



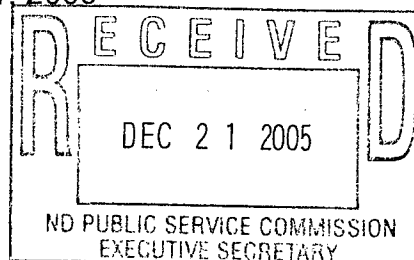
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PATRICK W. DURICK
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December 21, 2005

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
OA# 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,)
a South Dakota Partnership,)
)
 Complainant,)
)
 vs.)
)
North Dakota Telephone Company,)
)
 Respondent.)

Case No. PU-05-451

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.


Notary Public

My commission expires:

JEANNE A. FEIST
Notary Public State of North Dakota
My Commission Expires MARCH 7, 2007