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April 10, 2008

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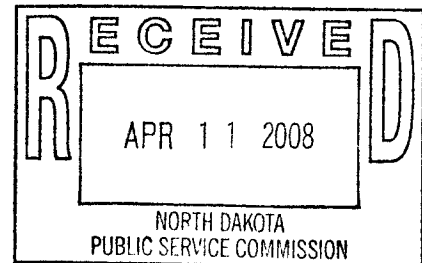
Illona Jeffcoat-Sacco
ND Public Service Commission
600 E. Boulevard, 12th Floor
Bismarck, ND 58505

RE: Midcontinent Communications/Consolidated Telcom
Facilities Interconnection Arbitration
PU-08-97

Dear Counsel:

This will confirm receipt of Mr. Durick's letter to Illona Jeffcoat-Sacco dated April 8, 2008, in which the parties have confirmed that I was selected as arbitrator for this matter pursuant to 47 U.S.C. § 252(b) and N.D.A.C. Ch. 69-02-10.

I am pleased to be able to assist you. I will need some background information to kickoff the proceedings. In reviewing Chapter 69-02-10 of the N.D.A.C., it appears that there are several options as to whether this would be an entire package final offer



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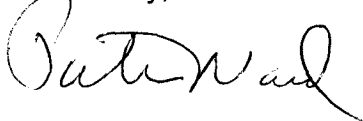
arbitration, final offer arbitration, issue by issue final offer arbitration, or modified final offer arbitration. Please let me know.

We do need to set a prehearing conference pursuant to Ch. 69-02-10. I would like to hear your suggestions as to when that should be. I would suggest a face-to-face meeting or, at a minimum, a telephone conference, at which time we would discuss a procedural schedule that conforms to requirements of law and as to the scope and timing of discovery, potential areas of testimony, witness lists, expert witnesses, if any, and ways to identify, simplify and limit the issues. I would tentatively like to schedule that prehearing conference for Tuesday, May 20, 2008. I suggest that each party write me a brief synopsis of suggestions or topics to discuss which includes ways we can narrow the issues at the prehearing conference. If possible, I would like to have that preliminary background memo from each of the parties by April 23, 2008. Let me know if that is too soon, or if you prefer to mutually agree on a timetable and submit it to me for approval.

My fees for arbitration services are \$180/hour. If it is necessary for me to travel, I would charge a reduced rate of \$90/hour for travel time. Each side will be expected to pay one-half the costs at the conclusion of the arbitration unless the sides agree otherwise. We can do this at my office or some other location if you prefer.

I look forward to working with all of you.

Sincerely,



Patrick J. Ward

c: Illona Jeffcoat-Sacco

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