbreviation "Corp" "Inc" "Co" or "Ltd") <i>VCE Company</i>	
NUMBER OF SHARES (Minimum of one (1) share must be listed) THE CORPORATION IS AUTHORIZED TO ISSUE <i>100</i>	CLASS OF SHARES (If "preferred" class is checked, please attach description) <input checked="" type="checkbox"/> Common <input type="checkbox"/> Preferred
EFFECTIVE DATE OF INCORPORATION (Specified effective-date may be up to 90 days AFTER receipt of the document by the Secretary of State) <input type="checkbox"/> Specific Date _____ <input checked="" type="checkbox"/> Upon filing by the Secretary of State	

>>> PLEASE ATTACH ANY OTHER PROVISIONS THE CORPORATION ELECTS TO INCLUDE <<<

NAME AND ADDRESS OF WASHINGTON STATE REGISTERED AGENT		
Name <i>Stanley Johnson</i>		
Street Address (Required) <i>7304 Zirkon Dr SW</i>	City <i>Lakewood</i>	State <i>WA</i> ZIP <i>98498</i>
PO Box (Optional - Must be in same city as street address) _____ ZIP (If different than street ZIP) _____		
I consent to serve as Registered Agent in the State of Washington for the above named corporation. I understand it will be my responsibility to accept Service of Process on behalf of the corporation; to forward mail to the corporation; and to immediately notify the Office of the Secretary of State if I resign or change the Registered Office Address.		
<i>[Signature]</i> Signature of Agent	<i>Stanley Johnson</i> Printed Name	<i>11/24/03</i> Date

NAMES AND ADDRESSES OF EACH INCORPORATOR (If necessary, attach additional names and addresses)		
Name <i>Stanley Johnson</i>		
Address <i>7304 Zirkon Dr SW</i>	City <i>Lakewood</i>	State <i>WA</i> ZIP <i>98498</i>
Name <i>Stan Effending</i>		
Address <i>7304 Zirkon Dr SW</i>	City <i>Lakewood</i>	State <i>WA</i> ZIP <i>98498</i>
Name _____		
Address _____ City _____ State _____ ZIP _____		

SIGNATURE OF INCORPORATOR			
This document is hereby executed under penalties of perjury, and is, to the best of my knowledge, true and correct.			
<i>[Signature]</i> Signature of Incorporator	<i>Stanley Johnson</i> Printed Name	<i>President</i> Title	<i>11/24/03</i> Date

CORPORATIONS INFORMATION AND ASSISTANCE - 360/753-7115 (TDD - 360/753-1485)

FOR OFFICE USE ONLY

44-71600-11720  
\$0.00 Document  
Only  
Tracking ID: 634759  
Doc No: 314330-002

005-001 (9/00)

# *State of North Dakota*

## SECRETARY OF STATE



### CERTIFICATE OF AUTHORITY OF

VCI COMPANY  
Secretary of State ID#: 15,397,700

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

VCI COMPANY

for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the North Dakota Century Code, 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

VCI COMPANY

to transact business in this State under the name of

VCI COMPANY

Issued: July 28, 2004

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

Alvin A. Jaeger  
Secretary of State



**CERTIFICATE OF AUTHORITY  
FOREIGN CORPORATION  
APPLICATION**  
SECRETARY OF STATE  
SFN 13100A (13100 + 7974) (7-99)

**RECEIVED**  
JUL 28 2004  
SEC. OF STATE

FOR OFFICE USE ONLY

ID #	15,397,700
WO #	150803
Filed	7-28-04
By	NLS

SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS

- 1 A The application **MUST** be accompanied by ALL of the following
- Filing fee of \$125 if a Foreign Business or Professional Corporation
  - Filing fee of \$40 if a Foreign Nonprofit Corporation
  - Signed Consent of Registered Agent and fee of \$10
  - Current, **ORIGINAL CERTIFICATE OF GOOD STANDING OR CERTIFICATE OF EXISTENCE** verifying corporate existence certified by the incorporating officer of the state or country of incorporation
- B The following **MAY** be required
- Certification of professional license from the North Dakota licensing board for the profession
  - Signed consent to use of name and fee of \$10
  - Trade Name Registration and fee of \$25

TYPE OR PRINT LEGIBLY For reference, see North Dakota Century Code, Section 10-19.1-135 or 10-33-125.

2 Type of corporation applying for Certificate of Authority (check one)

Foreign Business     Foreign Professional     Foreign Nonprofit

3 A. Name of corporation **EXACTLY** as it appears on Certificate of Good Standing from state of origin  
VCI COMPANY

B Federal ID #  
56-2416420

C. If the corporation chooses to use a name other than its corporate name, that name is a trade name and must be registered with the North Dakota Secretary of State (SEE INSTRUCTION 3 C ) If applicable, provide the trade name below and complete the Trade Name Registration form if the selected trade name is not already registered in North Dakota.

- D If the corporation has been notified by the North Dakota Secretary of State that its corporate name is the same as, or deceptively similar to a name already registered, this application for Certificate of Authority must be accompanied by one of the following (check one)
- Consent to use of name from the conflicting name holder(s)
- An application for registration of a trade name for use in transacting business in North Dakota The trade name adopted is

Certified copy of a final decree of a court of competent jurisdiction establishing prior right of this corporation to use of the name in North Dakota

4 Complete mailing address of principal executive office which may not only be a post office box (Street/RR, and PO Box if applicable, city, state, zip +4) 3875 STEILACOOM BLVD., #A, LAKEWOOD, WA. 98498

5 A STATE or country where incorporated <u>WASHINGTON</u>	B EXACT date incorporated (Month, day, AND year) <u>11/24/2003</u>	C Duration of corporation <input checked="" type="checkbox"/> Perpetual <input type="checkbox"/> Other (Specify)	D. Telephone # <u>800-923-8375</u>
			E Toll-free telephone #

6 A Name of required registered agent in NORTH DAKOTA (SEE INSTRUCTION 6 A.)  
National Registered Agents, Inc.

B. Federal ID/social security # of registered agent  
13-3837683

C Address of registered agent in NORTH DAKOTA which may not only be a post office box number (Street/RR, and PO Box if applicable, city, state, zip +4) 220 North Fourth Street, Bismarck, ND 58501

7 Nature of business or activities the corporation intends to conduct in the State of North Dakota  
TELECOMMUNICATION SERVICES.

8 OFFICERS AND DIRECTORS OF THE CORPORATION							
OFFICE	Check box if officer also serves as director	NAME	COMPLETE MAILING ADDRESS				
			Street/RR	PO Box	City	State	Zip +4
PRESIDENT	<input checked="" type="checkbox"/>	STANLEY JOHNSON	3875 STEILACOOM BLVD., #A, LAKEWOOD, WA 98498				
VICE PRESIDENT	<input type="checkbox"/>						
SECRETARY	<input checked="" type="checkbox"/>	STANLEY EFFERDING	3875 STEILACOOM BLVD, #A, LAKEWOOD, WA 98498				
TREASURER	<input type="checkbox"/>						
DIRECTOR							
DIRECTOR							

9 The undersigned, a person authorized by the corporation to sign this application, knows the contents thereof, and believes the statements made to be true

Stanley Johnson      7/21/04  
Original signature      Date

10 Name of person to contact about this application  
CHERYL CONKLIN

Daytime telephone #  
360-956-9500

**INSTRUCTIONS FOR CERTIFICATE OF AUTHORITY FOREIGN CORPORATION APPLICATION**

No foreign corporation may transact business, or conduct affairs, in North Dakota, OR obtain any license or permit required by North Dakota law, until the corporation has obtained a Certificate of Authority from the Secretary of State  
The following numbers correspond to the numbered sections on the front of this form

- 1 A The application for Certificate of Authority **MUST** be accompanied by **ALL** of the following before the Certificate of Authority can be issued:
  - Filing fee of \$125 if a foreign business or professional corporation, OR \$40 if a foreign nonprofit corporation (Checks must be payable to "Secretary of State" and must be for U.S. negotiable funds. Payment may also be made by credit card using Visa, Master Card, or Discover.)
  - Signed Consent of the Registered Agent **AND** fee of \$10
  - Current, **ORIGINAL** certificate of good standing or certificate of existence verifying corporate existence certified by the incorporating officer of the state or country of incorporation A copy of a certificate, or a copy of the articles of incorporation is not acceptable. The certificate must have been certified within 90 days of the date of application.
- B. The application for Certificate of Authority **MAY BE REQUIRED** to be accompanied by the following:
  - If applicant is a foreign professional corporation, it must submit a certification of professional license from the North Dakota licensing board for the profession verifying that the practitioners of the corporation have been licensed to provide the professional service
  - A signed consent to use of name **AND** fee of \$10 when the corporation is already aware of a conflict with its corporate name.
  - Trade Name Registration **AND** fee of \$25 when the corporation assumes a name, other than its corporate name, for use in North Dakota.
- 2 Indicate whether the application is being submitted for a Certificate of Authority for a foreign business corporation, a foreign professional corporation, or a foreign nonprofit corporation
- 3 A. Provide the correct corporate name as incorporated in the state or country of organization. Punctuation and abbreviations must be consistent with those in the name on the certificate from the incorporating officer of the state or country where incorporated.
- B. To properly maintain corporate records, the Federal ID number is required
- C. If the corporation is applying for Certificate of Authority in a name other than its corporate name, provide the alternate name chosen or required to be elected for use in North Dakota North Dakota law provides that a foreign business corporation and a foreign nonprofit corporation may apply for a Certificate of Authority under any name The corporate name of a foreign business corporation **MUST INCLUDE** the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of these words If the corporate name of a foreign business corporation does not contain one of these words or abbreviations, one must be elected to be used in North Dakota. The application will be rejected if an election is not made and the corporate name in 3.A. is not in compliance with these requirements. A Trade Name Registration **AND** fee of \$25 must accompany the application when an alternate name is desired or required The name of a foreign professional corporation shall contain words or abbreviations required or authorized by the laws of the jurisdiction in which it is incorporated (For reference, see North Dakota Century Code, Section 10-19.1-133, 10-31-05, or 10-33-126 )
- D Select the option the corporation elects to pursue if its corporate name is in conflict with a name previously registered with the Secretary of State Item 3 D should remain blank if the applicant is not aware of a name conflict.

North Dakota law provides that a corporate name may not be the same as, or deceptively similar to, a name already registered with the North Dakota Secretary of State However, the name may be used if the application for Certificate of Authority is accompanied by:

- 1) A signed consent to use of name **AND** fee of \$10 The consent to use of name must be drafted by the applicant since a form for consent to use of name is not prescribed by the Secretary of State.
- 2) A certified copy of a judgment of a court in this state establishing the prior right of the applicant to the use of the name in this state
- 3) A Trade Name Registration **AND** fee of \$25 A blank Trade Name Registration form can be obtained by writing to the address at the bottom of this form, or by calling 701-328-4284

**TRADE NAMES:** Any corporation conducting business in North Dakota under a name other than its corporate name, must register the trade name with the Secretary of State.

