



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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April 1, 2008

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street, Lower Level  
Bismarck, ND 58501

Re: Midcontinent Communications/Missouri Valley Communications, Inc.  
Rural Exemption  
Investigation  
Case No. PU-08-61

Dear Mr. Hoberg:

Enclosed is a request for an administrative law judge in the above case. A Notice of Hearing has not been issued in this case. The administrative law judge will serve as a procedural law judge, a court reporter may be present and the hearing will be tape recorded.

If you have any questions, please contact me. Thank you.

Sincerely,

William W. Biniek  
Hearing Administrator

Enclosure

c: John M. Olson  
David J. Hogue



**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-08-61, Midcontinent Communications/Missouri Valley Communications, Inc., Rural Exemption, Investigation. The hearing has not been scheduled.

(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:  
 \_\_\_\_\_  
 \_\_\_\_\_

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 58505-0480	Telephone Number 701-328-2400
Representation William W. Binek, Chief Counsel	Address Same as above	Telephone Number 701-328-4088
PARTY Midcontinent Communications	Address	Telephone Number
Representation John M. Olson	Address 418 E Broadway Ste 9 Bismarck ND 58501	Telephone Number 701-222-3485
PARTY Missouri Valley Communications, Inc.	Address	Telephone Number
Representation David J. Hogue	Address PO Box 1000 Minot ND 58702	Telephone Number 701-852-0381

Additional Comments  
 Hearing will be tape recorded and a court reporter may be present.  
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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 4-1-08
Signature of Requesting Person 	Telephone Number 328-4088