

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Midcontinent Communications, a )  
South Dakota Partnership, )

Plaintiff, )

vs. )

North Dakota Public Service Commission, )  
Kevin Cramer, Tony Clark, and Brian Kalk, )  
in their official capacities as )  
Commissioners of the North Dakota Public )  
Service Commission, )

and )

Missouri Valley Communications, Inc. )  
Defendants. )

**STIPULATION FOR EXTENSION  
OF TIME**

Case No. 1:09-cv-017

WHEREAS the Defendants, Missouri Valley Communications, Inc., ("Missouri Valley") and the North Dakota Public Service Commission, Kevin Cramer, Tony Clark, and Brian Kalk (collectively, the "Commission") have filed Motions to Dismiss the Plaintiff's, Midcontinent Communications, Inc., ("Midcontinent"), Complaint; and

WHEREAS Midcontinent's Response to Missouri Valley's Motion to Dismiss is due July 6, 2009 and Midcontinent's Response to the Commission's Motion to Dismiss is due on July 15, 2009; and

WHEREAS Midcontinent will file its Consolidated Opposition to Missouri Valley's Motion to Dismiss and to the Commission's Motion to Dismiss together with its Motion for Summary Judgment on or before July 24, 2009;

NOW THEREFORE IT IS HEREBY stipulated and agreed by and among John M. Olson,

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counsel on behalf of Midcontinent, David J. Hogue, counsel on behalf of Missouri Valley, and Annette Bendish, counsel on behalf of the Commission, that the Plaintiff will have until July 24, 2009, to file its Consolidated Opposition to Missouri Valley's and the Commission's Motions to Dismiss together with its Motion for Summary Judgment.

Dated this 1<sup>st</sup> of July, 2009.

MIDCONTINENT COMMUNICATION, INC.

By:           /s/ John M. Olson            
John M. Olson ID# 03053  
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Its Attorneys

MISSOURI VALLEY COMMUNICATIONS, INC.

By:           /s/ David J. Hogue            
David J. Hogue ID#04486  
PRINGLE & HERIGSTAD, P.C.  
2525 Elk Drive  
P.O. Box 1000  
Minot, ND 58702

Its Attorney

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NORTH DAKOTA PUBLIC SERVICE  
COMMISSION, KEVIN CRAMER, TONY  
CLARK, AND BRIAN KALK, IN THEIR  
OFFICIAL CAPACITIES AS COMMISSIONERS  
OF THE NORTH DAKOTA PUBLIC SERVICE  
COMMISSION

By:           /s/ Annette M. Bendish            
Annette M. Bendish ID#05790  
North Dakota Public Service Commission  
500 E Boulevard Ave., Dept. 408  
Bismarck, ND 58505

Their Attorney