

Jeffcoat-Sacco, Illona

From: John Olson [olsonpc@midconetwork.com]
Sent: Friday, June 27, 2008 3:20 PM
To: Hoberg, Allen C.
Cc: dhogue@srt.com; Jeffcoat-Sacco, Illona; Binek, William W.; 'Harrington, J.G.'; 'Nancy Vogel'; 'ZZLohnes, Mary'; tara.olsonpc@midconetwork.com
Subject: RE: Midcontinent Communnications v Missouri Valley Commnications Case # PU-08-61; OAH File # 20080079

Judge Hoberg:

We expect that our pre-filed testimony will contain an analysis of all relevant issues under Section 251(f) and that our response to the Missouri Valley motion will address the merits of the motion, including both the factual and legal issues it raises in the context of this proceeding. Further, Midcontinent has no objection to any ruling being delayed until your return on July 7.

John Olson

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From: Hoberg, Allen C. [mailto:ahoberg@nd.gov]
Sent: Friday, June 27, 2008 2:55 PM
To: John Olson
Cc: dhogue@srt.com; Jeffcoat-Sacco, Illona; Binek, William W.; Harrington, J.G.; Nancy Vogel; ZZLohnes, Mary; tara.olsonpc@midconetwork.com
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Mr. Olson: Should I assume that with that written testimony will be Midcontinent's evidence that the interconnection proposed by Midcontinent is not unduly burdensome to Missouri Valley? Or, in the alternative, Midcontintnet will argue persuasively in its response to Missouri-Valley's alternative motions that Midcontinent does not have the burden of proof as seems to be indicated by *Iowa Utilities Board v. Fed. Commun. Com. ?* Please be advised that I will be out of the office from June 30 - July 3, and the 4th is a Holiday when I will also be out of the office. Thus, I may not be able to issue a ruling on the alternative motions until Monday, July 7. ALJ Hoberg

From: John Olson [mailto:olsonpc@midconetwork.com]
Sent: Friday, June 27, 2008 2:37 PM
To: Hoberg, Allen C.
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6/27/08

Judge Hoberg:

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 Email - From John Olson To Allen Hoberg, ALJ

6/27/2008

I received in the mail today copies of Missouri Valley's (1) written testimony with exhibits by Shawn Hanson; and (2) Motion for Immediate Order Compelling Discovery or, in the alternative, Motion to Dismiss Petition of Midcontinent Communications, Inc. for removal of rural exemption, with exhibits.

Please be advised that the parties have agreed to the filing of pre-filed testimony no later than July 2, 2008, and Midcontinent will make its filing with the PSC on that date.

Further, Midcontinent will file its response to Missouri Valley's alternative motions on July 2nd as well.

Please advise if this is unacceptable. Thank you for your consideration.

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