

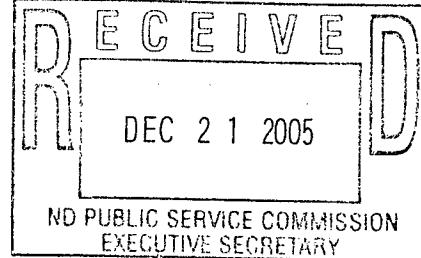


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December 21, 2005



The Honorable Al Wahl  
Office Of Administrative Hearings  
1707 North 9 Street  
Bismarck, ND 58501-1882

**RE: Midcontinent Communications v. North Dakota Telephone Company  
Case No. PU-05-451  
OAH No. 20050316**

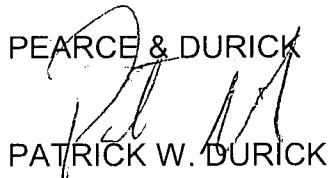
Dear Sir:

Enclosed for filing are the following:

- 1) DIRECT TESTIMONY OF WARREN R. FISCHER and EXHIBITS;
- 2) DIRECT TESTIMONY OF TIMOTHY J. GATES; and
- 3) DIRECT TESTIMONY OF MARY LOHNES.

Please do not hesitate to contact our office if you have any questions.

Sincerely,

  
PEARCE & DURICK  
PATRICK W. DURICK

PWD/jf  
Enclosures.

cc w/enc: Mr. Don Negaard  
Mr. William Binek (Original/7 Copies)  
Ms. Mary Lohnes  
Mr. J. G. Harrington

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Midcontinent Communications, ) Case No. PU-05-451  
a South Dakota Partnership, )  
)  
Complainant, )  
)  
vs. )  
)  
North Dakota Telephone Company, )  
)  
Respondent. )

**AFFIDAVIT OF MAILING**

STATE OF NORTH DAKOTA )  
) ss.  
COUNTY OF BURLEIGH )

Tara Erickson hereby certifies that on December **21**, 2005, she served a copy of the foregoing:

- 1) DIRECT TESTIMONY OF WARREN R. FISCHER and EXHIBITS;
- 2) DIRECT TESTIMONY OF TIMOTHY J. GATES; and
- 3) DIRECT TESTIMONY OF MARY LOHNES.

by placing a true and correct copy thereof in an envelope and depositing the same, with postage prepaid, in the United States mail at Bismarck North Dakota or Hand Delivered and e-mailed as noted, addressed to the following:

Mr. Donald Negaard  
Pringle & Herigstad  
P. O. Box 1000  
Minot, ND 58702-1000  
(also served via e-mail)

Mr. William W. Binek  
Chief Counsel  
PSC  
600 East Boulevard Avenue, 9 Floor  
Bismarck, ND 58505  
(Hand Delivered)



Tara Erickson

Subscribed and sworn to before me this **21** day of December, 2005.

Jeanne A. Feist  
Notary Public

My commission expires:

