

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

IN THE MATTER OF:

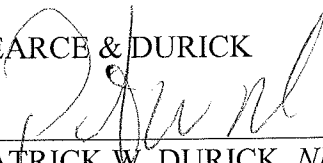
Case No. PU-06-0400

Midcontinent Communications, a	)
South Dakota Partnership,	)
	)
Complainant,	)
	)
vs.	)
	)
Consolidated Telcom,	)
	)
Respondent.	)

**MIDCONTINENT COMMUNICATION'S PETITION FOR ARBITRATION**

Pursuant to 47 U.S.C. § 252(b), Midcontinent Communications ("Midcontinent") hereby petitions the North Dakota Public Service Commission to arbitrate the open issues on a wholesale resale agreement between Midcontinent and Consolidated Telcom. The open issues are identified on the attached **MIDCONTINENT-CONSOLIDATED OPEN ISSUES WHOLESALE RESALE AGREEMENT (as of DECEMBER 28, 2006)** Attachment.

Dated this 20<sup>th</sup> day of December, 2006.

PEARCE & DURICK  


---

PATRICK W. DURICK ND #03141  
Individually and as a Member of the Firm  
314 E. Thayer Avenue  
P. O. Box 400  
Bismarck, ND 58502-0400  
(701) 223-2890

*Attorneys for Midcontinent Communications*

**MIDCONTINENT-CONSOLIDATED TELCOM NEGOTIATIONS  
OPEN ISSUES (AS OF DECEMBER 28, 2006)**

The primary open issue in the interconnection negotiations between Midcontinent Communications and Consolidated Telcom (“Consolidated”) known to Midcontinent as of December 28, 2006 is the discount rate. It is possible that there are other issues that Consolidated considers to be open that are not included in this attachment and Midcontinent reserves the right to amend this statement of open issues.

