



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission
Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the hearing in Case No. PU-05-451, Midcontinent Communications/North Dakota Telephone Company, Rural Exemption Investigation. Hearing is set for July 10, 2006, at 9 a.m. in the Commission Hearing Room, 12th Floor, State Capitol.

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in Title 49 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
On 4/26/06 the Commission issued its Findings of Fact, etc. in this proceeding. The Commission ordered that a further hearing be held to determine an interim wholesale discount rate if the parties are can't negotiate a rate/determine the need for associated true-up provision.

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.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

| | | |
|---|--|------------------------------|
| AGENCY Public Service Commission | Address 600 E Blvd. Ave., Dept. 408, Bismarck, ND | Telephone Number 328-2400 |
| Representation William W. Binek, Chief Counsel | Address Same as above | Telephone Number 328-4088 |
| PARTY See attached | Address | Telephone Number |
| Representation | Address | Telephone Number |
| PARTY | Address | Telephone Number |
| Representation | Address | Telephone Number |

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| Additional Comments |
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(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 6-1-06 |
| Signature of Requesting Person | Telephone Number 328-4088 |

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

Case No. PU-05-451

List of Parties

Company

Midcontinent Communications
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Sioux Falls, SD 57104-6824

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