- 4 A complete address of the corporation's principal executive office wherever located, is required  
In this section, as well as all other sections requiring addresses on this application, an address must include a street or rural address, a postal box number if applicable, and the city, state, and zip code plus 4-digit extension **THIS ADDRESS MAY NOT BE A POST OFFICE BOX**
- 5 A Identify the state or country in which the corporation is incorporated
- B. Provide the **EXACT** date (month, day **AND** year) when the corporation was incorporated This date must correspond to the date if specified in the Certificate of Good Standing or Certificate of Existence
- C Identify whether the corporation is incorporated with "perpetual" existence or provide the specific date on which it is to be dissolved
- D The telephone number of the corporation's principal executive office is required
- E Provide a toll-free telephone number if the corporation has one to expedite services to the corporation for the duration of the filing
- 6 A A corporation **MUST** continuously maintain a registered agent and the address of the agent in North Dakota Provide the name of the individual North Dakota resident, or domestic or foreign corporation appointed to serve as registered agent in North Dakota. A corporation appointed as registered agent must be registered and in good standing with the North Dakota Secretary of State If a corporation is named as registered agent, provide the "correct" corporate name of the corporation A corporation cannot serve as its own registered agent.
- B To properly identify registered agents, the Federal ID number or social security number of the registered agent is required.
- C Provide the complete address in North Dakota of the appointed registered agent. (See definition of complete mailing address in item 4 ) **A POST OFFICE BOX NUMBER IS NOT SUFFICIENT ADDRESS FOR SERVICE OF PROCESS.**
- 7 Give a brief explanation of the purposes or nature of business the corporation intends to transact in North Dakota  
If the corporation is involved in the business of insurance, clearly define that the corporation is a business corporation selling or servicing insurance products A corporation that actually backs the claims may not be required to file this application
- 8 This section must reflect names and complete addresses of all officers and directors. (See definition of complete mailing address in item 4.)
- 9 The application must be dated and bear an **ORIGINAL** signature by an individual authorized to sign on behalf of the corporation. A stamped or facsimile signature is not acceptable
- 10 Provide the name and daytime telephone number of the person to contact for any issues related to this application

**ASSISTANCE** If assistance is required to complete the application for a Certificate of Authority, call 701-328-2904.

**EXPEDITING PROCESS** Be sure to complete item 10 If documents are being submitted by someone other than the corporation, provide a cover letter with the name and telephone number of the responsible individual so that any deficiencies can be remedied by telephone

**MAILING INSTRUCTIONS** Send original documents **AND** filing fees to:  
Secretary of State  
State of North Dakota  
600 East Boulevard Avenue  
Bismarck ND 58505-0500

**ANNUAL REPORTS** An annual report is required starting in the year following that in which the Certificate of Authority is issued. An annual report of a foreign business or professional corporation is due on May 15 The annual report of a foreign nonprofit corporation is due on February 1 The annual report form is mailed to the registered agent



**REGISTERED AGENT  
CONSENT TO SERVE**  
SECRETARY OF STATE  
SFN 13100A (7974 + 13100) (7-99)

**RECEIVED**  
JUL 28 2004  
SEC. OF STATE

FOR OFFICE USE ONLY	
ID #	15,397,700
File #	
WO #	150803
Filed	7-28-04
By	NS

SEE REVERSE SIDE FOR FILING AND MAILING INSTRUCTIONS

**1. FILING FEE: \$10.00**

**TYPE OR PRINT LEGIBLY**

2 Name of the organization for which the registered agent is to serve (corporation, limited liability company, limited liability partnership, limited partnership, limited liability limited partnership or real estate investment trust)

VCI COMPANY

3 Name of the registered agent

National Registered Agents, Inc.

4 Registered agent is (Check one)

- An individual North Dakota resident
- A corporation
- A limited liability company
- A limited liability partnership

5 Federal ID # or social security # of registered agent

13-3837683

6 An individual appointed as registered agent must sign a consent to serve in that capacity. When a corporation, a limited liability company, or limited liability partnership is named as registered agent, an officer or someone authorized by the organization may sign on behalf of the corporation, limited liability company, or limited liability partnership

"The undersigned, as the newly appointed registered agent, agrees to act as the registered agent for this organization until a change, or

National Registered Agents, Inc

*Cheryl Conklin*  
Original signature of registered agent

7-27-04  
Date

CHERYL CONKLIN - ASSISTANT SECRETARY

UNITED STATES OF AMERICA

The State of  Washington  
Secretary of State

I, SAM REED, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

**CERTIFICATE OF EXISTENCE/AUTHORIZATION**  
**OF**  
**VCI COMPANY**

I FURTHER CERTIFY that the records on file in this office show that the above named Profit Corporation was formed under the laws of the State of WA and was issued a Certificate Of Incorporation in Washington on 11/24/2003.

I FURTHER CERTIFY that as of the date of this certificate, VCI COMPANY remains active and has complied with the filing requirements of this office

Date: July 26, 2004

UBI: 602-344-481



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

A handwritten signature in cursive script that reads "Sam Reed".

Sam Reed Secretary of State

# *State of North Dakota*

## SECRETARY OF STATE



### CERTIFICATE OF GOOD STANDING OF

VCI COMPANY

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that VCI COMPANY, a Washington corporation, authorized to transact business in the State of North Dakota on July 28, 2004, 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 foreign corporations.

**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

VCI COMPANY

Issued: August 26, 2004

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

Alvin A. Jaeger  
Secretary of State

**EXHIBIT C**

**SENIOR MANAGEMENT BIOGRAPHIES**  
(Attached)

**Stan Efferding**  
**7304 Zircon Dr SW**  
**Lakewood, Wa. 98498**  
**206-419-5948**  
**Fax 253-475-6328**

### **Professional Resume**

**12/2002 - Current: VCI Company (Telecommunications Company)**

Residential phone service, licensed in 5 states.

**2/2004 – Current: Heather Meadows Apartments/Owner**

Multifamily Investment

**9/2002 - 10/2003: Vilaire Apartments/Owner**

Multifamily investment

**8/2000 - 12/2002: Vice President, Tel West Communications**

25,000 business and residential customers serviced in 20 state region.

**1998 – 2000: Simpson Property Group Limited Partnership/SIMCOM (Simpson Communications), Regional Manager**

1206 unit portfolio. Facilities based telephone and cable operations throughout.

**1991 – 1998: Mulqueeney Company, Property Manager**

1996-1998 – Property Manager, Chase Properties, 536 units. Facilities based telephone and cable operations managed in partnership with telephones plus/cable plus.

1995 – Project Manager, \$13.5M, 200 unit Chase Gardens apartment development.

1991-1995 – Property Manager, Chase Village, 336 units

**1985 – 1990: University of Oregon Bachelor of Science**

Stanley Johnson  
7304 Zircon Dr. SW  
Lakewood, WA 98498  
(253) 973-2476 Cell  
StanJ@vilair.com

**Profile:**

Talented negotiator and team leader with contributions in problem solving, decision making and implementing new systems. Experienced in business analysis, budgeting and P&L responsibility. Recognized as a hands-on, proactive troubleshooter who can rapidly identify business problems and provide solutions, creative, very observant of details and their possible consequence/application.

**Position & Employers:**

2002 - **President, VCI Company**  
2001 - 2002 **Financial Business Specialist, Bayer Health Care**  
1999 - 2001 **Coordinator, International Business Machine (IBM)**  
1997 - 1999 **Regional Finance Manager, AmeriCorp**  
1995 - 1997 **Financial Analyst, Wells Fargo Bank**

**Education:**

**MBA, Eastern Michigan University, MI (1998)**  
**Graduated Cum laude**

**B.S., Norfolk State University, VA (1995)**  
**Emphasis in Finance**  
**G. P. A in Major 3.52**

**Experience:**

President, VCI Company

- Design, implement and managed a \$2.1 Billion Sales budget process made up of 20 different currencies.
- Performed detail product profitable analysis, which leads to a 7% increase in company's overall performance.
- Performed competitive benchmarks Analysis that leads to a 27% increase in market Share.
- Prepared and presented Monthly, Quarterly and yearly finance performance measurements to senior level management.
- Design, implement and managed a \$2.1 Billion Sales budget process made up of 20 different currencies.
- Performed detail product profitable analysis, which leads to a 7% increase in company's overall performance.
- Performed competitive benchmarks Analysis that leads to a 27% increase in market Share.

- Prepared and presented Monthly, Quarterly and yearly finance performance measurements to senior level management.
- Designed, Implemented and managed a forecast process that helped senior level management increase profitable 250 Million.
- Developed and managed a pricing and marketing strategy the increased product market share by 50% in 6 months.
- Prepared and presented Monthly Performance measurement to Senior Level management.
- Performed detail analysis on companies for future business acquisitions.
- Strategize with senior level management in regards to current and future sale growth.

Wells Fargo Bank, Financial Analysts

- Performed financial statement analysis on small companies for future investment opportunity.
- Prepared Quarterly performance Measurement for middle level management.
- Prepared/Analyzed Income – Related statements, balance sheet and earnings schedules for 100 million corporation and subsidiaries

**Career Achievements:**

- Cited for “exemplary” performance in 1996 Performance review
- Analyzed capital markets issues including interest rate risk, divestitures and other restructurings.
- Oversaw all marketing and customer service activities: led region to 12% increase in profitability over previous year.
- 25% revenue and 15% market share increase in 2 years

**EXHIBIT D**

**ILLUSTRATIVE LOCAL TARIFF**

(Attached)

**FILED FOR ILLUSTRATIVE PURPOSES ONLY**

TARIFF SCHEDULE APPLICABLE TO  
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES  
AND INTRALATA TOLL SERVICES

by

**VCI COMPANY**

3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499  
253-973-2476

This Tariff ("Tariff") contains the descriptions, regulations and rates applicable to the furnishing of local exchange access telecommunications services provided by VCI Company ("Company") within the State of North Dakota. This Tariff is on file with the North Dakota Public Service Commission. Copies may be inspected during normal business hours at the Company's principal place of business: 3875 Steilacoom Blvd. #A, Lakewood Washington 98499.

---

Issued:

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**CHECK SHEET**

The Title Sheet and Sheets 1 through \_\_\_ inclusive of this Tariff are effective as of the date shown at the bottom of the respective sheet(s).

<b>SHEET NO.</b>	<b>SHEET VERSION</b>	<b>SHEET NO.</b>	<b>SHEET VERSION</b>
Title	Original		
1	Original	26	Original
2	Original	27	Original
3	Original	28	Original
4	Original	29	Original
5	Original	30	Original
6	Original	31	Original
7	Original	32	Original
8	Original	33	Original
9	Original	34	Original
10	Original	35	Original
11	Original	36	Original
12	Original	37	Original
13	Original	38	Original
14	Original	39	Original
15	Original	40	Original
16	Original	41	Original
17	Original	42	Original
18	Original	43	Original
19	Original	44	Original
20	Original	45	Original
21	Original	46	Original
22	Original	47	Original
23	Original	48	Original
24	Original	49	Original
25	Original	50	Original

Issued.

Effective Date:

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**CHECK SHEET, Continued**

<b>SHEET NO.</b>	<b>SHEET VERSION</b>	<b>SHEET NO.</b>	<b>SHEET VERSION</b>
51	Original		
52	Original		
53	Original		
54	Original		
55	Original		
56	Original		
57	Original		
58	Original		
59	Original		
60	Original		
61	Original		
62	Original		
63	Original		
64	Original		
65	Original		
66	Original		
67	Original		
68	Original		
69	Original		
70	Original		
71	Original		

---

Issued:

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**TABLE OF CONTENTS**

Title Sheet . . . . .	Title
Check Sheet .....	1
Table of Contents.....	3
Explanation of Symbols .....	6
Tariff Format.....	7
Application of Tariff . . . . .	8
 Section 1 - Technical Terms and Abbreviations.....	 9
 Section 2 - Rules and Regulations .....	 20
2.1. Undertaking of the Company.....	20
2.2. Limitations .....	21
2.3. Use . . . . .	22
2.4. Liabilities of the Company.....	23
2.5. Equipment and Facilities.....	27
2.6. Customer Responsibilities ..	27
2.7. Interruption of Service .....	28
2.8. Restoration of Service.....	29
2.9. Minimum Service Period .....	29
2.10. Installation Service.....	30
2.11. Access to Customer's Premises .....	30
2.12. Payments and Billing .. . . .	30
2.13. Cancellation by Customer.....	34
2.14. Cancellation by Company.....	35
2.15. Reconnection of Customer's Service .....	40
2.16. Automatic Number Identification Terms and Conditions..	41
2.17. Interconnection.. . . . .	42
2.18. Advance Payments and Deposits .. . . .	43
2.19. Taxes .....	47

Issued:

Effective Date:

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**CONCURRING CARRIERS**

None

**CONNECTING CARRIERS**

None

**OTHER PARTICIPATING CARRIERS**

None

**EXPLANATION OF SYMBOLS**

- (C) To signify **changed** condition or regulation
- (D) To signify **deleted or discontinued** rate, regulation or condition
- (I) To signify a change resulting in an **increase** to a Customer's bill
- (M) To signify that material has been **moved from** another tariff location
- (N) To signify a **new** rate, regulation condition or sheet
- (R) To signify a change resulting in a **reduction** to a Customer's bill
- (T) To signify a change in **text** but no change to rate or charge

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date.

