

Marquart, Janet R.

From: Marquart, Janet R.
Sent: Thursday, May 08, 2008 11:02 AM
To: 'colleenp@ndna.com'
Subject: PU08-61/PU08-176
Attachments: PU0861-176 Notice of Consolidated Hrg.pdf

Colleen
North Dakota Newspaper Association

Please have the attached Notice of Consolidated Hearing published as a legal publication in the following newspapers:

The Bismarck Tribune
Devils Lake Journal
Dickinson Press
Fargo Forum
Grand Forks Herald
Jamestown Sun
Minot Daily News
Valley City Times-Record
The Daily News – Wahpeton
Williston Daily Herald

Do not publish in the classifieds. Please run it as a "News Item Only" article as well.

The notice must be published twice in each paper. Please publish the first time in the next issue of the newspaper, and a second time no sooner than **June 18** but not later than **July 8, 2008**.

Send the bill to the Public Service Commission along with a tear sheet for billing purposes.

Please confirm via e-mail that you received this request.

If you have any questions or cannot open the PDF version of the notice, please call me at 328-4076 or email.

Thank you!

Janet Marquart
ND Public Service Commission
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Fax: (701) 328-2410
jamarquart@nd.gov

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Email to NDNA to Publish Notice of Consolidated
Hearing

Public Service Commission

16 **PU-08-61** Filed: 5/8/2008 Pages: 3
Email to NDNA to Publish Notice of Consolidated
Hearing

Public Service Commission

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications/Missouri
Valley Communications, Inc.
Rural Exemption
Investigation**

Case No. PU-08-61

**Missouri Valley Communications, Inc.
Suspend/Modify Interconnection Requirements
Application**

Case No. PU-08-176

NOTICE OF CONSOLIDATED HEARING

May 7, 2008

On November 14, 2007 Midcontinent Communications ("Midcontinent") made a bona fide request for facilities based interconnection agreement, with local number portability (LNP) services for the Williston, North Dakota exchange from Missouri Valley Communications, Inc. d/b/a Nemont ("Missouri Valley"). By its filing of February 8, 2008 Midcontinent filed with the Commission its Notice of Bona Fide Request for Services and Interconnection and Petition to Find Rural Exemption Waived.

Midcontinent request that the Commission determine that Missouri Valley has waived its rural exemption, or in the alternative that the Commission conduct an inquiry under the provisions of 47 U.S.C. § 251((f)(1)(A) for the purpose of determining whether to terminate the Missouri Valley's exemption from providing its services as requested by Midcontinent.

On April 9, 2008 Missouri Valley filed and Application for Suspension Pursuant to 47 U.S.C. § 251(f)(2). Missouri Valley requests that the Commission grant to Missouri Valley a suspension of the requirements of subsections (b) and (c) of section 251 for Missouri Valley's telephone exchange service facilities in the Williston exchange area facilities for such duration as the Commission determines.

On May 1, 2008 Administrative Judge, Allen Hoberg, issued an Order for Consolidation and Scheduling pursuant to Stipulation for Consolidation filed by the parties consolidating these cases for hearing.

A public hearing has been scheduled beginning **July 9, 2008, at 9 a.m. in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.**

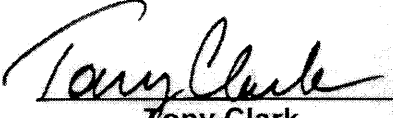
The issues to be considered in this matter are:

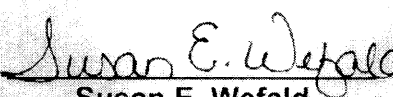
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1. Whether the request of Midcontinent is unduly economically burdensome.
2. Whether the request of Midcontinent is technically feasible.
3. Whether the request of Midcontinent is consistent with 47 U.S.C. § 254 (other than subsections (b)(7) and (c)(1)(D) thereof).
4. The implementation schedule for compliance with the request should the exemption be terminated.
5. Whether suspension or modification is necessary.
6. Whether suspension or modification is consistent with public interest, convenience and necessity.
7. The extent and duration should any suspension or modification be granted.

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 Ilona A. Jeffcoat-Sacco, Executive Secretary at least 24 hours in advance.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


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Commissioner