

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must either be presented to Judy Denker, personal representative of the estate, or filed with the Court.

DATED this 21st day of October, 2008.

-s JUDY E. DENKER

Judy Denker

PO Box 488

Custer, SD 57730-0488

John H. MacMaster - #03171

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Attorneys for Personal Representative

First publication on the 23rd day of October, 2008.

(October 23, 30, November 6, 2008)

## STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

### Midcontinent Communications/ Consolidated Telcom Interconnection Agreement Application

Case No. PU-08-815

### NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS

October 22, 2008

On October 8, 2008, Midcontinent Communications filed a petition for approval of a facilities based interconnection agreement with Consolidated Telcom. The agreement sets forth rates, terms and conditions under which Consolidated Telcom will provide interconnection with designated facilities to Midcontinent Communications for the Bowman, Dodge, Halliday, Hettinger, Killdeer, Mott, Reeder, Rhome, Richardson, Scranton, and South Heart exchanges.

This agreement 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.

The Commission will receive written comments on these agreements until November 26, 2008.

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 Darrell Nitschke, Executive Secretary.

PUBLIC SERVICE COMMISSION

Tony Clark, Commissioner

Susan E. Wefald, President

Kevin Cramer, Commissioner

(October 30, 2008)

the tabled plat of Sublot 4 & 5 located in S1/2 of Section 19, T154N R101W back to the floor. Motion carried. John Sanders present to report that the only purpose for the plat is to split ownership and if there are any changes he is aware that he will have to come back in for a re-arrangement. Sanders also stated that he has no problem with the additional 20' utility easement along 138th Ave NW. There are already easements along the west and north side of the property and there is no indications if new roads will be placed. Schmidt moved Hanson seconded approving the Chairman to sign the plat of Sublot #4 & Sublot #5 S1/2 of Section 19, T154N R101W. Motion carried.

Gooch-Egge presented abatement and recommended their approval. Hanson moved Montgomery seconded approval of the Homestead Credit abatement for 2006, 2007, 2008 for Jerome Chanchuk of City of Williston L1 B4 Wittmeier Addition and 2008 for Sabin Metal West Corp of All B1 ex NW 247 sq. ft Cenex Subdivision to the City of Williston. Motion carried.

Schmidt moved Arnsen seconded approval of the prorate of assessment for Duane/Dorothy Fenster L12R Rearr of Lots, B4, Fox Glen Subdivision to the City of Williston due to new residence exemption and Travis/Amanda Lee L13R Rearr of Lots, B4, Fox Glen Subdivision to the City of Williston due to new residence exemption. Motion carried.

Ryan spoke to the Commission concerning Pherrin Township requesting help from him with compliance issues within their Township. The Commission instructed Ryan that there is nothing that we can do for them unless they are a member of the County Planning/Zoning as we have no authority to do compliance within their Township.

Arnsen moved Hanson seconded approval of the culvert petition for 12-Mile Township. Motion carried.

Nelson reported on the counter placed on the Pleasant Valley road, but there may not be an accurate count so they will leave it on for another month.

Schmidt brought up a need for an overlay of 4 miles of road on County #21 to County #8 and upgrade 1 mile to 1055 of road that runs east to Enbridge then goes to County #21. Nelson was instructed to get figures from Meiers for the next meeting on an approximate cost.

Schmidt stated that the next \$1M that goes into the County General Fund should be used on roads that help generate the revenue.

Evenson reported that there is a company Deister Ward Witcher that digitizes older records so they can get a copy and then they supply a copy to the County. They can start in 2009 and will take a couple of years. Evenson will do more research and report back to the Commission, but they are in support of this project.

Askim reminded the Commission of the Sexual Harassment training on September 15th at the MDU conference room and reported on the current job openings in the County.

Arnsen moved Montgomery seconded approval of the August 5th and 11th minutes. Motion carried.

Discussion was held on the budget hearings and they will be held a couple of evenings. Innis will set up a schedule.

Schmidt moved Arnsen seconded approval of the Site Authorization for the Alamo Volunteer Firefighters at Sportsmen Club in McGregor. Motion carried.