---

**TARIFF FORMAT**

- A. Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, occasionally, when a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd Revised Sheet 14. Because of various suspension periods, deferrals, etc the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the sheet in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of code is subservient to its next higher level:
- 2
  - 2 1.
  - 2.1.1.
  - 2 1 1.A
  - 2.1 1.A 1.
  - 2.1.1.A.1.(a).
  - 2 1 1.A 1.(a).I.
  - 2 1 1 A 1 (a).I.(1).
  - 2.1.1.A 1.(a).I.(1).(1).
- D. Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff with a cross-reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find if a particular sheet is the most current on file with the Commission.

---

Issued:  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**APPLICATION OF TARIFF**

This Tariff contains the rates applicable to the provision of intrastate communications services by virtue of one-way and/or two-way information transmission between points within the State of North Dakota

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date.

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS****Agency**

For 911 or E911 service, the government agency(s) designated as having responsibility for the control and staffing of the emergency report center.

**Alternate Routing ("AR")**

Allows E911 calls to be routed to a designated alternate location if: (1) all E911 exchange lines to the primary PSAP (*See* definition of PSAP below.) are busy, or (2) the primary PSAP closes down for a period (night service).

**Authorized User**

A person, corporation or other entity that is authorized by the Company's Customer to utilize service provided by the Company to the Customer. The Customer is responsible for all charges incurred by an Authorized User.

**Automatic Location Identification ("ALI")**

The name and address associated with the calling party's telephone number (identified by ANI as defined below) is forwarded to the PSAP for display. Additional telephones with the same number as the calling party's (secondary locations, off premises, etc ) will be identified with the address of the telephone number at the main location

**Automatic Number Identification ("ANI")**

A system whereby the calling party's telephone number is identified and sent forward with the call record for routing and billing purposes. E911 Service makes use of this system.

---

**Issued:****Effective Date:****Issued By:**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Called Station**

The terminating point of a call (i.e., the called number).

**Calling Card**

A card issued by Company containing such account numbers assigned to its Customer, which enables the charges for calls made to be properly billed on a pre-arranged basis

**Central Office**

An operating office of the Company where connections are made between telephone exchange lines.

**Channel**

A point-to-point bi-directional path for digital transmission. A channel may be furnished in such a manner as the Company may elect, whether by wire, fiber optics, radio or a combination thereof and whether or not by means of single physical facility or route. One 1.544 Mbps Service is equivalent to 24 channels.

**Channel Conversion**

The termination of 1 544 Mbps Service at a Customer's location with conversion of the digital signal to 24 analog voice grade circuits. Channel Conversion can be furnished by the Customer.

**Channel Service Unit ("CSU")**

The equipment located at the Customer's premises that terminates each 1.544 Mbps Digital Loop and performs such functions as proper termination of facilities, regeneration of signals, recognition and correction of signal format errors and provides remote loop-back capability.

---

**Issued:****Effective Date****Issued By:**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued**

## Commission

North Dakota Public Service Commission

## Communications Systems

Channels and other facilities which are capable of two-way communications between subscriber-provided terminal equipment or telephone company stations, even when not connected to exchange and message toll communications service.

## Company

VCI Company ("VCI")

## Credit Card

A valid bank or financial organization card, representing an account to which the costs of products and services purchased by the cardholder may be charged for future payment. Such cards include those issued by VISA or MasterCard.

## Customer

The person, firm, corporation or other entity which orders or uses service and is responsible for payment of charges and compliance with tariff regulation.

## Customer Premises Equipment ("CPE")

Equipment provided by the Customer for use with the Company's services. CPE can include a station set, facsimile machine, key system, or other communication system.

---

Issued:

Effective Date

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Debit Card**

A valid bank or financial organization card, representing both an account from which the costs of products and services purchased by the cardholder may be charged.

**Dedicated Access**

Non-switched access between a Customer's premises and the point of presence of the Company's underlying carrier.

**Default Routing ("DR")**

When an incoming E911 call cannot be selectively routed due to an ANI failure, garbled digits or other causes, such incoming calls are routed from the E911 Control Office to a default PSAP. Each incoming E911 facility group to the Control Office is assigned to a designated default PSAP.

**Demarcation Point**

The physical dividing point between the Company's network and the Customer.

**Digital**

A method of storing, processing and transmitting information through the use of distinct electronic or optical pulses that represent the binary digits (bits) 0 and 1. Digital transmission/switching technologies employ a sequence of discrete, individually distinct pulses to represent information, as opposed to the continuously variable signal of analog technologies

---

**Issued:****Effective Date:****Issued By:**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Direct Inward Dial (“DID”)**

A service attribute that routes incoming calls directly to stations, by-passing a central answer point

**Direct Outward Dial (“DOD”)**

A service attribute that allows individual station users to access and dial outside numbers directly.

**Disconnect or Disconnection**

The termination of a circuit connection between the originating station and the called station or the Company's operator.

**Dual Tone Multi-Frequency (“DTMF”)**

The pulse type employed by tone dial station sets (touch tone).

**Emergency Service Number (“ESN”)**

A unique code, assigned by the Company, used to define specific combinations of police, fire and/or ambulance jurisdictions, or any other authorized agency, which are designated by the Customer

**E911 Customer**

A governmental agency that is the customer of record and is responsible for all negotiations, operations and payment of bills in connection with the provision of E911 service.

---

**Issued:****Effective Date:****Issued By:**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****E911 Service Area**

The geographic area in which the government agency will respond to all E911 calls and dispatch appropriate emergency assistance.

**Error**

A discrepancy or unintentional deviation by the Company from what is correct or true. An "error" can also be an omission in records.

**Exchange**

An area, consisting of one or more central office districts, within which a call between any two points is a local call.

**Exchange Access Line**

A central office line furnished for direct or indirect access to the exchange system.

**Exchange Service**

The provision to the subscriber of access to the exchange system for the purpose of sending and receiving calls. This access is achieved through the provision of a central office line (exchange access line) between the central office and the subscriber's premises.

**Final Account**

A Customer whose service has been disconnected who has outstanding charges still owed to the Company.

**Flat Rate Service**

The type of exchange service provided at a monthly rate with an unlimited number of calls within a specified primary calling area.

---

**Issued****Effective Date:****Issued By**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Interface**

That point on the premises of the subscriber at which provision is made for connection of facilities provided by someone other than the Company to facilities provided by the Company.

**Interoffice Mileage**

The segment of a line which extends between the central offices serving the originating and terminating points.

**Interruption**

The inability to complete calls, either incoming or outgoing or both, due to Company facilities malfunction or human errors.

**LATA**

Local Access and Transport Area. The area within which the Company provides local and long distance ("intraLATA") service. For call to numbers outside this area ("interLATA") service is provided by long distance companies.

**Link**

The physical facility from the network interface on an end-user's or carrier's premises to the point of interconnection on the main distribution frame of the Company's central office.

---

**Issued.****Effective Date****Issued By.**

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Leased Channel**

A non-switched electrical path used for connection of equipment furnished by the subscriber to equipment furnished by the subscriber or the Company for a specific purpose.

**Local Call**

A call which, if placed by a Customer over the facilities of the Company, is not rated as a toll call.

**Local Calling Area**

The area, consisting of one or more central office districts, within which a subscriber for exchange service may make telephone calls without a toll charge.

**Local Service**

Telephone exchange service within a local calling area

**Message Rate Service**

A type of exchange service provided at a monthly rate with an additional charge for local calling based on the usage of the local network. One completed call is equal to one message.

**Move**

The disconnection of existing equipment at one location and reconnection of the same equipment at a new location in the same building or in a different building on the same premises.

**Multi-Frequency ("MF")**

An inter-machine pulse-type used for signaling between telephone company switches.

---

**Issued:****Effective Date****Issued By:**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Multiline Hunt**

A method of call signaling by which a call placed to one number is subsequently routed to one or more alternative numbers when the called number is busy.

**Network Control Signaling**

The transmission of signals used in the telecommunications system which perform functions such as supervision (control, status and charging signals), address signaling (e.g. dialing), calling and called number identification, audible tone signals (call progress signals indicating re-order or busy conditions, alerting) to control the operation of switching machines in the telecommunications system.

**Network Control Signaling Unit**

The terminal equipment furnished, installed and maintained by the Telephone Company for the provision of network control signaling.

**Node**

The location to which digital channels are routed and where access is provided to such lines and associated equipment for testing.

**Port**

A connection to the switching network with one or more voice grade communications channels, each with a unique network address (telephone number) dedicated to the Customer. A port connects a link to the public switched network.

**Premises**

The space occupied by a Customer or authorized user in a building or buildings or contiguous property not separated by a public right of way.

---

**Issued****Effective Date****Issued By**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued****Public Safety Answering Point (“PSAP”)**

An answering location for E911 calls originating in a given area. A PSAP may be designated as primary or secondary, which refers to the order in which calls are directed for answering. Primary PSAPs respond first; secondary PSAPs receive calls on a transfer basis only and generally serve as a centralized answering location for a particular type of emergency call.

**Rate Center**

A geographic reference point with specific coordinates on a map used for determining mileage when calculating charges.

**Referral Periods**

The time frame during which calls to a number which has been changed will be sent to a recording which will inform the caller of the new number.

**Resale of Service**

The subscription to communications service and facilities by one entity and the reoffering of communications service to others (with or without “adding value”) for profit.

**Same Premises**

All space in the same building in which one subscriber has the right of occupancy, and all space in different buildings on contiguous property when occupied solely by the same subscriber. Foyers, hallways and other space for the common use of all occupants of a building are considered the premises of the operator of the building.

**Selective Routing (“SR”)**

A feature that routes an E911 call from a Central Office to the designated primary PSAP based upon the identified number of the calling party.

---

**Issued****Issued By**

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**Effective Date:**

**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, Continued**

## Serving Central Office

The central office from which local service is furnished.

## Sharing

An arrangement in which several users collectively use communications service and facilities provided by a carrier, with each user paying a pro-rata share of the communication related costs.

## Station

Each telephone on a line and where no telephone associated with the line is provided on the same premises and in the same building, the first termination in station key equipment or a jack for use with a portable telephone.

## Subscriber

See "Customer" definition.

## Suspension

Suspension of service for nonpayment is interruption of outgoing service only  
Suspension of service at the subscriber's request is interruption of both incoming and outgoing service.

## Toll Call

Any call extending beyond the local exchange of the originating caller which is rated on a toll schedule by the Company

## Two Way

A service attribute that includes DOD for outbound calls and can also be used to carry inbound calls to a central point for processing.

---

Issued:

Effective Date

Issued By

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 2 - RULES AND REGULATIONS****2.1. UNDERTAKING OF THE COMPANY**

- 2.1.1. Company's services are furnished for telecommunications originating and/or terminating in any area within the State of North Dakota.
- 2.1.2. Company offers telecommunications services to Customers for the direct transmission and reception of voice, data, and other types of communications.
- 2.1.3. The Company's services are provided on a monthly basis and are available twenty-four (24) hours per day, seven (7) days per week.
- 2.1.4. Request for service under this Tariff will authorize the Company to conduct a credit search on the Customer. The Company reserves the right to refuse service on the basis of credit history, and to refuse further service due to late payment or nonpayment by the Customer.

