



REQUEST FOR ADMINISTRATIVE LAW JUDGE--COMPLAINT
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
SFN 17818 (Rev. 03-2001)

Name of Agency, Board, or Commission Public Service Commission		
Name of Respondent(s) North Dakota Telephone Company	Address P. O. Box 180, Devils Lake, ND 58301-0180	Telephone Number 701-662-1100

The above named agency, board, or commission has taken administrative action pursuant to its authority found in Title 49 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

The administrative action is more fully described as follows: Case No. PU-05-451, Midcontinent Communications/North Dakota Telephone Company, Rural Exemption, Investigation. Hearing
is set for October 13, 2005 beginning at 9 a. m., Commission Hearing Room, 12th Floor, Bismarck, ND.

Has the respondent been provided a copy of the complaint? ☒ Yes ☐ No

Attached is a copy of the complaint, related documents and correspondence, and certificate, affidavit or admission of service. If the respondent has otherwise been notified about this administrative action, please explain in the comments section below.

It requests designation of an administrative law judge (please check one):

- ☐ To conduct the hearing and issue **recommended findings of fact, conclusions of law, and order.**
- ☒ To serve as a **procedural administrative law judge only (no recommended decision).**
The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- ☐ To conduct the hearing, issue findings of fact, conclusions of law, and a **final order.**

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Agency Contact Person(s) William W. Binek, Chief Counsel	Telephone Number 328-4088
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Representation [attorney (or other)] if known:

Agency William W. Binek, Chief Counsel, Public Service Commission, 600 E Blvd. Ave., Dept. 408, Bismarck, ND	Telephone Number 328-4088
Party Patrick W. Durick, Counsel for Midcontinent Communications, P. O. Box 400, Bismarck, ND 58502-0400	Telephone Number 223-2890
Party Dave Dircks, General Manager, North Dakota Telephone Company, P. O. Box 180, Devils Lake, ND	Telephone Number 662-1100

Additional Comments Hearing will be tape recorded.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person William W. Binek, Hearing Administrator	Date August 1, 2005
Signature of Requesting Person X	Telephone Number 328-4088