Chairman Kalil will represent the County at the Oil/Gas Producing Counties meeting and if he can't attend then Arnsen will be the alternate.

mission. Motion carried. Mr. Larue will be here next week and they will arrange a time to inspect the sites.

Schmidt moved Arnsen seconded approval of the proration of assessments for Williams County of L18 B1 Highland Homes. 1st Addition to the City of Williston from June through December 2008 as the property went from taxable to exempt and Elsie Clark of a possessory interest in L4 B26 Brueggers 2nd Addition to the City of Williston from August through December 2008 as the property went from taxable to exempt. Motion carried.

Sinness presented the plat for Madison Ridge Subdivision located in the E1/2 Section 30 T154N R101W with recommendations to approve the final conditional approval as presented with the letter of credit worthiness from 1st National Bank, review of title opinion by attorney, \$3,151.68 fee due at time of recording, covenants reviewed by attorney, amend zoning resolution and final certification by engineering. Dwight Myers reported that the roads should be completed before freeze up, except for the gravel. The County does have the building permit process to fall back on if the roads are not completed. Schmidt moved Montgomery seconded approval of the plat for Madison Ridge Subdivision located in the E1/2 Section 30 T154N R101W. Motion carried.

Montgomery moved Hanson seconded approval of the amended resolution amending the zoning from agricultural to residential and commercial. Motion carried.

Sinness presented the zoning change from agricultural to industrial for Sublot No. 1 Section 19 T154N R101W with Bob Horab in attendance explaining the re-zone is for clay and concrete products. He is planning on putting in a portable plant for McCody Concrete. Concerns expressed from those in attendance were the frontage road and who was going to maintain it, and dust problems. Fred Douglas, Williston Township Chairman, stated that he would prefer that the land would either be agriculture or commercial, not industry. Concerns are what type of industry could come in there if the land is sold. Mike Weber from Williston RV & Marine stated that they are not even zoned properly and would like the entire area to go commercial. The only way the area could have a different use if sold would be if the county allowed for a different usage. Montgomery moved Schmidt seconded to zone the property located in the S1/4 SE Section 19 T154N R101W of approximately 12.7 acres and allow for the conditional use permit for a portable concrete plant. Motion carried.

Arnsen moved Schmidt seconded proclaiming the month of October 2008 as National Disability Employment Awareness Month. Motion carried.

Introductions were held for George Pederson, Facilities Supervisor.

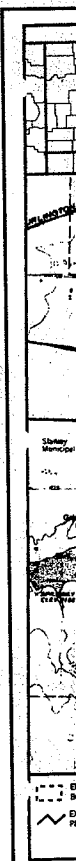
Sinness presented a plat for Terry/Rebecca Schatz of Sublots 4 and 5 located in NW1/4NW1/4 of Section 34 T155N R101W with an appeal to the Board of Adjustments as their acreage is under the required 10 acres. Schmidt moved Hanson seconded approval of the plat of Sublots 4 and 5 located in NW1/4NW1/4 of Section 34 T155N R101W and authorize the Chairman to sign.

Sinness presented a plat for Richard/Judy Gafkjen of the Rearrangement of Block 1 Blacktail Dam Subdivision, located in the W1/4 of the SE1/4 of the SW1/4 Section 9 T157N R101W where Gafkjen purchased .20 acres from the Park Board, for \$500.00, to expand his lot for building purpose. Recommendation from Planning/Zoning is to approve contingent on combining the rearrangement of Block 1 with Lot 159. Arnsen moved

