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August 11, 2009

Illona Jeffcoat-Sacco, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue – State Capital
Bismarck, ND 58505 - 0480

RE: ND PSC Cases PU-08-60 and US District Court Case No. 1:09-cv-017

Dear Ms. Jeffcoat-Sacco:

For purposes of the Federal district court case, Midcontinent Communications vs North Dakota Public Service Commission and Missouri Valley Communications, we request that you prepare and file with the clerk of the federal district court in Bismarck the original or a certified copy of the entire record of the proceedings of the Commission in case No. PU-08-61, in the same manner as provided in NDCC 28-32-44 if the Commission's order were appealed to North Dakota's district court. We understand the record does not include a written transcript of oral testimony at the hearing because that part of the record is maintained by electronic recording under NDCC 28-32-36. We are not requesting a written transcript where none exists.

We request that you send copies of the entire record to me, to Midcontinent's counsel, John Olson and J.G. Harrington, and that you provide a copy to the Commission's counsel, Annette Bendish.

Under NDCC 28-32-44, it is usually required of an appellant to pay the estimated and final costs of preparing and filing the record. Because Missouri Valley is making this request, we expect you will send the bill to us for payment.

We request the record be filed and copies be sent as soon as possible, because of motions pending before the federal district court.

Very truly yours,

David J. Hogue

DJH/klo

cc: Mike Kilgore
David E. Mills
J.G. Harrington
John M. Olson
Annette Marie Bendish

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Request for Certified Copy of Entire Record of Proceedings