---

Issued:  
Issued By

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.2. LIMITATIONS**

- 2.2.1. Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provisions of this Tariff.
- 2.2.2. The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.2.3. The Customer obtains no property right or interest in the use of any specific type of facility, service, equipment, telephone number, process or code. All rights, titles and interests remain, at all times, solely with the Company.
- 2.2.4. Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.
- 2.2.5. The Company may, upon reasonable notice, make such tests and inspections as may be necessary to determine whether the terms and conditions of this Tariff are being complied with in the installation, operation or maintenance of the Customer's or the Company's facilities or equipment.
- 2.2.6. The Company reserves the right to refuse an application for service made by a present or former Customer who is indebted to the Company for service previously rendered pursuant to this Tariff until the indebtedness is satisfied.

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.3. USE**

- 2.3.1. Service may be used for the transmission of communications by the Customer for any lawful purpose for which the service is technically suited
- 2.3.2. Service may not be used for any unlawful purpose or for any purpose for which any payment or other compensation is received by the Customer, except when the Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between the Customer, authorized user or joint user to share the cost of service.
- 2.3.3. The name(s) of the Customer(s) desiring to use the service must be set forth in the application for service.
- 2.3.4. The Company strictly prohibits use of the Company's services without payment or an avoidance of payment by the Customer by fraudulent means or devices including providing falsified calling card numbers or invalid calling card numbers to the Company, providing falsified or invalid credit card numbers to the Company or in any way misrepresenting the identity of the Customer.
- 2.3.5. Recording of telephone conversations of service provided by the Company under this Tariff is prohibited except as authorized by applicable federal, state and local laws
- 2.3.6. Service will not be used to call another person so frequently or at such times of day or in any manner so as to annoy, abuse, threaten or harass the called party.
- 2.3.7. Service will not be used in any manner which interferes with other persons in the use of their service, prevents other persons from using their service or otherwise impairs the quality of service to other Customers.
- 2.3.8. The Company reserves the right to refuse an application for service made by a present or former Customer who is indebted to the Company for service previously rendered pursuant to this Tariff until the indebtedness is satisfied.

---

Issued  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.4. LIABILITIES OF THE COMPANY**

- 2.4.1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the Customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors, or defects in transmission occur. For the purpose of computing such amount, a month is considered to have thirty (30) days. In no event will the Company be responsible for consequential damages for lost profits suffered by a Customer or end user as the result of interrupted or unsatisfactory service.
- 2.4.2. Company is not liable for any act or omission of any other company or companies furnishing a portion of the service.
- 2.4.3. Company shall be indemnified and held harmless by the Customer against.
- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information or other content transmitted over Company's facilities; and
  - B. Claims for patent infringement arising from combining or connecting Company's facilities with apparatus and systems of the Customer; and
  - C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.
- 2.4.4. The Company is not liable for any defacement of, or damage to, the equipment or premises of a Customer resulting from the furnishing of services when such defacement or damage is not the result of the result of the Company's negligence.

---

Issued

Effective Date

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.4. LIABILITIES OF THE COMPANY, Continued**

- 2.4.5. Company shall not be liable for, and the Customer indemnifies and holds harmless from, any and all loss claims, demands, suits, or other action or liability whatsoever, whether suffered, made instituted or asserted by the Customer or by any other party or person, for any personal injury to, death of any person or persons, and for any loss, damage, defacement or destruction of the premises of the Customer or any other property, whether owned by the Customer or by others, caused or claimed to have been caused directly or indirectly by the installation, delayed installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of equipment or wiring provided by Company where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of Company's negligence
- 2.4.6. No agents or employees of connecting, concurring or other participating carriers or companies shall be deemed to be agents or employees of the Company without written authorization.
- 2.4.7. The Company is not liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to, unavoidable interruption in the working of its circuits or those of another common carrier; acts of nature, storms, fire, floods, or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or any other governmental entity having jurisdiction over the Company or of any department, agency, commission, bureau, corporation, or other instrumentality or any one or more of such instrumentality or any one of more of such governmental entities, or of any civil or military authority; national emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages, or other labor difficulties; or notwithstanding anything in this Tariff to the contrary, the unlawful acts of the Company's agents and employees, if committed beyond the scope of their employment.
- 2 4 8. The Company shall not be liable for damages or adjustments, refunds, or cancellation of charges unless the Customer has notified the Company, in writing, of any dispute concerning charges, or the basis of any claim for damages, after the invoice is rendered by the Company for the call giving rise to such dispute or claim, unless ordered by the Commission pursuant to North Dakota law. Any such notice must set forth sufficient facts to provide the Company with a reasonable basis upon which to evaluate the Customer's claim or demands.

---

Issued:  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**SECTION 2 - RULES AND REGULATIONS, Continued****2.4. LIABILITIES OF THE COMPANY, Continued**

- 2.4.9. The Company shall not be liable for any damages, including usage charges, that the Customer may incur as a result of the unauthorized use of its communications equipment. The unauthorized use of the Customer's communications equipment includes, but is not limited to, the placement of calls from the Customer's premises and the placement of calls through Customer-controlled or Customer-provisioned equipment that are transmitted or carried over the Company's network services without the authorization of the Customer. The Customer shall be fully liable for all such charges.
- 2.4.10. In the absence of gross negligence or willful misconduct, and except for the allowances stated below, no liability for damages arising from errors or mistakes in or omissions of directory listings, or errors or mistakes in or omissions of listings obtainable from the directory assistance operator, including errors in the reporting thereof, shall attach to the Company
- 2.4.11. With respect to Emergency Number 911 Service:
- A. This service is offered solely as an aid in handling assistance calls in connection with fire, police and other emergencies. The Company is not responsible for any losses, claims, demands, suits or any liability whatsoever, whether suffered, made, instituted or asserted by the Customer, or by any other party or person, for any personal injury to or death of any person or persons, and for any loss, damage or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused by: (1) mistakes, omissions, interruptions, delays, errors or other defects in the provision of this service; or (2) installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of any equipment and facilities furnishing this service.

---

Issued  
Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date

**SECTION 2 - RULES AND REGULATIONS, Continued****2.4. LIABILITIES OF THE COMPANY, Continued**

2 4 11., Continued

- B. Neither is the Company responsible for any infringement or invasion of the right of privacy of any person or persons, caused or claimed to have been caused, directly or indirectly, by the installation, operation, failure to operate, maintenance, removal, presence, condition, occasion or use of Emergency 911 Service features and the equipment associated therewith, or by any services furnished by the Company, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party or parties accessing Emergency 911 Service, and which arises out of the negligence or other wrongful act of the Company, the Customer, its users, agencies or municipalities, or the employees or agents of any one of them

---

Issued  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**SECTION 2 - RULES AND REGULATIONS, Continued****2.5. EQUIPMENT AND FACILITIES**

2.5.1. The Company will not be responsible for the installation, operation or maintenance of any Customer-provided communications equipment. Where Customer-provisioned equipment is connected to the facilities furnished under this Tariff, the responsibility of the Company will be limited to the furnishing of facilities offered pursuant to this Tariff. Beyond this responsibility, the Company will not be responsible for:

- A. the transmission of signals to Customer-provided equipment or for the quality of, or defects in, such transmission; or
- B. the reception of signals by Customer-provided equipment; or
- C. network control signaling when performed by Customer-provided network control signaling equipment.

2.5.2. At the request of the Customer, installation or maintenance may be performed outside of the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material or other costs incurred by or charged by the Company will apply. If installation or maintenance is started during regular business hours, but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays and/or night hours, additional charges may apply.

**2.6. CUSTOMER RESPONSIBILITIES**

2.6.1. The Customer is responsible for the payment of all charges for services furnished to the Customer and for all additional charges for calls the Customer elects to continue making.

2.6.2. The Customer is responsible for compliance with applicable regulations set forth in this Tariff

2.6.3. The Customer is responsible for establishing its identity as often as necessary during the course of the call or when seeking credits from the Company.

---

Issued:  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499

Effective Date.

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.7. INTERRUPTION OF SERVICE**

- 2.7.1. Credit for Interruptions: When the use of service or facilities furnished by the Company is interrupted due to any cause other than the negligence or willful act of the Customer, or the operation or failure of the facilities or equipment provided by the Customer, a pro rata adjustment of the monthly Recurring Charges subject to interruption will be allowed for the service and facilities rendered useless and inoperative by reason of the interruption whenever said interruption continues for a period of 24 hours or more from the time the interruption is reported to or known to exist by the Company, except as otherwise specified in the Company's tariffs. If the Customer reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted. Credit allowance for interruptions of service which are not due to Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment and/or communications equipment provided by the Customer, are subject to the general liability provisions set forth in Section 2.4., herein. It shall be the obligation of the Customer to notify Company of any interruptions of service. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission of the Customer, not within the Customer's control.
- 2.7.2. For purposes of credit computation for leased facilities, every month shall be considered to have 720 hours. No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.7.3. The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit formula:  $\text{Credit} = (A/720) \times B$

A = outage time in hours

B = total monthly charge for affected utility

---

Issued:  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date.

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.8. RESTORATION OF SERVICE**

- 2.8.1. The use and restoration of service in emergencies shall be in accordance with Part 64, Subpart D of the Federal Communications Commission's Rules and Regulations, which specifies the priority system for such activities.
- 2.8.2. When a Customer's service has been disconnected in accordance with this Tariff and the service has been terminated through the completion of a Company service order, service will be restored only upon the basis of application for new service.

**2.9. MINIMUM SERVICE PERIOD**

- 2.9.1. The minimum service period is one month (30 days). The Customer must pay the regular tariffed rate for the service they subscribe to for the minimum period of service. If a Customer disconnects service before the end of the minimum service period, that Customer is responsible for paying the regular rates for the remainder of the minimum service period. When the service is moved within the same building, to another building on the same premises, or to a different premises entirely, the period of service at each location is accumulated to calculate if the Customer has met the minimum period of service obligation.
- 2.9.2. If service is terminated before the end of the minimum period of service as a result of condemnation of property, damage to property requiring the premises to be abandoned, or by the death of the Customer, the Customer is not obligated to pay for service for the remainder of the minimum period.
- 2.9.3. If service is switched over to a new Customer at the same premises after the first month's service, the minimum period of service requirements are assigned to the new Customer if the new Customer agrees in writing to accept them. For facilities not taken over by the new Customer, the original Customer is responsible for the remaining payment for the minimum service period in accordance with the terms under which the service was originally furnished.

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date

**SECTION 2 - RULES AND REGULATIONS, Continued****2.10. INSTALLATION SERVICE**

The Company will comply with Commission regulations for installation of service.

**2.11. ACCESS TO CUSTOMER'S PREMISES**

The Customer shall be responsible for making arrangements or obtaining permission for safe and reasonable access for Company employees or agents of the Company to enter the premises of the Customer or any joint user or Customer of the Customer at any reasonable hour for the purpose of inspecting, repairing, testing or removing any part of the Company's facilities.

**2.12. PAYMENTS AND BILLING**

2.12.1. Charges for service are applied on a recurring basis. Service is provided and billed on a monthly (30 day) basis. The billing date is dependent on the billing cycle assigned to the Customer. Service continues to be provided until cancelled by the Customer on not less than thirty (30) days' notice.

2.12.2. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage, and are billed monthly in arrears. Customer will be billed and is responsible for payment of applicable local, state and federal taxes assessed in connection with the services used. It is contemplated that payment be done electronically, with payment made by means of the Customer's credit card, debit card, or other similar mechanism approved by the Company. In the sole discretion of the Company, payments may be made by check.

---

Issued:

Effective Date.

