

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Midcontinent Communications/North Dakota
Telephone Company
Rural Exemption
Investigation

Case No. PU-05-451

PREHEARING ORDER

December 13, 2005

Upon a prehearing conference held December 9, 2005, Patrick W. Durick, Pearce & Durick, and J. G. Harrington, Dow, Lohnes & Albertson, PLLC, appearing for Midcontinent Communications; Donald A. Negaard, Pringle & Herigstad, P.C., and Thomas A. Moorman, Kraskin, Moorman & Cosson, LLC, appearing for North Dakota Telephone Company; and William W. Binek, Chief Counsel, and Patrick J. Fahn, Utilities Analyst, appearing for the North Dakota Public Service Commission, and pursuant to a stipulation by and among counsel for Midcontinent Communications and North Dakota Telephone Company, without objection by counsel for the North Dakota Public Service Commission, it is

ORDERED, that upon the completion of all pending discovery (whether "formal" or "informal"), expected to be done December 9, 2005, no further discovery shall be undertaken by Midcontinent Communication (for convenience, sometimes referred to as "Midco") or North Dakota Telephone Company (for convenience, sometimes referred to as "NDTC") except upon motion to the Commission's designated and acting hearing officer and in accordance with an order upon such motion, or otherwise as the Commission may allow; and it is further

ORDERED, that Midco shall serve and file its direct testimony and exhibits for the hearing not later than 4:30 p.m. C.S.T., December 21, 2005; and it is further

ORDERED, that NDTC shall serve and file its direct testimony and exhibits for the hearing not later than 4:30 p.m. C.S.T., January 9, 2006; and it is further

ORDERED, that Midco shall serve and file any rebuttal testimony and exhibits for the hearing not later than 4:30 p.m. C.S.T., January 16, 2006; and it is further

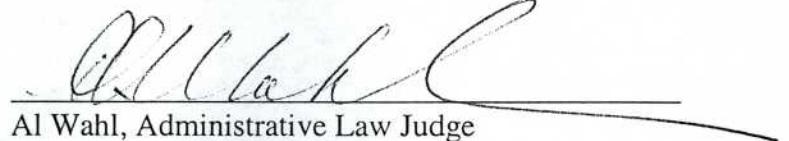
ORDERED, that no other or further filing of testimony or exhibits prior to the hearing shall be permitted except as the Commission may allow; and it is further

ORDERED, that all testimony and exhibits served and filed for the hearing pursuant to this order shall be served and filed electronically, provided, however, that if service and filing electronically cannot reasonably be accomplished service and filing shall be made by facsimile transmission upon advance notice given by telephone to the office of the person upon whom service electronically was attempted and to the offices of the North Dakota Public Service Commission for the attention of Illona A. Jeffcoat-Sacco, Executive Secretary; and it is further

ORDERED, that the hearing of this matter shall commence at 10:00 a.m. C.S.T., January 23, 2006, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

Dated at Bismarck, North Dakota this 13th day of December, 2005.

State of North Dakota
Public Service Commission


Al Wahl, Administrative Law Judge
Office of Administrative Hearings
1707 North 9th Street
Bismarck, North Dakota 58501
Telephone: (701) 328-3260

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the **PREHEARING ORDER** was mailed, regular mail, on the 13 day of December, 2005, to:

Mr. Patrick W. Durick
Pearce & Durick
P.O. Box 400
Bismarck, ND 58502-0400

Mr. Don Negaard
Pringle & Herigstad, P.C.
P.O. Box 1000
Minot, ND 58702-1000

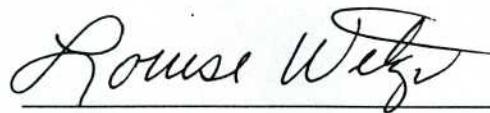
Mr. J. G. Harrington
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue NW
Suite 800
Washington, DC 20036

Mr. Thomas J. Moorman
Kraskin, Moorman & Cosson, LLC
2120 L Street NW - Suite 520
Washington, DC 20037

and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol on the 13 day of December, 2005, to:

Mr. William W. Binek
Chief Counsel
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0480

OFFICE OF ADMINISTRATIVE HEARINGS
Al Wahl, Administrative Law Judge



Louise Wetzel