

APPROVED

DATE: 6-4-08
[Signature]

MOTION

June 4, 2008

**Midcontinent Communications/
Consolidated Telcom
Interconnection Arbitration
Application**

Case No. PU-08-97

I move the Commission issue a Notice of Hearing in Midcontinent Communications' interconnection arbitration application, Case No. PU-08-97.

PJF

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Midcontinent Communications/
Consolidated Telcom
Interconnection Arbitration
Application**

Case No. PU-08-97

NOTICE OF HEARING

June 4, 2008

On February 29, 2008, Midcontinent Communications ("Midcontinent") filed a Petition for Arbitration with this Commission to arbitrate several unresolved issues arising out of interconnection agreement negotiations between Midcontinent and Consolidated Telcom ("Consolidated"). Midcontinent's Petition was filed pursuant to section 252 of the Communications Act of 1934, as amended, and the North Dakota Administrative Code Chapter 69-02-10.

On March 6, 2008, the Commission appointed Patrick J. Ward, Zuger, Kirmis & Smith, 316 N 5th Street, Bismarck North Dakota 58502, as the arbitrator in this proceeding.

On May 20, 2008, the arbitrator held a prehearing conference under the Commission's procedural rules.

On June 2, 2008, Midcontinent emailed a list of issues to be determined in the arbitration proceeding:

1. Last Mile Providers – Consolidated and Midcontinent cannot agree on whether exchange of traffic generated by Last Mile Providers that are not under common control with Midcontinent should be addressed in various sections of the interconnection agreement or should not be prohibited under this agreement and addressed, if at all, in a separately negotiated agreement
2. Pricing – Consolidated and Midcontinent have not agreed on the prices or rates that Consolidated will charge Midcontinent for providing various services and the use of Consolidated's facilities.
3. Common Carrier Representations – Consolidated and Midcontinent have not agreed on whether the agreement should contain terms relating to Midcontinent's operations as a common carrier
4. Intellectual Property – Consolidated and Midcontinent have not agreed on (a) the extent to which Midcontinent will indemnify Consolidated for intellectual property claims relating to facilities and services provided by Consolidated to Midcontinent; and (b) the terms under which each party may use trademarks and similar rights granted to the other party.

5. Franchise Reporting and Fees – Consolidated and Midcontinent have not agreed on language concerning franchise-related obligations of the parties.
6. Operations Handbooks – Consolidated and Midcontinent have not agreed on the terms governing the use of each party's operations handbook under the agreement.
7. Network Interface Devices – Consolidated and Midcontinent have not agreed on the terms governing devices that connect customer wiring and the provider's network where fiber to the home has been installed.
8. Service Orders – Consolidated and Midcontinent have not agreed on (a) the standards that will govern the formats for service orders; (b) the procedures governing unauthorized changes in service; and (c) the procedures governing local service freezes.
9. Coordinated Cutovers – Consolidated and Midcontinent have not agreed on the terms governing confirmation and failure to complete coordinated cutovers from one carrier to another.
10. 911 Trunks – Consolidated and Midcontinent have not agreed on the terms governing purchase of 911 trunks by Midcontinent.
11. Foreign Exchange Service – Consolidated and Midcontinent have not agreed on the requirements governing foreign exchange service.
12. Collocation – Consolidated and Midcontinent have not agreed on the safety requirements for equipment placed in collocation cages.

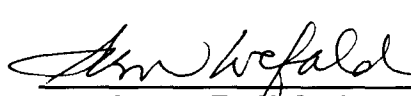
A hearing in this proceeding will be held beginning **August 1, 2008 at 10:00 a.m. CDT, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota**. The hearing is open to the public, but participation is limited to the parties named herein and Commission staff.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify Illona A. Jeffcoat-Sacco, Executive Director, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



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President



Kevin Cramer
Commissioner