

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-08-815

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Janet Marquart deposes and says that:

he is over the age of 18 years and not a party to this action and, on the **8th** day of **December, 2008**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order on Interconnection Agreement

The envelopes were addressed as follows:

Patrick W. Durick
Zachary E. Pelham
Pearce & Durick
P.O. Box 400
Bismarck, ND 58502-0400

Mary Lohnes
Midcontinent Communications
5001 W. 41st Street
Sioux Falls, SD 57106

Cert. No. 7008 1140 0002 6249 8701

Cert. No. 7008 1140 0002 6249 8718

JG Harrington
Dow Lohnes PLLC
Midcontinent Communications
1200 New Hampshire Ave NW, Ste 800
Washington, DC 20036-6802

Michael J. Maus
P.O. Box 570
Dickinson, ND 58602-0570

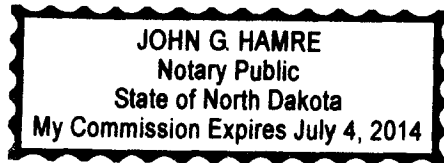
Cert. No. 7008 1140 0002 6249 8725

Cert. No. 7008 1140 0002 6249 8732

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this 8th day of **December, 2008**.

SEAL



Janet Marquist

John G. Hamre
Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications/Consolidated Telcom
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Case No. PU-08-815

ORDER ON INTERCONNECTION AGREEMENT

December 03, 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, Rhame, Richardton, 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.

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 October 22, 2008, the Commission issued a Notice of Opportunity to File Written Comments, which provided that the Commission would receive written comments on the agreement until November 26, 2008. No comments were received.


The Commission has reviewed the agreement 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 agreement has not been shown to be inconsistent with the public interest, convenience and necessity.

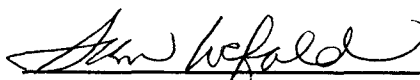
Order

The Commission orders:

1. The interconnection agreement negotiated between Midcontinent Communications and Consolidated Telcom filed with the Commission on October 8, 2008 is APPROVED.
2. The Commission retains continuing jurisdiction over the agreement at all times.
3. Notice of any changes to the agreement must be filed promptly with the Commission.
4. The agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Susan E. Wefald
President


Kevin Cramer
Commissioner