34477 DANIEL KALIL CELL 30.00; 34478 STEVE KEMP CELL 60.00; 34480 JUSTIN PARKINSON CELL 60.00; 34481 BETH M. INNIS CELL 30.00; 34482 DOUGLAS FLATEN TRAVEL 12.50; 34483 SHARI ERDMAN CELL 40.00; 34484 GRANT P. ARCHER cell 30.00; 34485 VIKKI LORENZ CELL 30.00; 34486 MARLYCE SIELER CELL 30.00; 34489 HELEN M ASKIM CELL 30.00; 34512 AMERICAN STATE BANK FIBER PATCH 961.75; 34513 ADVANCED DRUG TESTING TESTING 350.00; 34517 AGRI INDUSTRIES INC PUB WKS FIBER 18,893.36; 34523 BASIN PRINTERS BUSINESS CARD 38.00; 34527 BALCO UNIFORM CO SHIRTS 400.95; 34529 DF LIGHTING CO SUPPLIES 250.00; 34533 CITY LAUNDRY MOPS 129.06; 34540 COURTHOUSE CAFE MEALS 9,227.56; 34542 COMFORT INN STATE 440.00; 34544 CITY OF WILLISTON FUEL 725.95; 34551 ELECTRIC & MAGNETO LABOR 253.26; 34554 EKBLAD'S 2 MONITORS 378.00; 34555 ES&S BALLOTS 5,126.48; 34556 HORIZON RESOURCES FUEL 1,450.38; 34557 ECONOMART RETIREMENT 45.72; 34560 FORT UNION SUPPLY DET & LINERS 547.50; 34564 FIBER OPTIC SUPPLY INC 08 FIBER PRJ 3,943.60; 34570 HOME OF ECONOMY SPRAYER 163.98; 34573 HELPMATE SERVICES BATTERY 29.99; 34574 HEWLETT PACKARD DATA SERVER 1,627.00; 34577 ITD PROCESSING STATE NETWORK 738.60; 34579 INK SPOT PRINTING LETTERHEAD 540.00; 34581 JOHNSON'S TRUCK & AUTO REP DOOR #6 266.00; 34582 RICHARD JOHNSON CONTRACTED SE 2,838.67; 34585 RICHARD JOHNSON CELL 30.00; 34592 LEXIS NEXIS monthly 150.00; 34593 LEXISNEXIS MATTHEW BENDER updates 265.00; 34594 LANDS' END APPAREL 1,782.85; 34596 LYNN CARD CO SO CARDS 137.75; 34598 MONTANA DAKOTA UTILITIES UTIL 6,501.28; 34599 MODEL DRIVE-IN CLEANERS REPAIR FLAG 8.75; 34601 MERCY MEDICAL MED CENTER SARI-ER 205.00; 34604 MATTHEW BENDER NDCC 10B 47.85; 34605 MAX MULLER & ASSOQ LLC WORKSHOP 2,000.00; 34608 NW SUPPLY RETIREMENT 164.40; 34611 ND ASSOC DRUG DOURT PROF Drug Court 25.00; 34615 NORTHERN PLAINS BRDCSTING BLK PARTY 100.00; 34616 NICE PLUMBING SNAKE 285.00; 34617 NAT'L COLLEGE OF DISTRICT registration 595.00; 34620 NORTHSTAR APPL REPAIR SERVICES 60.00; 34621 O.K. TIRE STORE REPAIR 49.50; 34622 OTTMAR & OTTMAR CONSULT 262.50; 34624 ONE CALL CONCEPTS INC FIBER LOCATES 34.72; 34625 PRO SAFE PEST CONTROL PEST CONTROL 87.00; 34627 PITNEY BOWES SUPPLIES 407.96; 34628 PRISTINE WATER SOLUTIONS FILTERS 385.00; 34629 PSCP SERVICES 2,650.00; 34630 PBBS EQUIP CORP tubes 118.83; 34635 RECYCLING CENTER RECYCLING 23.00; 34636 REDWOOD TOXICOLOGY LAB UA tests 209.60; 34639 SRT PHONE 177.43; 34640 SERVICE DRUG PHARMACY RX 36.27; 34641 SHERWIN WILLIAMS CO PAINT 28.71; 34642 SANDNESS LAW OFFICE CT APPT ATTY 75.00; 34643 STUTSMAN COUNTY MH HEARING 82.50; 34644 SPORT ABOUT PLAQUE,SHIRT 3,746.00; 34645 STRINGER BUSINESS SYSTEM IMAGING UNIT 789.71; 34646 THE SHOPPER FACILITIES AD 566.06; 34648 WILLISTON TRUE VALUE SUPPLIES 38.03; 34649 UNDERGROUND VAULTS LEASE RENTAL 132.00; 34653 VAC U JET CLEAN DRAIN 125.00; 34655 WILLISTON HERALD PUBLISHING

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PUBLIC SER  
Tony Clark, C  
Susan E. Wef  
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10/30 Williston