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 2 - RULES AND REGULATIONS, Continued****2.12. PAYMENTS AND BILLING, Continued**2.12.3 Essential Service<sup>1</sup> Provider Bills

Pursuant to ND Commission Rule 69-09-05-13, the Company, on any bill issued for the provision of Essential Services, will:

- A. Clearly disclose its name, business address, and a toll-free Customer inquiry telephone number. The Company name and business address will also be made available via the toll-free Customer inquiry number;
- B. Clearly and separately identify the Essential Services for which the bill is issued;
- C. Clearly identify all taxes, fees, and surcharges associated with the Essential Services for which the bill is issued; and
- D. Disclose that the provision of Essential Services may not be discontinued by the Company for nonpayment of charges for Nonessential Services or use other language that complies with federal billing rules.

2.12.4. When a check which has been presented to the Company by a Customer in payment for charges is returned by the bank, the Customer shall be responsible for the payment of a returned check charge of \$10.00.

2.12.5. Billing is payable upon receipt and past due twenty (20) days after issuance and posting of invoice. Bills not paid within twenty-one (21) days after the date of posting are subject to a 1.5 percent late payment charge for the unpaid balance, or the maximum allowable under state law. The late payment charge will be applied to all amounts previously billed under this Tariff, excluding one (1) month's local service charge, but including arrears and unpaid late payment charges.

- A. Late payment charges do not apply to those portions (and only those portions) of unpaid balances that are associated with disputed amounts. Undisputed amounts on the same bill are subject to late payment charges if unpaid and carried forward to the next bill.
- B. Late payment charges do not apply to final accounts

---

<sup>1</sup> See definition of Essential Service in section 3.8.3

---

Issued:

Effective Date

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd SW #A  
Lakewood, Washington 98499

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.12. PAYMENTS AND BILLING, Continued**

- 2.12.6. The Company will provide interest on Customer overpayments that are not refunded within thirty (30) days of the date the Company receives the overpayment. An overpayment is considered to have occurred when payment in excess of the correct charges for service is made because of erroneous Company billing. The Customer will be issued reimbursement for the overpayment, plus interest, or, if agreed to by the Customer, credit for the amount will be provided on the next regular Company bill. The rate of interest shall be the greater of the Customer deposit interest rate or the Company's applicable late payment charge.
- 2.12.7 Interest shall be paid from the date when overpayment was made, adjusted for any changes in the deposit rate or late payment rate, and compounded monthly, until the date when the overpayment is refunded. The date when overpayment is considered to have been made will be the date on which the Customer's overpayment was originally recorded to the Customer's account by the Company.
- 2.12.8 If objection is not received by the Company within three (3) months after the bill is rendered, the items and charges appearing thereon shall be determined to be correct and binding upon the Customer. A bill will not be deemed correct and binding upon the Customer if the Company has records on the basis of which an objection may be considered, or if the Customer has in his or her possession such Company records. If objection results in a refund to the Customer, such refund will be with interest at the greater of the unadjusted Customer deposit rate or the applicable late payment rate, if any, for the service classification under which the Customer was billed. Interest will be paid from the date when the Customer overpayment was made, adjusted for any changes in the deposit rate or late payment rate, compounded monthly, until the overpayment is refunded. Notwithstanding the foregoing, no interest will be paid by the Company on Customer overpayments that are refunded within thirty (30) days after the overpayment is received by the Company.
- 2.12.9. Where an objection to the bill involves a superseded service order, the items and charges appearing on the bill shall be deemed to be correct and binding upon the Customer if objection is not received by the Company within two (2) months after the bill is rendered.

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.12. PAYMENTS AND BILLING, Continued**

- 2.12.10. Customers should first seek to resolve billing disputes through the Company's Customer service department at (866) 847-1500, or (866) 847-5500. Customer service representatives are available to address such inquiries and any inquiries outside of normal business hours will be answered on the next business day, except in the event of an emergency which threatens Customer service, in which case the Company will respond as promptly as possible.
- 2.12.11. In the case of a dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action:
- A. First, the Customer may request, and the Company will perform, an in-depth review of the disputed amount. The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection.
  - B. Second, if there is still disagreement over the disputed amount after the investigation and review by a manager of the Company, the Customer may appeal to the North Dakota Public Service Commission for its investigation and decision

The address and telephone number of the Commission are:

North Dakota Public Service Commission  
State Capitol, 12<sup>th</sup> Floor  
600 East Boulevard  
Bismarck, North Dakota 58505-0480

Telephone number: 701-328-2400

---

Issued.  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.13. CANCELLATION BY CUSTOMER**

- 2.13.1. Customer may cancel service by providing written notice to Company thirty (30) days prior to cancellation
- 2.13.2. Customer is responsible for usage charges while still connected to the Company's service and the payment of associated local exchange company charges, if any, for service charges.
- 2.13.3 Any cost of Company expenditures shall be borne by the Customer if:
- A. The Customer orders service requiring special facilities dedicated to the Customer's use and then cancels the order before such service begins, before completion of the minimum period or before completion of some the period mutually agreed with the Customer for the non-recoverable portions of expenditures; or
  - B. Liabilities are incurred expressly on behalf of the Customer by Company and not fully reimbursed by installation and monthly charges; and
  - C. If based on an order for service and construction has either begun or has been completed, but no service provided.

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY**

The Company will discontinue telecommunications Services as provided in this Section:

**2.14.1. Termination of Service for Reasons Other Than Delinquency**

- A. Pursuant to ND Commission Rule 69-09-05-02(11)(a), except for discontinuance due to delinquency as provided in Section 2.14.2, the Company may not discontinue Service to a Customer without first providing the Customer with twenty-days (20) written notice of the intent to discontinue Service.

The notice of intent to discontinue Service will inform the Customer of his or her right to choose between local exchange companies, if more than one local exchange company is providing Essential Services.

- B. The Company may disconnect Service, or may withhold the provision of ordered or contracted Service under the following conditions after twenty days written notice to the Customer.
1. The existence of an obvious hazard to the safety or health of the Customer, the general population, or the Company's personnel or facilities; or
  2. The Company has evidence of tampering or evidence of fraud.
  3. Customer violation of this Tariff or any of the Company's tariffs filed with the Commission and/or violation of the Commission's rules and regulations; or
  4. Failure to meet or maintain the Company's credit requirements; or
  5. Failure of the Customer to provide the Company reasonable access to its equipment and property; or
  6. Customer breach of Contract for Service between the Company and the Customer; or
  7. When necessary for the Company to comply with an order of any governmental agency having such jurisdiction; or
  8. Unauthorized resale of equipment or Service, or
  9. use of equipment which interferes with or adversely affects the Service to other Customers, provided the Customer has first been notified and afforded reasonable opportunity to change or disconnect such equipment.

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY, Continued****2 14 2. Discontinuation of Services Due to Delinquency**

The Company may disconnect Service, if a Customer's account is delinquent, ten (10) calendar days from the date of mailing or personal delivery of notice of the Company's intention to discontinue Service on account of delinquency. The Company's notice will comply with the provisions of ND Commission Rule 69-09-05-02(5) as set forth in subsection E below.

**A. Determination of Delinquency**

Pursuant to ND Commission Rule 69-09-05-02.1, for the purpose of discontinuing or resuming telecommunications Service:

1. If a Customer's partial payment on outstanding charges for telecommunications Services excluding payments on a deferred installment agreement is less than the outstanding charges for Essential Services and federal access charges, the Customer is delinquent in payment for Essential Services.
2. If a Customer's partial payment on outstanding charges for telecommunications Services excluding payments on a deferred installment agreement is equal to or greater than the outstanding charges for Essential Services and federal access charges, the Customer is not delinquent in payment for Essential Services.

**B. Discontinuance of Essential Services**

Essential Services, as defined in section 3 8.3, may be discontinued pursuant to ND Commission Rule 69-09-05-02(1), as follows:

1. If the Customer is delinquent in payment for Essential Services, then Essential Services may be discontinued even though discontinuing the Services results in the discontinuance of all telecommunications Services
2. If the Customer is delinquent in payment for long-distance Services rendered by the Company or another company and billed by the Company, but is not delinquent in payment for Essential Services rendered by the Company, the Company may discontinue the Customer's local exchange Services only at central offices lacking the technical ability to discontinue long-distance Services while continuing to provide local exchange Services.

---

Issued:

Effective Date:

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY, Continued****2.14.2. Discontinuation of Services Due to Delinquency, Continued****C. Discontinuance of Nonessential Services**

Nonessential Services, as defined in section 3.8.4, may be discontinued pursuant to ND Commission Rule 69-09-05-02(1), as follows:

1. If the Customer is delinquent in payment for Nonessential Services.
2. If the Customer is delinquent in payment for long-distance telecommunications Services rendered by another company and billed by the Company, then the Company may deny the Customer all forms of access to the network of the telecommunications company to which the Customer is delinquent in payment. However, if due to technical limitations, the Company must also deny the Customer all forms of access to the long-distance networks of all telecommunications companies, including its own, in order to deny the Customer access to the network of the company to which the Customer is delinquent, the Company may do so

**D. Insufficient Reasons for Discontinuance of Service Due to Delinquency**

Pursuant to ND Commission Rule 69-09-05-02(4), the Company may not discontinue Service to a Customer

1. for failure of the Customer to pay for merchandise purchased from the Company,
2. to pay for a different class of Service furnished by the Company,
3. to pay for Service rendered to a previous occupant of the premises, or
4. to pay the bill of another Customer as guarantor thereof.

---

Issued:  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY, Continued****2.14.2. Discontinuation of Services Due to Delinquency, Continued****E. Notice of Discontinuance of Service for Delinquency**

Pursuant to ND Commission Rule 69-09-05-02(5), the Company will not discontinue Service to a Customer for failure to pay for Service until the Company first gives the Customer notice of its intention to discontinue such Service on account of delinquency. The notice will:

1. Be sent by first-class mail addressed to the billing name and address of the affected account.
2. Show the amount of the delinquency.
3. Include the telephone number of the Public Service Commission.
4. Advise the Customer of the Customer's rights and remedies, including the Customer's right to work out a satisfactory deferred installment agreement for delinquent accounts
5. Inform the Customer that Service will be discontinued if the delinquent account is not paid within ten (10) calendar days from the date of mailing or personal delivery of the notice, or if a satisfactory installment agreement is not made with the Company for payment of the delinquent bill. The Company may discontinue Service without further notice if the Customer fails to pay the delinquent account by the due date.

---

Issued:  
Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY, Continued****2.14.2. Discontinuation of Services Due to Delinquency, Continued****F. Deferred Installment Agreements**

Pursuant to ND Commission Rule 69-09-05-02(6):

1. A deferred installment agreement for Essential Services may not be combined with a deferred installment agreement for any other Services.
2. The Company will not discontinue Essential Services if the Company and the Customer make a mutually agreed upon deferred installment agreement for Essential Services. The Company may discontinue Essential Services without further notice if the Customer fails to pay the delinquent account in accordance with the deferred installment agreement.
3. The Company will not discontinue Nonessential Services if the Company and the Customer make a mutually agreed upon deferred installment agreement for Nonessential Services. The Company may discontinue Nonessential Services without further notice if the Customer fails to pay the delinquent account in accordance with the deferred installment agreement.

**G. Payment of Delinquent Account Prior to Discontinuance**

Pursuant to ND Commission Rule 69-09-05-02(7), the Customer may pay the delinquent account at any time prior to the actual discontinuance of Service.

---

Issued:  
Issued By

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**SECTION 2 - RULES AND REGULATIONS, Continued****2.14. CANCELLATION BY COMPANY, Continued**

## 2.14 2 Discontinuation of Services Due to Delinquency, Continued

## H Disputed Bills and Discontinuance of Service

Pursuant to ND Commission Rule 69-09-05-02(9), if the Customer disputes the amount of a bill for Service, the Customer may, to prevent discontinuance for nonpayment, pay the disputed bill under protest to the Company. Alternatively, the Customer may request a formal hearing pursuant to ND Commission Rule 69-02-02-02 in which case the Company may not discontinue Service for nonpayment of the disputed bill until a final decision has been issued by the Commission. The Company will immediately give the Commission notice of the dispute and the Commission may investigate the dispute. The Company will refund to the Customer any part of such payment made under protest found by the Commission to be excessive.

