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**PUBLIC SERVICE COMMISSION**

September 12, 2008

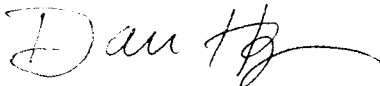
Patrick Fahn  
North Dakota Public Service Commission  
600 East Boulevard Avenue, 12th Floor  
Bismarck, ND 58505-0480

**RE: Petition by Sagebrush Cellular, Inc. for Redefining Service Areas of  
Rural Telephone Company in the State of North Dakota Pursuant to 47  
CFR Section 54.207(c)  
CC Docket No. 96-45**

Dear Mr. Fahn:

Pursuant to our telephone conversation, I enclose a copy of Sagebrush's withdrawal of its Petition asking the Federal Communications Commission ("FCC") to redefine the service area of Northwest Communications Cooperative ("NCC"). During the application process, we agreed with the FCC that redefinition was not required because the FCC had previously authorized redefinition of the NCC study area when North Dakota Network Company applied for redefinition in 2006. North Dakota Network Company is an SRT affiliate with licensed spectrum on the eastern portion of the NCC study area. Accordingly, the FCC and Sagebrush agree that Sagebrush did not need redefinition because redefinition was authorized in a previous proceeding.

Very Truly Yours,



David J. Hogue

Enclosure

cc: Shawn Hanson

**22** **PU-07-672** Filed: 9/16/2008 Pages: 4  
**Letter re. Status of FCC Redefinition of Service Area  
of Northwest Communications Cooperative**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Federal-State Joint Board on	)	
Universal Service	)	
	)	CC Docket No. 96-45
	)	
Withdrawal of Petition re	)	
	)	
Petition by Sagebrush Cellular, Inc.	)	
For Commission Agreement in	)	
Redefining the Service areas of Rural	)	
Telephone Companies in the State of	)	
North Dakota Pursuant to	)	
47 C.F.R. Section 54.207(c)	)	

**WITHDRAWAL OF PETITION FOR COMMISSION AGREEMENT IN  
REDEFINING THE SERVICE AREA OF RURAL TELEPHONE COMPANY IN  
NORTH DAKOTA**

David J. Hogue  
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Attorneys for Sagebrush Cellular, Inc.

June 16, 2008

Sagebrush Cellular, Inc. ("Sagebrush") filed a petition request on January 14, 2008 with the Commission, seeking the Commission's concurrence with the proposal by the North Dakota Public Service Commission ("NDPSC") to redefine the service area of one rural incumbent local exchange carrier ("ILEC") pursuant to the process set forth in Section 54.207(c) of the Commission's rules.

Sagebrush's petition requested concurrence on redefining the service area of Northwest Communications Cooperative ("NCC"). NCC serves the study area named Northwest Communications Cooperative in northwest North Dakota.

The Commission issued a public notice on January 22, 2008. The public notice invited comments on Sagebrush's petition. Sagebrush is withdrawing its January 14, 2008 filed petition because the Commission has previously accepted redefinition of the NCC study area.

The Commission previously issued a notice of public comment regarding redefining the NCC study area on April 14, 2006. In that proceeding, North Dakota Network Company ("NDNC") sought approval of the NDPSC's redefinition of the NCC study area. The Commission's public notice related to NDNC's petition stated:

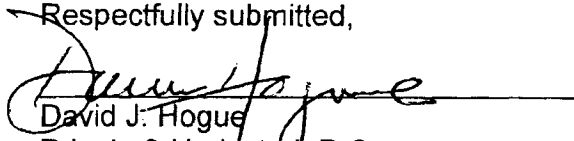
This is the Public Notice required by section 54.207(c) (2) of the Commission's rules.<sup>3</sup> If the Commission initiates a proceeding to consider the Petition, it must do so within 90 days of the release date of this Public Notice, pursuant to our rules.<sup>4</sup> If the Commission does not act on the Petition by **July 13, 2006**, the definition proposed by the MPSC [sic] will be deemed approved by the

Commission and shall take effect in accordance with state procedures.<sup>5</sup> [Footnotes omitted.]

The Commission did not initiate a proceeding related to NDNC's petition to redefine the NCC study area. Accordingly, NDPSC's proposed redefinition was approved by the Commission on or about July 13, 2006.

Sagebrush now withdraws its petition for redefining the NCC study area in recognition that the petition is moot: the Commission has already approved redefinition of NCC's study area.

Respectfully submitted,



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June 16, 2008