

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications/North Dakota Telephone  
Company  
Rural Exemption  
Investigation**

**Case No. PU-05-451**

**NOTICE OF RESCHEDULED HEARING**

**December 14, 2005**

On May 12, 2005 Midcontinent Communications (Midcontinent) made a bona fide request under 47 U.S.C. § 251(c) for wholesale resold services for the Devils Lake, North Dakota exchange from North Dakota Telephone Company (NDTC). By its filing of July 15, 2005 Midcontinent notified the Commission of its bona fide request.

NDTC claims that under 47 U.S.C. § 251(f) it is exempt from the requirement that incumbent local exchange carriers must offer for resale the telecommunications services that it provides to retail subscribers.

Midcontinent requests that the Commission conduct an inquiry to determine whether to terminate NDTC's exemption from providing its services for resale.

A public hearing has been scheduled beginning **January 23, 2006, at 10 a.m. in the Commission Hearing Room, 12<sup>th</sup> Floor, State Capitol, Bismarck, North Dakota.**

The issues to be considered in this matter are:

1. Whether the request of Midcontinent is unduly economically burdensome.
2. Whether the request of Midcontinent is technically feasible.
3. Whether the request of Midcontinent is consistent with 47 U.S.C. § 254 (other than subsections (b)(7) and (c)(1)(D) thereof).
4. The implementation schedule for compliance with the request should the exemption be terminated.

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 Illona A. Jeffcoat-Sacco, Executive Secretary at least 24 hours in advance.

**PUBLIC SERVICE COMMISSION**

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**Susan E. Wefald  
Commissioner**

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**Tony Clark  
President**

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**Kevin Cramer  
Commissioner**