**2.15. RECONNECTION OF CUSTOMER'S SERVICE**

Pursuant to ND Commission Rule 69-09-05-02(8), whenever Service has been discontinued for nonpayment of a bill, Service will be resumed if the Customer pays the fee for resuming Service and makes a satisfactory settlement for the delinquent bill and for the Service rendered to the date the Service was discontinued

	<b>Residence</b>	<b>Business</b>
Restoral Fee, Per Occurrence	\$25.00	\$40.00

Issued  
Issued By.

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.16. AUTOMATIC NUMBER IDENTIFICATION TERMS AND CONDITIONS**

The Company may provide Automatic Number Identification (ANI) associated with an intrastate service, by tariff, to any entity (ANI recipient), only under the following terms and conditions

- 2.16.1. The ANI recipient or its designated billing agent may use or transmit ANI information to third parties for billing and collection, routing, screening, ensuring network performance and completion of a telephone subscriber's original call or transaction.
- 2.16.2. The ANI recipient may offer to any telephone subscriber with whom the ANI recipient has an established Customer relationship a product or service that is directly related to products or services previously purchased by the telephone subscriber from the ANI recipient.
- 2.16.3. The ANI recipient or its designated billing agent is prohibited from utilizing ANI information to establish marketing lists or conduct outgoing marketing calls, except as permitted by the preceding paragraph, unless the ANI recipient obtains the prior written consent of the telephone subscriber permitting the use of ANI information for such purposes. The foregoing provisions notwithstanding, no ANI recipient or its designated billing agent may utilize ANI information if prohibited elsewhere by law.
- 2.16.4. The ANI recipient or its designated billing agent is prohibited from reselling, or otherwise disclosing ANI information to any other third party for any use other than those listed in Section 2.16.1., unless the ANI recipient obtains the prior written consent of the subscriber permitting such resale or disclosure.

---

Issued:  
Issued By

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

---

**SECTION 2 - RULES AND REGULATIONS, Continued****2.16. AUTOMATIC NUMBER IDENTIFICATION TERMS AND CONDITIONS, Continued**

2 16 5 The Company will make reasonable efforts to adopt and apply procedures designed to provide reasonable safeguards against the aforementioned abuses of ANI.

2 16 6. Violations of any of the foregoing terms and conditions by any ANI recipient, other than a telephone corporation, shall result, after a determination through the Commission's complaint process, in suspension of the transmission of ANI by the telephone corporation until such time as the Commission receives written confirmation from the ANI recipient that the violations have ceased or have been corrected. If the Commission determined that there have been three (3) or more separate violations in a twenty-four (24) month period, delivery of ANI to the offending party shall be terminated under terms and conditions determined by the Commission.

**2.17. INTERCONNECTION**

2.17.1. The Customer shall secure all licenses, permits, rights-of-way and other arrangements necessary for interconnection with the Company. In addition, the Customer shall ensure that its equipment and/or system or that of its agent is properly interfaced with the Company's service and the signals emitted into the Company's network are of the proper mode, band-width, power, data speed and signal level for the intended use of the Customer. If the Customer or its agent fails to properly maintain and operate its equipment and/or system or that of its agent, the Company may, upon written request, require the use of protective equipment at the Customer's expense.

2 17 2. Service furnished by Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Company. Any special interface of equipment or facilities necessary to achieve compatibility between the facilities of Company and other participating carriers shall be provided at the Customer's expense.

2.17.3. Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' tariffs. The Customer is responsible for taking all necessary legal steps for interconnecting Customer-provided terminal equipment or communications equipment with Company's facilities. The Customer shall secure all licenses, permits, rights-of-way, and other such arrangements necessary for interconnection.

---

Issued

Effective Date

Issued By

Stanley Johnson, President  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**SECTION 2 - RULES AND REGULATIONS, Continued****2.18. ADVANCE PAYMENTS AND DEPOSITS**

## 2.18.1. Advance Payments

Company will not collect advance payments

## 2.18.2. Deposits

Company will not collect deposits.

**2.19. TAXES**

The Customer is responsible for payment of all federal, state and local taxes, franchise, excise and other fees applicable to the Services, including, but not limited to: sales, use, excise, franchise, access, universal service, 911 services and disabled services.

---

Issued:

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date

**SECTION 3 - DESCRIPTION OF SERVICE**

**(To be determined)**

---

Issued:

Issued By

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

Effective Date:

**SECTION 4 – RATES**

**(To be determined)**

---

Issued:

Effective Date:

Issued By:

Stanley Johnson, President.  
VCI Company  
3875 Steilacoom Blvd. SW #A  
Lakewood, Washington 98499

**EXHIBIT E**  
**VCI FINANCIAL INFORMATION**  
(Attached)

**VCI Company  
Balance Sheet  
6/15/2004**

---

**Assets**

**Current Assets:**

Cash		\$682,000
Accounts Receivable	\$0	
Less Reserve for Bad Debts	<u>0</u>	0
Merchandise Inventory		0
Prepaid Expenses		0
Notes Receivable		<u>0</u>
<b>Total Current Assets</b>		<u>\$682,000</u>

**Fixed Assets:**

Vehicles	150,000	
Less Accumulated Depreciation	<u>39,600</u>	110,400
 Furniture and Fixtures	 10,000	
Less Accumulated Depreciation	<u>2,000</u>	 8,000
 Equipment	 85,000	
Less Accumulated Depreciation	<u>25,400</u>	 59,600
 Buildings	 0	
Less Accumulated Depreciation	<u>0</u>	 0
 Land		 <u>0</u>
<b>Total Fixed Assets</b>		<u>178,000</u>

**Other Assets:**

Goodwill		0
<b>Total Other Assets</b>		<u>0</u>

**Total Assets**

\$860,000

**Liabilities and Capital**

**Current Liabilities:**

Accounts Payable		\$111,000
Sales Taxes Payable		0
Payroll Taxes Payable		0
Accrued Wages Payable		0
Unearned Revenues		0
Short-Term Notes Payable		0
Short-Term Bank Loan Payable		<u>0</u>
<b>Total Current Liabilities</b>		<u>• \$111,000</u>

**Long-Term Liabilities:**

**VCI Company  
Balance Sheet  
6/15/2004**

---

Long-Term Notes Payable	0
Mortgage Payable	0
<b>Total Long-Term Liabilities</b>	<u>0</u>
<b>Total Liabilities</b>	111,000
 <b>Capital:</b>	
Owner's Equity	0
Net Profit	749,000
<b>Total Capital</b>	<u>749,000</u>
<b>Total Liabilities and Capital</b>	<u><u>\$860,000</u></u>

---

**VCI Company**  
**Profit & Loss**  
 January through June 15, 2004

	<u>Jan - June 15</u>	
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>4000 Sales</b>		
4020 State	127,023 93	
4030 Customer	1,227,780 90	
4040 Feds	1,222,837 37	
4000 Sales - Other	108,000 00	
<b>Total 4000 - Sales</b>	2,685,642 20	
4050 - Customer Refunds	-104 47	
4060 NSF Checks	-6,879 63	
4070 NSF Checks Fee	-933 00	
<b>Total Income</b>	2,677,725 10	
<b>Cost of Goods Sold</b>		
5000 Qwest	955,626 59	<b>36%</b>
<b>Total COGS</b>	955,626 59	
<b>Gross Profit</b>	1,722,098 52	
<b>Expense</b>		
6100 Outside Services	20,692 26	
6115 - Security Alarm	2,085 45	
6120 Bank Service Charges	226 91	
6125 - Credit Report	547 65	
6150 Office Equipment	17,476 00	
6151 Customer Mail Out Supplies	4,800 00	
6170 Equipment Rental	1,996 36	
6200 Interest Expense		
6210 - Finance Charge	1,970 33	
6375 Mortgage	5,129 45	
<b>Total 6200 Interest Expense</b>	7,099 78	
6230 Licenses and Permits	4,960 52	
6235 - Advertising	48,500 00	
6240 - Dues & Subscriptions	30 00	
6245 Office Supplies	9,080 15	
6250 Postage		
6255 Postage Meter	22,777 50	
6257 - Delivery	425 38	
<b>Total 6250 Postage</b>	23,202 88	
6258 Uniforms	5,214 00	

**VCI Company**  
**Profit & Loss**  
 January through June 15, 2004

	<u>Jan - June 15</u>
6260 Printing/Copies	2,959 39
6265 Professional Development	391 34
6270 Professional Fees	
6280 · Legal Fees	9,676 36
6285 · Database Technician	10,173 23
6287 Regulatory Consultation	4,954 70
6270 · Professional Fees - Other	<u>141 00</u>
Total 6270 · Professional Fees	24,945 29
6290 Rent	12,000 00
6300 · Repairs	
6310 · Building Repairs	13,937 50
6330 Equipment Repairs	24 00
6300 Repairs - Other	<u>24 75</u>
Total 6300 Repairs	13,986 25
6335 · Internet/Networking	8,291 27
6337 · Cable	323 11
6340 Telephone	47,748 62
6342 · Cellular Phone	7,154 27
6343 Telephone Equipment	3,462 97
6344 Telephone Installation	5,149 90
6345 CABS Maintenance	2,961 49
6347 · Voicetronics	217 69
6370 Auto & Truck Rental	1,301 57
6390 Utilities	
6391 Gas and Electric	377 68
6392 Water/Sewer	<u>43 32</u>
Total 6390 · Utilities	421 00
6393 Refuse Service	75 47
6400 Insurance	1,577 25
6500 Auto	0 00
6505 · Auto Insurance	1,544 84
6515 Fuel	4,355 36
6517 · Auto Maintenance	<u>4,490 29</u>
Total 6500 Auto	10,390 48
6520 · Licenses & Permits	8,500 00
6550 Education	2,458 00
6560 Payroll Expenses	342,000 00
6565 Payroll Taxes - Employer	102,547 00

**VCI Company**  
**Profit & Loss**  
January through June 15, 2004

	<u>Jan - June 15</u>	
6567 Health Insurance	12,584 00	
6600 Health & Wellness	1,875 92	
6615 Employee Relocation	9,704 42	
6620 Entertainment & Promotion	0 00	
6625 Entertainment	1,250 00	
6630 Meals	10,899 80	
6635 Travel	16,693 01	
6637 Video/Theatre	545 58	
Total 6620 Entertainment & Promotion	<u>29,388 38</u>	
6745 Suspense	0 00	
8010 Depreciation	271,149 94	
Total Expense	<u>1,069,476 95</u>	
Net Ordinary Income	<u>652,621 57</u>	
Net Income	<u><u>652,621 57</u></u>	<b>24%</b>

VCI Company  
Profit & Loss  
January through December 2003

	<u>Jan - June 15</u>
Ordinary Income/Expense	
Income	
4000 Sales	
4020 State	127,023 93
4030 Customer	1,227,780 90
4040 Feds	1,222,837 37
4000 Sales - Other	108,000 00
Total 4000 - Sales	<u>2,685,642 20</u>
4050 Customer Refunds	-104 47
4060 NSF Checks	-6,879 63
4070 NSF Checks Fee	-933 00
Total Income	<u>2,677,725 10</u>
Cost of Goods Sold	
5000 Qwest	955,626 59
Total COGS	<u>955,626 59</u>
Gross Profit	1,722,098 52
Expense	
6100 Outside Services	20,692 26
6115 Security Alarm	2,085 45
6120 Bank Service Charges	226 91
6125 Credit Report	547 65
6150 Office Equipment	17,476 00
6151 Customer Mail Out Supplies	4,800 00
6170 Equipment Rental	1,996 36
6200 Interest Expense	
6210 Finance Charge	1,970 33
6375 Mortgage	5,129 45
Total 6200 Interest Expense	<u>7,099 78</u>
6230 Licenses and Permits	4,960 52
6235 Advertising	48,500 00
6240 Dues & Subscriptions	30 00
6245 Office Supplies	9,080 15
6250 Postage	
6255 Postage Meter	22,777 50
6257 Delivery	425 38
Total 6250 Postage	<u>23,202 88</u>
6258 Uniforms	5,214 00

