

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Midcontinent Communications/BEK
Communications Cooperative
Interconnection Arbitration
Application**

Case No. PU-08-58

NOTICE OF HEARING

April 4, 2008

On February 5, 2008, Midcontinent Communications ("Midcontinent") filed a Petition for Arbitration with this Commission to arbitrate several unresolved issues arising out of interconnection agreement negotiations between Midcontinent and BEK Communications Cooperative ("BEK"). Midcontinent's Petition was filed pursuant to section 252 of the Communications Act of 1934, as amended, and the North Dakota Administrative Code Chapter 69-02-10.

On February 29, 2008, BEK filed its response to the Midcontinent's arbitration petition.

On March 6, 2008, the Commission appointed James K. Sharpe, JKS Consulting, Inc., 612 Bellerive Blvd., Nicholasville, Kentucky, as the arbitrator in this proceeding.

On March 19, 2008, the arbitrator held a prehearing conference under the Commission's procedural rules.

On April 1, 2008, the arbitrator issued an Arbitrator's Order setting forth the arbitration procedural schedule and issues. The issues in dispute to be determined in the arbitration proceeding are:

1. Pricing – BEK and Midcontinent have not agreed on the prices or rates that BEK will charge Midcontinent for providing various services and the use of BEK's facilities.
2. Billing – BEK and Midcontinent have not agreed on the billing terms and conditions that will apply to each company pursuant to this interconnection agreement. This includes areas such as payment due dates, treatment of disputed bills, disconnection or discontinuance conditions, and termination of agreement for non-payment.

3. Intercept messages – BEK and Midcontinent cannot agree on whether BEK will provide an intercept and/or referral message to Midcontinent when customers select other carriers.
4. Directories – BEK and Midcontinent cannot agree on who is responsible for paying the cost associated with distributing directories to Midcontinent customers.
5. Collocation – BEK and Midcontinent have not agreed on the terms and conditions for collocation which includes the provision of physical space for Midcontinent's equipment in BEK's facilities and for the resources necessary for the operation of that equipment such as power, heating, ventilation, and air conditioning.
6. Last Mile Providers – BEK and Midcontinent cannot agree on whether exchange of traffic generated by Last Mile Providers that may not be under the common control of Midcontinent should be addressed in various sections of the interconnection agreement or should be addressed in a separately negotiated agreement.

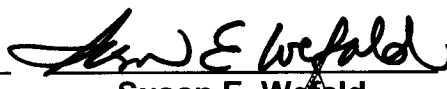
A hearing in this proceeding will be held beginning **April 30, 2008 at 9:00 a.m. CDT, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.** The hearing is open to the public, but participation is limited to the parties named herein and Commission staff.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify Illona A. Jeffcoat-Sacco, Executive Director, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



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