

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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AUG 11 2009

PUBLIC SERVICE COMMISSION

Polar Communications Mutual Aid Corporation)
Complainant,)
v.)
Qwest Corporation)
Respondent.)

NOTICE OF
CONTINUED HEARING
AND
NOTICE OF THIRD
PREHEARING CONFERENCE

PU-09-111

OAH File No. 20090155

To: Michael S. Raum, counsel for Polar Communications Mutual Aid Corporation; John W. Morrison and Jason D. Topp, counsel for Qwest Corporation; and Annette Bendish, counsel for the Public Service Commission

The second prehearing conference on this matter was held on August 7, 2009, attended by the administrative law judge ("ALJ"), Mr. Raum for Polar, Mr. Topp and Mr. Morrison for Qwest, and Ms. Bendish, and Mr. Patrick Fahn for the Commission. The ALJ noted that the State (ITD) has been dismissed from this matter pursuant to a Stipulation of Dismissal signed by Mr. Raum for Polar, and Mr. Bahr and for the State, on July 21 and 22, 2009, respectively. Mr. Raum said that settlement discussions are continuing between Polar and Qwest and that it appears the two are near settlement. Mr. Topp agreed.

Counsel asked for a continuance of 30 days to complete settlement, if possible, but also asked that a third prehearing conference be scheduled so that the matter may continue to hearing, if settlement is not reached.

Accordingly, this matter is CONTINUED 30 days and YOU ARE HEREBY NOTIFIED that the third prehearing conference on this matter will be held on September 10, 2009, beginning at 3:00 p.m. The prehearing conference will be a telephone conference call originating from the administrative law judge's (ALJ's) office.

The purpose of this prehearing conference is for counsel to discuss with the ALJ matters involved in this administrative action, including discovery, issues, witnesses, documentary evidence, anticipated motions, scheduling of the hearing, and other preliminary matters. Opportunity will be given counsel to discuss any of the problems confronting them. The prehearing conference will be digitally recorded, and will be conducted in an informal manner.

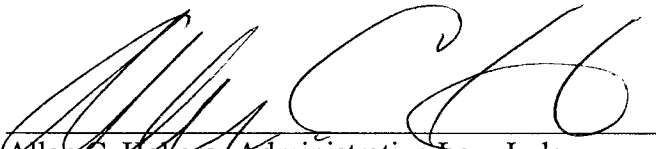
At the conclusion of the prehearing conference, the ALJ may issue a prehearing order reflecting any action taken at the prehearing conference and giving direction as to the procedures or issues for the hearing.

Attendance at the prehearing conference is necessary to result in an orderly and timely disposition of this matter. If the matter is settled before the scheduled prehearing conference, counsel will notify the ALJ. Your cooperation is appreciated.

Dated at Bismarck, North Dakota, this 10th day of August, 2009.

State of North Dakota
Public Service Commission

By:



Allen C. Hoberg, Administrative Law Judge

Office of Administrative Hearings
1707 North 9th Street
Bismarck, North Dakota 58501
Telephone: (701) 328-3260

AMERICANS WITH DISABILITIES ACT NOTIFICATION: A party shall promptly notify the Public Service Commission in writing if the party has a disability which will require auxiliary aids or services at the prehearing conference so that the Public Service Commission can make appropriate accommodation prior to the prehearing conference. Any request for an interpreter at the prehearing conference must also be made in writing to the Public Service Commission. Any request for aids, services, or an interpreter should be as specific as possible about what is required by the party. Also, please send a copy of the notice or request to the administrative law judge.

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Polar Communications Mutual Aid Corporation))	CERTIFICATE
Complainant,))	OF SERVICE
v.))	
Qwest Corporation))	PU-09-111
Respondent.))	OAH File No. 20090155

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The undersigned certifies that a true and correct copies of the **NOTICE OF CONTINUED HEARING AND NOTICE OF THIRD PREHEARING CONFERENCE** were mailed, regular mail, on the 10 day of August 2009, to:

Michael S. Raum
Vogel Law Firm
P.O. Box 1389
Fargo, ND 58107-1389

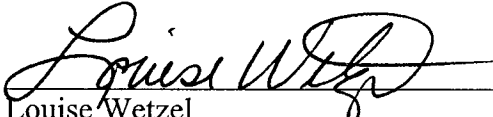
John W. Morrison
Crowley Fleck, PLLP
P.O. Box 2798
Bismarck, ND 58502-2798

Jason D. Topp
Qwest Corporation
200 South Fifth Street, Room 2200
Minneapolis, MN 55402

and that true and correct copies of the above documents were mailed, inside mail, at the State Capitol on the 10 day of August 2009, to:

Annette Bendish
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505

OFFICE OF ADMINISTRATIVE HEARINGS
Allen C. Hoberg, Administrative Law Judge



Louise Wetzel