VCI Company  
Profit & Loss  
January through December 2003

	<u>Jan - June 15</u>
6260 Printing/Copies	2,959 39
6265 Professional Development	391 34
6270 Professional Fees	
6280 Legal Fees	9,676 36
6285 Database Technician	10,173 23
6287 Regulatory Consultation	4,954 70
6270 Professional Fees - Other	141 00
Total 6270 Professional Fees	<u>24,945 29</u>
6290 Rent	12,000 00
6300 Repairs	
6310 Building Repairs	13,937 50
6330 Equipment Repairs	24 00
6300 Repairs - Other	24 75
Total 6300 Repairs	<u>13,986 25</u>
6335 Internet/Networking	8,291 27
6337 Cable	323 11
6340 Telephone	47,748 62
6342 Cellular Phone	7,154 27
6343 Telephone Equipment	3,462 97
6344 Telephone Installation	5,149 90
6345 CABS Maintenance	2,961 49
6347 Voicetronics	217 69
6370 Auto & Truck Rental	1,301 57
6390 Utilities	
6391 Gas and Electric	377 68
6392 Water/Sewer	43 32
Total 6390 Utilities	<u>421 00</u>
6393 Refuse Service	75 47
6400 Insurance	1,577 25
6500 Auto	0 00
6505 Auto Insurance	1,544 84
6515 Fuel	4,355 36
6517 Auto Maintenance	4,490 29
Total 6500 Auto	<u>10,390 48</u>
6520 Licenses & Permits	8,500 00
6550 Education	2,458 00
6560 Payroll Expenses	342,000 00
6565 Payroll Taxes - Employer	102,547 00

VCI Company  
**Profit & Loss**  
January through December 2003

	<u>Jan - June 15</u>
6567 Health Insurance	12,584 00
6600 Health & Wellness	1,875 92
6615 Employee Relocation	9,704 42
6620 Entertainment & Promotion	0 00
6625 Entertainment	1,250 00
6630 Meals	10,899 80
6635 Travel	16,693 01
6637 Video/Theatre	545 58
Total 6620 Entertainment & Promotion	<u>29,388 38</u>
6745 Suspense	0 00
8010 Depreciation	<u>271,149 94</u>
Total Expense	<u>1,069,476 95</u>
Net Ordinary Income	<u>652,621 57</u>
Net Income	<u><u>652,621 57</u></u>

**Public Service Commission**  
**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**Certificate Number 5150**

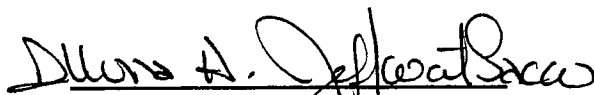
*This is to certify that public convenience and necessity require, and permission is granted for VCI Company, a telecommunications public utility, to provide statewide interexchange (toll) telecommunications services, with facilities, in North Dakota.*

*This certificate is issued in Case No. PU-04-465 and is conditioned upon VCI Company securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, November 18, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

**Public Service Commission**  
**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**Certificate Number 5151**

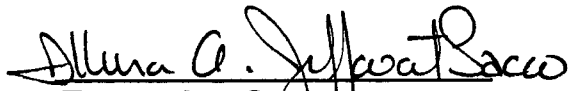
*This is to certify that public convenience and necessity require, and permission is granted for VCI Company, a telecommunications public utility, to provide statewide local exchange telecommunications services, with facilities, in North Dakota.*

*This certificate is issued in Case No. PU-04-465 and is conditioned upon VCI Company securing the franchise or other authority of the proper municipal or other authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, November 18, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**

**Public Service Commission**  
**STATE OF NORTH DAKOTA**

**Certificate of Registration**

**Certificate Number 971**

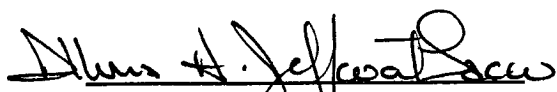
*This is to certify that VCI Company is registered to resell interexchange telecommunications services in North Dakota.*

*This certificate is issued in Case No. PU-04-464 and is subject to the conditions and limitations noted in North Dakota Administrative Code, Section 69-09-05-04.*

*Bismarck, North Dakota, September 22, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
Executive Secretary

  
Commissioner

**Public Service Commission**  
**STATE OF NORTH DAKOTA**

**Certificate of Registration**

**Certificate Number 972**

*This is to certify that VCI Company is registered to resell local exchange telecommunications services in North Dakota*

*This certificate is issued in Case No. PU-04-464 and is subject to the conditions and limitations noted in North Dakota Administrative Code, Section 69-09-05-04.*

*Bismarck, North Dakota, September 22, 2004.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**



**CERTIFICATE OF AUTHORITY  
FOREIGN CORPORATION  
APPLICATION**  
SECRETARY OF STATE  
SFN 13100A (13100 + 7974) (7-99)

**RECEIVED**  
JUL 28 2004  
SEC. OF STATE

FOR OFFICE USE ONLY

ID #	15,397,700
WO #	150803
Filed	7-28-04 By NLS

SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS

- 1 A. The application **MUST** be accompanied by ALL of the following
- Filing fee of \$125 if a Foreign Business or Professional Corporation
  - Filing fee of \$40 if a Foreign Nonprofit Corporation
  - Signed Consent of Registered Agent and fee of \$10
  - Current, **ORIGINAL CERTIFICATE OF GOOD STANDING OR CERTIFICATE OF EXISTENCE** verifying corporate existence certified by the incorporating officer of the state or country of incorporation
- B. The following **MAY** be required
- Certification of professional license from the North Dakota licensing board for the profession
  - Signed consent to use of name and fee of \$10
  - Trade Name Registration and fee of \$25

**TYPE OR PRINT LEGIBLY** For reference, see North Dakota Century Code, Section 10-19 1-135 or 10-33-125.

2 Type of corporation applying for Certificate of Authority (check one)

Foreign Business     Foreign Professional     Foreign Nonprofit

3 A. Name of corporation **EXACTLY** as it appears on Certificate of Good Standing from state of origin  
VCI COMPANY

B Federal ID #  
56-2416420

C. If the corporation chooses to use a name other than its corporate name, that name is a trade name and must be registered with the North Dakota Secretary of State (SEE INSTRUCTION 3 C.) If applicable, provide the trade name below and complete the Trade Name Registration form if the selected trade name is not already registered in North Dakota

- D If the corporation has been notified by the North Dakota Secretary of State that its corporate name is the same as, or deceptively similar to a name already registered, this application for Certificate of Authority must be accompanied by one of the following (check one)
- Consent to use of name from the conflicting name holder(s)
- An application for registration of a trade name for use in transacting business in North Dakota The trade name adopted is:

Certified copy of a final decree of a court of competent jurisdiction establishing prior right of this corporation to use of the name in North Dakota

4 Complete mailing address of principal executive office which may not only be a post office box (Street/RR, and PO Box if applicable, city, state, zip + 4) 3875 STEILACOOM BLVD , #A, LAKEWOOD, WA. 98498

5 A. STATE or country where incorporated WASHINGTON	B EXACT date incorporated (Month, day, AND year) 11/24/2003	C Duration of corporation <input checked="" type="checkbox"/> Perpetual <input type="checkbox"/> Other (Specify)	D. Telephone # 800-923-8375
			E Toll-free telephone #

6 A Name of required registered agent in NORTH DAKOTA (SEE INSTRUCTION 6 A.)  
National Registered Agents, Inc

B. Federal ID/social security # of registered agent  
13-3837683

C Address of registered agent in NORTH DAKOTA which may not only be a post office box number (Street/RR, and PO Box if applicable, city, state, zip + 4) 220 North Fourth Street, Bismarck, ND 58501

7 Nature of business or activities the corporation intends to conduct in the State of North Dakota

TELECOMMUNICATION SERVICES.

8 OFFICE	Check box if officer also serves as director	NAME	COMPLETE MAILING ADDRESS				
			Street/RR	PO Box	City	State	Zip + 4
PRESIDENT	<input checked="" type="checkbox"/>	STANLEY JOHNSON	3875 STEILACOOM BLVD , #A, LAKEWOOD, WA 98498				
VICE PRESIDENT	<input type="checkbox"/>						
SECRETARY	<input checked="" type="checkbox"/>	STANLEY EFFERDING	3875 STEILACOOM BLVD , #A, LAKEWOOD, WA 98498				
TREASURER	<input type="checkbox"/>						
DIRECTOR							
DIRECTOR							

9 The undersigned, a person authorized by the corporation to sign this application, knows the contents thereof, and believes the statements made to be true

Original signature    STANLEY JOHNSON    Date    7/21/04

10 Name of person to contact about this application  
CHERYL CONKLIN

Daytime telephone #  
360-956-9500

**INSTRUCTIONS FOR CERTIFICATE OF AUTHORITY FOREIGN CORPORATION APPLICATION**

No foreign corporation may transact business, or conduct affairs, in North Dakota, **OR** obtain any license or permit required by North Dakota law, until the corporation has obtained a Certificate of Authority from the Secretary of State. The following numbers correspond to the numbered sections on the front of this form.

1. A The application for Certificate of Authority **MUST** be accompanied by **ALL** of the following before the Certificate of Authority can be issued:
  - Filing fee of \$125 if a foreign business or professional corporation, **OR** \$40 if a foreign nonprofit corporation. (Checks must be payable to "Secretary of State" and must be for U. S. negotiable funds. Payment may also be made by credit card using Visa, Master Card, or Discover.)
  - Signed Consent of the Registered Agent **AND** fee of \$10
  - Current, **ORIGINAL** certificate of good standing or certificate of existence verifying corporate existence certified by the incorporating officer of the state or country of incorporation. A copy of a certificate, or a copy of the articles of incorporation is not acceptable. The certificate must have been certified within 90 days of the date of application
- B. The application for Certificate of Authority **MAY BE REQUIRED** to be accompanied by the following
  - If applicant is a foreign professional corporation, it must submit a certification of professional license from the North Dakota licensing board for the profession verifying that the practitioners of the corporation have been licensed to provide the professional service
  - A signed consent to use of name **AND** fee of \$10 when the corporation is already aware of a conflict with its corporate name.
  - Trade Name Registration **AND** fee of \$25 when the corporation assumes a name, other than its corporate name, for use in North Dakota.
- 2 Indicate whether the application is being submitted for a Certificate of Authority for a foreign business corporation, a foreign professional corporation, or a foreign nonprofit corporation
3. A Provide the correct corporate name as incorporated in the state or country of organization. Punctuation and abbreviations must be consistent with those in the name on the certificate from the incorporating officer of the state or country where incorporated
- B To properly maintain corporate records, the Federal ID number is required
- C. If the corporation is applying for Certificate of Authority in a name other than its corporate name, provide the alternate name chosen or required to be elected for use in North Dakota. North Dakota law provides that a foreign business corporation and a foreign nonprofit corporation may apply for a Certificate of Authority under any name. The corporate name of a foreign business corporation **MUST INCLUDE** the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of these words. If the corporate name of a foreign business corporation does not contain one of these words or abbreviations, one must be elected to be used in North Dakota. The application will be rejected if an election is not made and the corporate name in 3.A. is not in compliance with these requirements. A Trade Name Registration **AND** fee of \$25 must accompany the application when an alternate name is desired or required. The name of a foreign professional corporation shall contain words or abbreviations required or authorized by the laws of the jurisdiction in which it is incorporated (For reference, see North Dakota Century Code, Section 10-19.1-133, 10-31-05, or 10-33-126.)
- D Select the option the corporation elects to pursue if its corporate name is in conflict with a name previously registered with the Secretary of State. Item 3 D should remain blank if the applicant is not aware of a name conflict.

