

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Midcontinent Communications/Consolidated Telcom
Interconnection Agreement Amendment
Application

Case No. PU-08-84

AFFIDAVIT OF SERVICE REGULAR, EMAIL OR INSIDE MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Janet Marquart deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **30th day of April, 2008**, she deposited in the United States Mail, Bismarck, North Dakota, 61 envelopes by first class mail, fully prepaid, securely sealed and each containing a photocopy and 110 electronic mail electronically sent a copy of:

Order Approving Interconnection Agreement Amendment

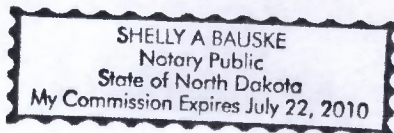
The envelopes and electronic mails respectively were addressed as follows:

See attached list.

Each post office address shown is the respective addressee's last reasonably ascertainable post office address and each email address is the respective addressee's last reasonably ascertainable electronic mailing address.

Subscribed and sworn to before me
this **30th day of April, 2008**.

SEAL



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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications/Consolidated Telcom
Interconnection Agreement Amendment
Application**

Case No. PU-08-84

ORDER APPROVING INTERCONNECTION AGREEMENT AMENDMENT

April 23, 2008

On February 19, 2008 Midcontinent Communications filed a petition for approval of an Additional Territory Amendment negotiated to its interconnection agreement with Consolidated Telcom. The amendment would add the Hettinger, ND Exchange to Exhibit B, Area of Resale to Attachment 1, Resale, to the General Terms and Conditions of existing the resale area under the existing agreement.

This amendment was filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under 47 U.S.C. § 252(e)(2)(A), the Commission may only reject an agreement adopted by negotiation (or a portion of the agreement) if it finds that:

1. the agreement discriminates against a telecommunications carrier that was not a party to the agreement; or
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

In addition, under 47 U.S.C. Section 253 the Commission may include in its review state requirements that do not constitute barriers to entry.

Section 252(e)(4) requires that the Commission act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

On March 12, 2008 the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive written comments on the agreement amendment until April 15, 2008. No comments were received.

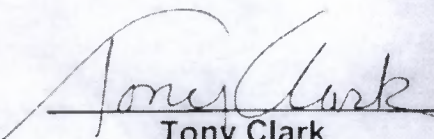
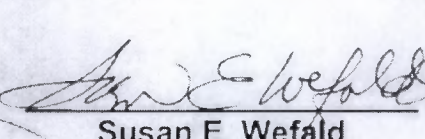
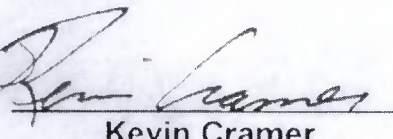
The Commission has reviewed the agreement amendment and finds that it has not been shown to discriminate against a telecommunications carrier that was not a party to the agreement. The Commission further finds that implementation of the amended agreement has not been shown to be inconsistent with the public interest, convenience and necessity.

Order

The Commission orders:

1. The interconnection agreement amendment negotiated between Midcontinent Communications and Consolidated Telcom filed with the Commission on February 19, 2008 is APPROVED.
2. The Commission retains continuing jurisdiction over the amended agreement at all times.
3. Notice of any changes to the amended agreement must be filed promptly with the Commission.
4. The amended agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the amended agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

PUBLIC SERVICE COMMISSION

		
Tony Clark	Susan E. Wefald	Kevin Cramer
Commissioner	President	Commissioner