North Dakota law provides that a corporate name may not be the same as, or deceptively similar to, a name already registered with the North Dakota Secretary of State. However, the name may be used if the application for Certificate of Authority is accompanied by

- 1) A signed consent to use of name **AND** fee of \$10. The consent to use of name must be drafted by the applicant since a form for consent to use of name is not prescribed by the Secretary of State.
- 2) A certified copy of a judgment of a court in this state establishing the prior right of the applicant to the use of the name in this state
- 3) A Trade Name Registration **AND** fee of \$25. A blank Trade Name Registration form can be obtained by writing to the address at the bottom of this form, or by calling 701-328-4284.

**TRADE NAMES:** Any corporation conducting business in North Dakota under a name other than its corporate name, must register the trade name with the Secretary of State.

- 4 A complete address of the corporation's principal executive office wherever located, is required. In this section, as well as all other sections requiring addresses on this application, an address must include a street or rural address, a postal box number if applicable, and the city, state, and zip code plus 4-digit extension. **THIS ADDRESS MAY NOT ONLY BE A POST OFFICE BOX.**
- 5 A Identify the state or country in which the corporation is incorporated.
- B Provide the **EXACT** date (month, day **AND** year) when the corporation was incorporated. This date must correspond to the date if specified in the Certificate of Good Standing or Certificate of Existence
- C Identify whether the corporation is incorporated with "perpetual" existence or provide the specific date on which it is to be dissolved
- D The telephone number of the corporation's principal executive office is required
- E Provide a toll-free telephone number if the corporation has one to expedite services to the corporation for the duration of the filing
- 6 A A corporation **MUST** continuously maintain a registered agent and the address of the agent in North Dakota. Provide the name of the individual North Dakota resident, or domestic or foreign corporation appointed to serve as registered agent in North Dakota. A corporation appointed as registered agent must be registered and in good standing with the North Dakota Secretary of State. If a corporation is named as registered agent, provide the "correct" corporate name of the corporation. A corporation cannot serve as its own registered agent
- B To properly identify registered agents, the Federal ID number or social security number of the registered agent is required.
- C Provide the complete address in North Dakota of the appointed registered agent. (See definition of complete mailing address in item 4.) **A POST OFFICE BOX NUMBER IS NOT SUFFICIENT ADDRESS FOR SERVICE OF PROCESS.**
- 7 Give a brief explanation of the purposes or nature of business the corporation intends to transact in North Dakota. If the corporation is involved in the business of insurance, clearly define that the corporation is a business corporation selling or servicing insurance products. A corporation that actually backs the claims may not be required to file this application
- 8 This section must reflect names and complete addresses of all officers and directors. (See definition of complete mailing address in item 4.)
- 9 The application must be dated and bear an **ORIGINAL** signature by an individual authorized to sign on behalf of the corporation. A stamped or facsimile signature is not acceptable.
- 10 Provide the name and daytime telephone number of the person to contact for any issues related to this application

**ASSISTANCE** If assistance is required to complete the application for a Certificate of Authority, call 701-328-2904.

**EXPEDITING PROCESS** Be sure to complete item 10. If documents are being submitted by someone other than the corporation, provide a cover letter with the name and telephone number of the responsible individual so that any deficiencies can be remedied by telephone.

**MAILING INSTRUCTIONS** Send original documents **AND** filing fees to: Secretary of State  
State of North Dakota  
600 East Boulevard Avenue  
Bismarck ND 58505-0500

**ANNUAL REPORTS** An annual report is required starting in the year following that in which the Certificate Authority is issued. An annual report of a foreign business or professional corporation is due on May 15. The annual report of a foreign nonprofit corporation is due on February 1. The annual report form is mailed to the registered agent.



**REGISTERED AGENT  
CONSENT TO SERVE  
SECRETARY OF STATE**  
SFN 13100A (7974 + 13100) (7-99)

**RECEIVED**  
JUL 28 2004  
SEC. OF STATE

FOR OFFICE USE ONLY	
ID #	15,397,700
File #	
WO #	150803
Filed	7-28-04
By	NS

SEE REVERSE SIDE FOR FILING AND MAILING INSTRUCTIONS

**1. FILING FEE: \$10.00**

**TYPE OR PRINT LEGIBLY**

2 Name of the organization for which the registered agent is to serve (corporation, limited liability company, limited liability partnership, limited partnership, limited liability limited partnership or real estate investment trust)

VCI COMPANY

3 Name of the registered agent

National Registered Agents, Inc.

4 Registered agent is (Check one)

- An individual North Dakota resident
- A corporation
- A limited liability company
- A limited liability partnership

5 Federal ID # or social security # of registered agent

13-3837683

6 An individual appointed as registered agent must sign a consent to serve in that capacity. When a corporation, a limited liability company, or limited liability partnership is named as registered agent, an officer or someone authorized by the organization may sign on behalf of the corporation, limited liability company, or limited liability partnership.

"The undersigned, as the newly appointed registered agent, agrees to act as the registered agent for this organization until a change, or

National Registered Agents, Inc.

*Cheryl Conklin*

7-27-04

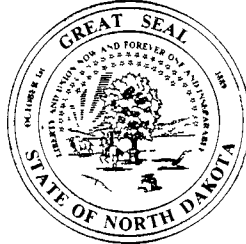
Original signature of registered agent

Date

CHERYL CONKLIN - ASSISTANT SECRETARY

# *State of North Dakota*

## SECRETARY OF STATE



### CERTIFICATE OF GOOD STANDING OF

VCI COMPANY

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that VCI COMPANY, a Washington corporation, authorized to transact business in the State of North Dakota on July 28, 2004, 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 foreign corporations.

**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

VCI COMPANY

Issued: August 26, 2004

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

Alvin A. Jaeger  
Secretary of State

329-1697.0  
2003



**STATE OF WASHINGTON  
SECRETARY OF STATE**

**APPLICATION TO FORM A  
PROFIT CORPORATION**

(Per Chapter 23B 02 RCW)

**FEE: \$175**

- Please PRINT or TYPE in black ink
- Sign, date and return original AND ONE COPY to

CORPORATIONS DIVISION  
801 CAPITOL WAY SOUTH • PO BOX 40234  
OLYMPIA, WA 98504-0234

- BE SURE TO INCLUDE FILING FEE Checks should be made payable to "Secretary of State"

FILED  
SECRETARY OF STATE  
NOV 24 2003  
STATE OF WASHINGTON  
OFFICE USE ONLY

FILED	/ /	UBI	600-344-481
CORPORATION NUMBER			

IMPORTANT! Person to contact about this filing <i>Stanley Johnson</i>	Daytime Phone Number (with area code) (253) 923-2476
--	---

**ARTICLES OF INCORPORATION**

NAME OF CORPORATION (Must contain the word "Corporation" "Incorporated" or "Limited" or the abbreviation "Corp" "Inc" "Co" or "Ltd") <i>VCI Company</i>	
NUMBER OF SHARES (Minimum of one (1) share must be listed) THE CORPORATION IS AUTHORIZED TO ISSUE <i>100</i>	CLASS OF SHARES (If "preferred" class is checked, please attach description) <input checked="" type="checkbox"/> Common <input type="checkbox"/> Preferred
EFFECTIVE DATE OF INCORPORATION (Specified effective-date may be up to 90 days AFTER receipt of the document by the Secretary of State) <input type="checkbox"/> Specific Date _____ <input checked="" type="checkbox"/> Upon filing by the Secretary of State	

>>> PLEASE ATTACH ANY OTHER PROVISIONS THE CORPORATION ELECTS TO INCLUDE <<<

NAME AND ADDRESS OF WASHINGTON STATE REGISTERED AGENT	
Name <i>Stanley Johnson</i>	
Street Address (Required) <i>7304 Zircon Dr SW</i> City <i>Lakewood</i> State <i>WA</i> ZIP <i>98498</i>	
PO Box (Optional - Must be in same city as street address) _____ ZIP (if different than street ZIP) _____	
I consent to serve as Registered Agent in the State of Washington for the above named corporation. I understand it will be my responsibility to accept Service of Process on behalf of the corporation; to forward mail to the corporation; and to immediately notify the Office of the Secretary of State if I resign or change the Registered Office Address.	
Signature of Agent <i>[Signature]</i>	Printed Name <i>Stanley Johnson</i> Date <i>11/24/03</i>

NAMES AND ADDRESSES OF EACH INCORPORATOR (If necessary, attach additional names and addresses)	
Name <i>Stanley Johnson</i>	
Address <i>7304 Zircon Dr SW</i> City <i>Lakewood</i> State <i>WA</i> ZIP <i>98498</i>	
Name <i>Stan Effending</i>	
Address <i>7304 Zircon Dr SW</i> City <i>Lakewood</i> State <i>WA</i> ZIP <i>98498</i>	
Name _____	
Address _____ City _____ State _____ ZIP _____	

SIGNATURE OF INCORPORATOR			
This document is hereby executed under penalties of perjury, and is, to the best of my knowledge, true and correct			
Signature of Incorporator <i>[Signature]</i>	Printed Name <i>Stanley Johnson</i>	Title <i>President</i>	Date <i>11/24/03</i>

FOR OFFICE USE ONLY

FOR OFFICE USE ONLY

FOR OFFICE USE ONLY

44172002 117200  
\$0.00 Document  
Only  
Tracking ID: 634759  
Doc No: 314330-002

# *State of North Dakota*

## SECRETARY OF STATE



### CERTIFICATE OF AUTHORITY OF

VCI COMPANY  
Secretary of State ID# 15,397,700

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

VCI COMPANY

for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the North Dakota Century Code, 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

VCI COMPANY

to transact business in this State under the name of

VCI COMPANY

Issued: July 28, 2004

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

Alvin A. Jaeger  
Secretary of State

UNITED STATES OF AMERICA

The State of  Washington  
Secretary of State

I, SAM REED, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

**CERTIFICATE OF EXISTENCE/AUTHORIZATION**  
**OF**  
**VCI COMPANY**

I FURTHER CERTIFY that the records on file in this office show that the above named Profit Corporation was formed under the laws of the State of WA and was issued a Certificate Of Incorporation in Washington on 11/24/2003

I FURTHER CERTIFY that as of the date of this certificate, VCI COMPANY remains active and has complied with the filing requirements of this office.

Date. July 26, 2004

UBI: 602-344-481



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Sam Reed Secretary of State

PU-04-465

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>	A Signature <input checked="" type="checkbox"/> <i>Stacy A. Klingman</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
1 Article Addressed to <i>Stacy A. Klingman            Miller Iron Inc            7901 Skansie Ave Ste 240            Gig Harbor WA 98335</i>	B Received by (Printed Name) <i>Stacy A. Klingman</i>	C Date of Delivery <i>11-30-04</i>
	D Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input checked="" type="checkbox"/> No	
3 Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C O D		
4 Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2 Article Number (Transfer from service label) <u>7003 2260 0001 3517 1354</u>		
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540

PU-04-465

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>	A Signature <input checked="" type="checkbox"/> <i>Shari Sue for S. Klingman</i>	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
1 Article Addressed to <i>Stacy A. Klingman            Miller Iron Inc            7901 Skansie Ave Ste. 240            Gig Harbor WA 98335</i>	B Received by (Printed Name) <i>Shari Sue for S. Klingman</i>	C Date of Delivery <i>9/27/04</i>
	D Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input type="checkbox"/> No	
3 Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C O D		
4 Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		
2 Article Number (Transfer from service label) <u>7003 2260 0001 3517 0418</u>		
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540